

ask the majority leader to simply acknowledge that and let us move on with our business.

Mr. ARMEY. Mr. Speaker, if the gentleman will again yield, I want to express my own personal appreciation for the fine expressions of sentiment and commitment I have heard from the Members on this important matter of Veterans' Day. And I can tell my colleagues that I am only touched by what I have heard.

I have talked to the Members of the Committee on Veterans' Affairs. They too, of course, have focused on this with a great deal of interest and commitment and they have encouraged me to remind Members that for those of us who may have difficulties in getting back to our own districts, that we will have ceremonies at Arlington Cemetery where, of course, some of our Nation's greatest heroes are interred, and we will make every resource available to assist Members in getting to those very important ceremonies.

Mr. BONIOR. Mr. Speaker, I thank my colleague and would say in conclusion that I would hope the gentleman from Texas (Mr. ARMEY) could be more definitive in terms of a time within the next couple of hours so people could plan accordingly for not only this evening, but for the weekend if that is, in fact, what the majority desires, and I thank the gentleman.

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COMMUNICATION FROM STAFF MEMBER OF HON. DALE E. KILDEE, MEMBER OF CONGRESS

The Speaker pro tempore (Mr. LAHOOD) laid before the House the following communication from Barbara Donnelly, assistant district director for Hon. DALE E. KILDEE, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, November 2, 1999.

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives,*  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena issued by the United States District Court for the Eastern District of Michigan in the case of *U.S. v. Fayzakov*, No. 99-CR-50015.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

BARBARA DONNELLY,  
*Assistant District Director.*

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MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

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FATHERS COUNT ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 367 and rule XVIII, the Chair declares the House in

the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3073.

□ 1220

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3073) to amend part A of title IV of the Social Security Act to provide for grants for projects designed to promote responsible fatherhood, and for other purposes, with Mr. SHIMKUS in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) each will control 30 minutes, and the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 15 minutes.

The Chair recognizes the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first let me thank the gentleman from Maryland (Mr. CARDIN), my colleague and ranking member, and his tireless, able staff for their good work in developing both the programmatic language of this bill and its funding provisions.

Mr. CARDIN has indeed been a fine partner, both for his substantive knowledge and frank and cooperative working style. I also want to thank my friends on the Committee on Education and the Workforce, especially the gentleman from Pennsylvania (Chairman GOODLING) and the gentleman from California (Mr. MCKEON) for their excellent work on this bill and for their spirit of cooperation in working out a compromise between the bills written by our two committees.

Finally, let me thank my chief of staff of the Subcommittee on Human Resources, Dr. Ron Haskins, who has an extraordinary knowledge of problems, programs, the law, and the possibilities.

Mr. Chairman, the major provision of this legislation is the Fathers Count Act of 1996. This legislation will fund projects directed at helping poor fathers meet their responsibilities by promoting marriage, improving their parenting skills, and developing their earning power.

Welfare reform stimulated the development of far better services for welfare-dependent mothers; services that could help her identify her skills, provide her with the knowledge that could help her succeed in the workplace, find a job, work, and progress.

This bill is an attempt to provide the same support and opportunity to the poor fathers of children on welfare. Our goal is to help them find steadier em-

ployment and develop their careers so they can provide the economic support so crucial to their child's well-being.

Our second goal is to help them develop a better relationship with their child and with the child's mother. Why? Because kids need dads. Dads count, just like moms count.

Research unequivocally shows that the great majority of children born outside of marriage do not realize their potential. They are much more likely to live on welfare, fail in school, be arrested, quit school, use drugs and go on welfare themselves as adults.

Two decades of careful research now decisively shows that we are neglecting the interests of a very specific group of kids, the children born of unmarried parents by neglecting the concerns of their parents and making no effort to build an emotional support structure, as well as an economic support structure, around them.

Welfare reform addressed many of the concerns of their mothers constructively with help finding a job, subsidized day care and so forth. Now we need to help their dads find better jobs, learn to parent, gain the knowledge to develop a good relationship with the mom, and marry if they both desire.

We must, in sum, help those mostly young adults create a more stable environment economically and emotionally for their children so their children will enjoy the opportunity kids should have in America.

Mr. Chairman, surprisingly and encouragingly, a recent study by renowned researcher Sara McLanahan of Princeton University shows that at the time of nonmarital births, over half of the parents are cohabiting and about 80 percent say they are in an exclusive relationship that they hope will lead to marriage or at least become permanent.

It seems reasonable to us that if we develop ways to support these young couples when they are still exclusively committed to each other and to their child, they may be able to maintain their adult relationship and develop their parenting relationship.

Thus, our bill will provide a modest amount of money, \$150 million over 6 years, to encourage community-based organizations and governmental organizations to conduct projects to help these young parents. Projects will be awarded on a competitive basis. Not only will the projects aim to help couples develop healthy relationships including marriage, but they would also provide the educational opportunities and other supports through which good parenting and relational skills can be honed and the earning power of the father developed.

Even if the parents remain separate, the projects help fathers play an important role in their family through both the payment of child support and through good parenting of the child and open communication with the other parent.

Because these fathers have often have low job skills and weak attachment to the labor force, the projects will help fathers find jobs, improve their skills and experience so they can get better jobs. One of our major goals is to ensure that fathers, whether they live with their children or not, are able to provide financial support to their families. But an equally important goal is to assure that fathers, whether they live with their children or not, can provide appropriate emotional support to their child and be part of an adult partnership providing security, guidance and love to the children.

Mr. Chairman, funding these projects does not remove any money from the various programs Congress has put in place to support single mothers. Cash welfare, food stamps, Medicaid, housing benefits and many types of education and training programs remain available to mothers at their current level or higher levels of funding. So too do the programs that support low-income working single parents, particularly the earned income credit.

Thus, without detracting in any way from Federal programs designed primarily to help single, poor mothers we create this modest new program designed primarily to help single, poor fathers.

A word is in order about the background of this legislation. The gentleman from Florida (Mr. SHAW), my accomplished colleague, introduced the first version of this bill nearly 2 years ago. Since that time we have held three public hearings and received numerous written and oral comments on the legislation and at our most recent hearing, enabled the public to comment directly on the draft version of our current bill. On the basis of testimony at the hearing, as well as many meetings and written comments, we have made more than 50 changes in the legislation.

Mr. Chairman, this bill has now been passed as amended by both the Subcommittee on Human Resources and the full Committee on Ways and Means. Both votes were voice votes; thus our legislation originated and written on a bipartisan basis continues to enjoy the strong support from both sides of the aisle it deserves. The Clinton administration, with which we have worked closely in developing and amending the legislation, also supports the bill.

Finally, numerous organizations across the political spectrum, including the National Fatherhood Initiative, the Center on Budget and Policy Priorities, the Center on Law and Social Policy, the Children's Defense Fund, and the Empowerment Network have also endorsed the bill.

In addition to the important fatherhood program in this bill, the bill also contains several other first rate measures that Members should know about. Here is a brief summary:

First, the bill fixes a major problem in the welfare-to-work program which

was specifically structured to reach women who had been on welfare many years and would need significant education and training to move into the workforce to become self-sufficient.

□ 1230

Unfortunately, while focused on a significant problem, the original bill was drawn too narrowly and literally could not serve the people it was intended to serve. We correct that problem by adjusting the criteria realistically to identify long-term recipients with low skills and eliminate the discrimination against equally poor, struggling single moms who do not receive welfare and providing job placement services.

We have worked with the Committee on Education and the Workforce and the administration and have prepared constructive changes all can support.

Second, we fix a problem in our Nation's increasingly effective child support program by creating a new penalty procedure for States that have failed to meet the deadline for building a statewide computerized child support payment system. Rather than completely ending child support funding for eight States, we impose a fair and more realistic set of penalties on these States, allowing those that can comply in 6 months to do so penalty free.

Third, we authorize use of a child support enforcement data base to recover delinquent student loans and overpayments in the Unemployment Compensation program. This provision will lead directly to a reduction of \$154 million in State unemployment taxes over the next decade.

Fourth, the bill provides needed funds for the largest and most important evaluation of the 1996 welfare reform law.

Fifth, we provide new money to train judges and other court personnel in the child protection system.

Sixth, as the gentleman from Maryland (Mr. CARDIN) will explain in more detail, we fix a problem in the child support program by allowing the Immigration and Naturalization Service to suspend the passports of noncitizens who owe child support to American citizens.

Finally, let me point out that this bill is fully financed by fraud reduction and program terminations. In addition, businesses will save \$154 million in Unemployment Compensation taxes. We know there is no such thing as a free lunch, but the Nation will receive the very considerable benefits of this legislation without paying one extra penny in taxes and without increasing the national debt.

In the long run, it will reduce public spending by strengthening families and increasing child support payments and providing children with greater economic and emotional support.

I urge the support of this fine legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. WYNN), who has been a strong supporter of the fatherhood initiatives.

Mr. WYNN. Mr. Chairman, I thank the gentleman from Maryland for yielding me this time.

Mr. Chairman, I rise in strong support of the Fathers Count Act. For a long time, we have had our head in the sand with respect to the problem of children born out of wedlock. We have ignored the problem. We have assumed high-minded piety. We have condemned impoverished young people, but we have not really helped them.

This bill is an enlightened form of welfare reform that addresses some of the real problems faced by unwed parents and specifically fathers.

This bill is critical because it provides resources, not condemnation to unwed fathers. It provides counseling. It provides job support. It provides the resources that they will need to become effective and productive fathers. When we have productive and effective fathers, we have better children.

This is a very good bill in that it also encourages States to take an aggressive role in enforcing child support payments, and that is very essential because it is at the State level where we have the issue of child support enforcement.

By having States implement aggressive enforcement policies, we will collect more child support. Again, when we collect more child support, we are at a better position to help these children of unwed parents.

For too long this Congress and this society has ignored this problem or, as I said, has taken a head-in-the-sand approach. It is high time that, as a society, we address the problem, we accept responsibility, and we, more importantly, enable these young fathers to accept responsibility.

To the extent that these fathers become better fathers, become better husbands, they will contribute to our society by producing young people that are more stable, less prone to crime, and more able to be productive citizens.

This is a bipartisan piece of legislation, the result of a lot of hard work. I think it is an excellent idea. I am very pleased to support it.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CAMP), a member of the Subcommittee on Human Resources.

Mr. CAMP. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time.

Mr. Chairman, I rise as a cosponsor of the Fathers Count Act of 1999, and I want to thank the gentlewoman from Connecticut (Chairman JOHNSON) and the gentleman from Maryland (Mr. CARDIN), the ranking member, for their hard work and their good effort in this area.

Since we passed welfare reform in 1996, we have made remarkable

progress in getting families off the welfare rolls and improving their lives, but we still have a lot of work to do. This legislation represents an important step in welfare reform.

Many studies have suggested that unmarried, poor fathers have higher unemployment and incarceration rates than other fathers. These problems make it difficult for them to marry and form two-parent families and to play a positive role in the rearing of their children. Because the father fails to play a prominent family role, a vicious cycle ensues. Their children repeat the cycle of school failure, delinquency, crime, unemployment, and nonmarital births.

These are not the only disturbing facts about single parent homes. Our committee has heard testimony that children with absent fathers are five times more likely to live in poverty, more likely to bring weapons and drugs into the classroom, twice as likely to commit crime, twice as likely to drop out of school, twice as likely to be abused, more likely to commit suicide, more than twice as likely to abuse alcohol or drugs, and more likely to become pregnant as teenagers.

The Fathers Count Act of 1999 is designed to prevent the unfortunate cycle of children being reared in fatherless families by supporting projects that help fathers meet their responsibilities as husbands, parents, and providers.

I think a particularly good highlight of this bill is the charitable choice provisions which really allow faith-based organizations to compete for contracts whenever a State chooses to use private sector services or providers for delivering welfare services to the poor.

The charitable choice provision represents a historic shift in the way social services are delivered, away from big government programs to small, effective community faith-based providers. This provision allows the Secretary of HHS to choose a faith-based provider, and does not require the Secretary to do so.

The reasons this is so important is the goals of faith-based organizations are not just to provide services, but to change lives. Many of the fathers that the Fathers Count legislation is intended to reach need much more than services. They need what only faith-based organizations can deliver, and that is a belief that change is possible.

This bill is aimed at promoting marriage among parents. It will also work to help poor and low-income fathers establish positive relationships with their children and their children's mothers.

I urge a yes vote on this important legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first, let me acknowledge that when we work together, Democrats and Republicans, we can get a lot accomplished.

I commend the gentlewoman from Connecticut (Mrs. JOHNSON), the chairman of the Subcommittee on Human Resources, for her steadfast willingness to make sure that this legislation was considered and negotiated and marked up in a very bipartisan way.

I also want to compliment her on the hearings that we held on this bill. I thought they were very helpful. We heard from a lot of different groups, and they made many suggestions which are incorporated in the final legislation that was brought forward.

The system worked. The process worked. As a result, the Fathers Count Act, H.R. 3073, is a bill that will help low-income parents in carrying out their responsibility, both custodial and noncustodial, both mothers and fathers. It is a good bill, and I encourage my colleagues to support this legislation.

It does not include every provision that the gentlewoman from Connecticut (Mrs. JOHNSON) or I would like to have seen in the legislation. It is a product of compromise, and it is a good bill that moves us forward in helping low-income parents.

This endeavor is important for three reasons. First, it is simply unfair to expect low-income mothers to bear all the responsibility for raising their children. It is a moral and legal obligation of both parents to provide care for their sons and daughters.

Second, some noncustodial fathers want to help their families, but they lack regular employment, and it prevents them from meeting their commitments. These are dead-broke dads, not deadbeat dads. They need assistance in finding and retaining employment, and they need encouragement to cooperate with their child support system, which they view in many cases as being very hostile.

Third, and most importantly, children are simply better off when both of their parents have a committed and caring relationship with them, as the gentlewoman from Connecticut (Mrs. JOHNSON) has pointed out. This is in the best interest of a child to have both parents involved in their upbringing.

Under the Fathers Count Act, \$140 million dollars in competitive grants will be made available for communities to encourage fathers to become a consistent and productive presence in the lives of their children, whether through marriage or through increased visitation and the payment of child support.

These new grant funds can be used for a wide array of specific services, including counseling, vocational education, job search, and retention services, and even subsidized employment. The legislation includes resources to carefully evaluate the impact of these grants on marriage, parenting, employment, earnings, and the payment of child support.

Mr. Chairman, in addition, the grant program would encourage States and communities to implement innovative policies to assist and encourage noncustodial parents to pay child support.

For example, preference would be given to grant applications which contain an agreement from the State to pass through more child support payments to low-income families rather than recoup the money for prior welfare costs. Mr. Chairman, I can tell my colleagues that will encourage more involvement financially by noncustodial parents with their child. It is a good provision. Some States have done it, but not enough States have done this. This bill will encourage that action.

The legislation would make one very important change to help both custodial and noncustodial parents support their children. It would expand eligibility for the current Welfare to Work program. This initiative was originally passed as part of the Balanced Budget Act of 1997. It has proven to be a useful tool to help long-term welfare recipients and noncustodial parents of children on public assistance gain employment.

However, the criteria to access these funds are too restrictive. We know that. We are not able to get the money out where it is desperately needed. Therefore, the Fathers Count Act would broaden eligibility and local flexibility under the Welfare to Work program, an improvement, I might add, that has been requested by our National Governors' Association and by the U.S. Conference of Mayors and the Department of Labor. I hope that the House will build on this effort by passing a broader reauthorization of the Welfare to Work program. The Clinton administration has submitted such a request, and I hope that this will be the first step in reauthorizing that program.

Finally, I should point out that H.R. 3073 contains three provisions that would improve the administration of several different human resource programs. First, the bill would establish a more realistic penalty for the States that have failed to establish a State Disbursement Unit for their child support enforcement system.

Second, the legislation would provide Federal reimbursement for State and local efforts to train judges and other court personnel involved in child abuse cases.

Lastly, the measure would provide additional funding to improve ongoing effort by the Census Bureau to study the impact of welfare reform on low-income families.

Mr. Chairman, the underlying premise of the Fathers Count Act is children are better off emotionally and financially when both of their parents are productive parts of their life. We achieve these goals by promoting marriage, particularly among recent parents. However, we recognize that marriage is not always possible or even desirable, especially when there is an obvious threat of domestic violence. In those circumstances, we still expect fathers to accept financial responsibility for their children.

This bill, therefore, seeks to help low-income fathers gain employment

needed to pay child support. Without such an effort, we are condemning custodial mothers near the poverty level to bear the entire burden of raising their children.

In conclusion, let me say that we are going to have some debates on some of the amendments, and we will talk about that a little bit later, but the underlying bill is a good bill. It is supported by the administration. It is supported by many of the advocates and groups on behalf of our children. I urge my colleagues to support the legislation.

Mr. Chairman, I reserve the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. SHAW), who introduced the first fatherhood bill and who has been a real leader on this subject. It is a pleasure to have him on the floor with us today.

Mr. SHAW. Mr. Chairman, I compliment the gentlewoman from Connecticut (Mrs. JOHNSON) for her work as well as the gentleman from Maryland (Mr. CARDIN).

I would have to agree wholeheartedly with my Democrat friend that, when we do work together as Republicans and Democrats, we can do some great things and solve some tremendous problems in this country.

One-third of the children born today are born to single moms, one-third. I would wager that most of them, most of those children were fathered by a father that grew up without a father in the home.

It is hard for many of us to think of growing up without two parents. Experience shows us that the father shows up for the delivery, hands out cigars, and then, all too often, is never seen again. Oh, one may see him hanging out on the street corner, but he has been left behind.

□ 1245

We have done great things in this country with welfare reform, but it has created an imbalance that has to be addressed, and this legislation is a great first step in addressing the balance.

We are training the moms to become breadwinners, and we have done some wonderful things; and the children now look up to their moms as role models, but there is still that great vacancy in the home because there is not a father, and all too often the father is anything but a role model. In our society, today, we cannot afford to leave large masses of people behind.

We have to work with all the people in our population and not give up on any of them, and that is what this legislation addresses; and this is what it comes down to. It teaches fathers to be fathers. As ridiculous as that may sound, if a young boy grows up and is never in a home where there is a father and his neighbors do not have fathers either, he may very well not have a clue as to what it is to be a father, the responsibility, and also the love that is

possible and can be generated just by getting in and having some bonding between human beings.

We know that these kids that grow up without fathers are much more likely to get in trouble with the law, they do poorly in school, in most cases, and they will have problems for the rest of their lives. And then they will grow up and they will have children out of wedlock, and this cycle goes on and on. We have to break this cycle.

This is great legislation. It is a pilot program, admittedly, but it is one whose time has come; and I am very, very pleased to see that we are joining together on both sides of this House and bringing forth this tremendous legislation. It is going to save a lot of human beings, and it is going to be great for today's kids.

Mr. CARDIN. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I think this is a very interesting piece of legislation, and I know that the people who have put it together have the best of intentions and really want to see some progress made with this very serious problem. It is unfortunate that some of the amendments that were offered have not been made in order by the rule; however, there are a number of amendments that have been made in order and, if those amendments pass, I think this legislation may actually have some opportunity to be successful.

There are some things, however, that we are overlooking as we promote this legislation. Perhaps one of the most salient features here of this bill, one of the most important things that it does, is it brings to the fore the direct connection between income and problems of parenting, particularly problems of fatherhood. This bill directly targets its provisions at those people who are 150 percent below the poverty level.

Why does it do that? Because either consciously or unconsciously it recognizes that poor parenting and poverty go hand in hand. So why are we not dealing with the problem of poverty? That is the question that every Member of this House ought to be asking themselves. The problem of poverty is fundamental to dealing with this issue.

One of the things we ought to do is bring to the floor here a bill to increase the minimum wage. We have allowed the minimum wage in our country to fall far below that level where it ought to be. If the minimum wage had been allowed to rise at its standard level, its normal level throughout the decade of the 1980s and the early 1990s, it would today be about \$7.50 an hour. That is much closer to the level where a father can support a family.

Bringing out the minimum wage is the most important thing that we could do. The other body passed a minimum wage bill, but extends it over a period of 3 years, drags it out, increases it only by \$1, from \$5.15 to \$6.15 over a period of 3 years, leaving it woefully behind where it ought to be. Let

us bring the minimum wage bill out here to the floor, let us pass a real minimum wage bill, let us bring the minimum wage to where it ought to be, \$7.00, \$7.50, \$8.00 an hour. Then we will have fathers who can support their families.

Let us pass legislation which will provide for national health insurance, so that all of the children of these fathers will have health insurance, so that they can have their health needs taken care of, and so that fathers can feel proud of being able to take care of their children; bringing them into immunization clinics, making sure they see a doctor and get proper health care. Those are the things we ought to be doing.

If we are really serious about improving parenting, if we are really serious about improving the quality of fatherhood and motherhood in our country, let us do something about the minimum wage. Let us bring out a bill that will give us national health insurance. Let us really do something for parents so that they can be strong, competent, capable parents, raising their children in competent and capable ways. That is the real answer to this problem.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself 1 minute.

I would just say to the gentleman, the preceding speaker, that we are dead serious. We are dead serious about poverty as well as about parenting. And as a result of welfare reform, poverty in America has declined 26 percent in the last 4 years. It is unprecedented for poverty to decline in consecutive years, and especially among poor children.

But in addition under this bill, we do not just provide parenting education and help with relational skills, these men are going to get help with job placement, with career advancement, with getting the skills that are necessary for higher paying jobs. I am a big supporter of the minimum wage. I do not disagree that raising the minimum wage is important, but nobody working at minimum wage is really going to be able to provide a child real economic security.

The goal of this bill is not only to help men get into more stable jobs in the work force but help them to enhance their careers, their skills, move up and earn a higher wage. In sum, this is a direct attack on the problem of poverty among poor men.

Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I thank the gentlewoman for her path-breaking work on this issue, and let me add for the sake of the gentleman from New York who has now left the floor, it is probably worth noting that neither a minimum wage increase nor health care reform nor welfare reform came to the floor the last time his party was in the majority. But that is beside the point this morning.

We have gathered today on a bipartisan basis in support of the Fathers

Count Act, a real social reform that I think will add greatly to the quality of life in this country. This legislation takes welfare reform to the next level. It recognizes that since the 1960s, the family unit has been under siege from an intrusive and wayward welfare state. We have seen the breakup of low-income families and a breakup that has led to the rise of a large underclass.

This legislation builds on the success of the welfare reform that we passed in 1996 and moves in the direction of re-knitting family bonds. This legislation builds support infrastructure to strengthen the institution of fatherhood and provides support for new innovative local community-based programs that address this problem. These are programs that would counsel and mentor low-income fathers; that would promote good parenting practices; that stress the importance of honoring child support obligations and point the way for fathers to become effective providers through meaningful participation in the workforce.

Let me say that, in my view, this may be one of the most important social reforms that we consider during my term in Congress, and it is one that complements welfare-to-work; that strengthens family and promotes necessary innovation and social policy. I urge all of my colleagues on both sides of the aisle who are concerned about poverty in America to join me in supporting this legislation.

Mr. CARDIN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I take the time now to explain why I will be offering an amendment when we get to the amendment section.

The amendment that I am offering was actually in the Ways and Means reported version of the Fathers Count legislation. It deals with changes in the welfare-to-work with custodial parents who are below the poverty level, not receiving TANF funds, being eligible for welfare-to-work funds. The difficulty is that the bill that is on the floor today would restrict that to no more than 30 percent of the funds available. The problem is that there are other programs that fit into that 30 percent, including children aging out of foster care that we want to make sure the States have maximum flexibility.

I would urge my colleagues to support this amendment to give the States maximum flexibility in how they manage the resources available to not only get people off of welfare but to keep people off of welfare and having good jobs and not being in poverty.

So I would hope my colleagues would support this amendment when it is offered during the amendment stage of debate.

Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. EDWARDS), who will be offering an amendment dealing with the charitable choice provisions.

Mr. EDWARDS. Mr. Chairman, I thank the gentleman for yielding me

this time, and, Mr. Chairman, I will be offering an amendment in a few minutes that I hope all Members on both sides of the aisle will consider very carefully.

The amendment is very simple, but the principle behind that amendment is, I believe, as profound as the meaning of the establishment clause in the first amendment of our Constitution. What our amendment does is simply say that monies, the \$150 million that will be funded through this bill, shall not go to pervasively sectarian organizations. The Supreme Court has decided this, specifically in a decision in 1988 in *Bowen vs Kendrick*, saying that pervasively sectarian organizations, or organizations such as churches, synagogues, mosques, houses of worship, where religion is fundamentally thoroughly the reason for its existence.

Why do I offer this amendment? Well, there are a couple of basic reasons. First of all, the Founding Fathers made it very clear, and not just in putting it in the Bill of Rights, but putting in the first 10 words of the Bill of Rights this principle: that the best way to have religious freedom and respect in America is to build a firewall between government regulations and religion. And that separation, that wall of separation between church and State, has for 200 years worked extraordinarily well.

We are the envy of the world when it comes to religious tolerance and religious freedom. Why in the world, in a 20-minute debate over an amendment on the floor today in this House, should we, in effect, tear down that wall of separation between church and state and put at risk the independence and freedom of religious organizations and institutions all across this country?

The second reason I would say we need to pass the Edwards amendment is that without that amendment we need to look at the language this bill refers to in the 1996 Welfare Reform Act, which not more than a handful of Members were even aware of. This bill, without my amendment, could literally let churches and houses of worship take Federal dollars and, in using those dollars to run secular or social programs, they can hold out that money and actually use it to pay for a sign that they could put on the front of their church saying that no Jews need apply for this job, no Protestants need apply for this federally funded job, no Catholics, no Hindus. Whatever religions they do not like, they can use Federal dollars to literally discriminate in job hiring decisions based on no other reason than the religion of that American citizen.

I find that to be repugnant to the concept of the freedoms enshrined in the Bill of Rights. And I know that no sponsor of this legislation would intentionally want to do that, but I would urge them to take a look at the impact of this language and the underlying language that it builds on from the 1996 Welfare Reform Act.

I appreciate deeply the gentleman from Maryland (Mr. CARDIN), the Democratic sponsor of this bill, and his strong support of my amendment. I think he and I would agree that if we believe in this legislation, we ought to vote for the Edwards amendment simply to make it constitutional, if for no other reason than that practical but yet important reason.

□ 1300

I think it is time for this House to take a stand in saying that we are not going to compromise the meaning of the establishment clause, the first 10 words of the First Amendment of the Bill of Rights, not out of disrespect to religion, but out of total reverence to religion.

To my Republican colleagues and conservative Members on both sides of the aisle, those of them who constantly come to this floor and express grievous reservations about government regulation of our public schools and they do not even want the Federal Government involved in governing our local schools and they are greatly concerned about Federal regulations and agencies overseeing businesses in America, why in the world through this legislation would they want to extend government regulation into our churches, our synagogues, and our houses of worship?

The way this bill is written and using the underlying language of the 1996 Welfare Reform Act, they basically are going to invite government regulators to come into virtually any synagogue, church, or house of worship that receives money under this program and allow those government regulators to ask where they got their money, how they spend their money, and the purposes for it.

Please, my colleagues, on a bipartisan basis, vote for the Edwards amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to comment on the EDWARDS amendment that will come up later on.

The charitable choice provisions in the Welfare Reform bill are provisions that have been affirmed in three consecutive Congresses in votes on the floor. The reason that they have been affirmed is that, within the charitable choice provision in the law, there is a firewall. Church grant recipients cannot proselytize with federal funds and there must be a secular alternative service provider available. While the money can flow to a church, a church is not allowed to discriminate amongst children that they serve according to the child's religion affiliation.

Now, it is also true that it allows a Catholic day-care center that is run by nuns to have only nuns run it. But even that center could not discriminate on the basis of faith amongst children applying to be in that day-care center. So there is a very clear firewall.

In the years that this has been in the law, 6 years now, no body of examples

of problems has developed. We have had a couple of cases in which the law has been enforced and, therefore, has been demonstrated to be enforceable and people have lost grants because they have used the money to proselytize. So there is a firewall in the law.

But I want to get to a more human point here. In many of the neighborhoods where there are the highest number of single moms on welfare and unmarried dads, there are very few institutions left; and often in these neighborhoods, in some of the cities of our Nation, there is still a small church. It is the last of the community organizations that lives there.

If we can get money to that small church for something like a fatherhood program, we must do it. Because they can reach those fathers. They cannot only help fathers do all the things that this bill fosters, but they can also pair with the Workforce Investment Board so that they get fathers into the job stream more effectively. They can deal with the parenting issues and the relational issues. But most importantly, when the Federal money runs out, they will still be there.

One of the terrible failings of social service programs funded by the Federal Government is that, when we stop the funding, the program goes away.

One of the reasons we wanted to get faith-based institutions into the business of service is because they provide an ongoing support system for people who need support. All of us need support after either the program is gone or the person no longer needs the program and does not qualify.

So if a father moves up that economic ladder and no longer qualifies economically, he still has the support system available to him that helped him make that progress. Because, in fact, many of the faith-based organizations believe that their goal is not just to help temporarily but to change lives. And furthermore, they believe that they can change their life. Very few government funded programs really believe that in their gut.

Now, are they bureaucratic? Absolutely. We have not had the outpouring of applications from the faith-based community because they cannot do business with the Federal Government without quite a lot of accountability, and that is paperwork.

So the charitable choice provisions have not created quite the response we had hoped for, but they have brought new providers in. They do reach into these troubled communities. And it is those very communities where often the church is the last remaining organized institution that we do want to reach into.

So we do it through the charitable choice mechanism, but we have a firewall within that law; and that firewall, to this time, has worked.

Mr. Chairman, I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Edwards amendment does not repeal charitable choice. It recognizes the need for faith-based institutions to help us carry out the fatherhood initiative.

We recognize that also in the Welfare Reform Act of 1996 that we want faith-based institutions to help us in getting people off of welfare to work and we want faith-based institutions to help us in our Fatherhood Counts Act.

The gentlewoman from Connecticut (Mrs. JOHNSON) pointed out, and correctly so, that what we have done in this bill is referenced the 1996 Act. We referenced the Welfare Reform Act; and she states quite correctly that, under that Act, no funds provided directly to institutions or organizations to provide services and administrative programs shall be expended for sectarian worship, instruction, or proselytization. That is in the 1997 law and, by reference, is incorporated into the fatherhood initiative.

But there is another section to that law of 1997 which is referenced, and it says that the programs must be implemented consistent with the establishment clause of the United States Constitution. That is in the 1997 Act and, by reference, is incorporated in Fathers Count.

What the Edwards amendment does is make that section consistent with the Kendrick decision, which is a Supreme Court decision that interpreted that to mean that the entity cannot be pervasively sectarian. So the Edwards amendment is clarifying the 1997 statute to make it absolutely clear that we want faith-based institutions but it must be within the constitutional framework.

I think it is a clarifying amendment. Quite frankly, I do not think it should be a controversial amendment. I think that it should be accepted as clarifying what we all agree, that we want faith-based institutions participating, but it must be in compliance with the Constitution of the United States.

Mr. Chairman, I reserve the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the point of the gentleman is an important one; and I appreciate the legitimate controversy around this issue.

I would point out two facts. There is no definition of these two words "pervasively sectarian." And since the Kendrick decision of 1993, the Supreme Court has indicated and is, as we speak, reviewing decisions that will enlarge on that 1993 decision and slightly alter it. Even this administration has been for the clarification that would clearly allow technology assistance to parochial schools.

So we are at a point in our history where we are trying to work out precisely what this division between church and state should look like on the ground running. And by putting into statute a 1993 Supreme Court deci-

sion, we limit the ability of that division to develop in the years ahead and for that line to be more clearly defined.

Now, that is one problem. The second problem is that, in the wording of his amendment, as he tries to translate what he believes to be the Supreme Court decision into current law, Representative EDWARDS says, "notwithstanding any other provision of law, funds shall not be provided to any faith-based institution that is pervasively sectarian."

Well, of course, the church is pervasively sectarian. The program that is going to use the funds is not. But if they do not allow this, say, small black church in a poor neighborhood to be a receiver of the funds, even though they must be spent on this program in compliance with the charitable choice statute, then they will not be eligible to receive the funds.

I think, if we pass the Edwards amendment here today, it will have a very chilling effect on both the Federal Government's and the State Government's willingness to include faith-based organizations in their network of service providers because we will have confused the issue as to who actually is defined as the "pervasively sectarian" entity.

Certainly, the church is a pervasively sectarian entity. Its day-care center cannot be if it is going to receive funds under this law.

So I would just say that I think putting into statute Supreme Court language from a 1993 decision, when we are at this very time seeing the Supreme Court take more cases in this area in order to give clearer definition to the delicate balance between the church and state in our democracy, would be unwise. Therefore, I will oppose the amendment when the time comes.

Mr. Chairman, I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think the gentlewoman from Connecticut (Mrs. JOHNSON) is misreading the Kendrick decision.

The Kendrick decision dealt with the program management, not the sponsoring entity, in that they can be a sectarian institution that carries out a program that is not pervasively sectarian in the way that it is managed.

In fact, we have found that in the management of TANF funds that religious institutions have been able to comply with this standard. And the reason why we think it is important to include it in statute is to make it clear that we want to make sure that the Constitution is in fact adhered to, the establishment clause.

Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I would like to respond to some of the points made by

the gentlewoman from Connecticut (Mrs. JOHNSON).

First of all, she talked about a chilling effect. Quite frankly, to be honest, I do want to put a chilling effect, as Mr. Madison and Mr. Jefferson wanted to in writing the Bill of Rights and drafting it and supporting it, that we ought not to have Federal dollars going directly to houses of worship. They were adamant, they were profoundly committed to that concept. And, yes, I do want to put a chilling effect on that kind of flow of dollars, for all the reasons that I have mentioned.

But my amendment is clear that it allows dollars, under this program, to go to other faith-based organizations. I think that is one reason why a number of religious organizations are supporting my amendment.

Let me just mention a few: The American Jewish Committee, the Baptist Joint Committee, the Anti-Defamation League, actually the American Federation of State and County and Municipal Employees, the National Council of Jewish Women, the American Civil Liberties Union, the American Jewish Committee, Religious Action Center, America United for Separation of Church and State, the Council on Religious Freedom.

This is not going to stop faith-based organizations from participating in social programs. What it is going to do is make this bill consistent with *Bowen v. Kendrick* in 1988 in the Supreme Court decision.

Let me read from what Justice Rehnquist actually wrote in the majority position. He said, the reason for this concern, and he is referring to Federal dollars going to pervasively sectarian churches to be run in secular programs, "The reason for this is that there is a risk that direct government funding, even if it is designated for specific secular purposes, may nonetheless advance the pervasively sectarian institution's religious mission."

□ 1315

I do not understand why any sponsor of this legislation would want to write a bill knowing it is specifically in contrast to a clear constitutional decision written by Mr. Rehnquist and supported by a majority of the Supreme Court on a very similar case.

Secondly, on some other points, she talked about, well, under this bill you will not be able to discriminate against people wanting the services. That still does not deny the fact that it will allow you to use Federal dollars to discriminate against people, in hiring people for running and managing these programs based simply on their religion. There are logical reasons why we let church and synagogues hire people of their own faith using their own dollars. But this is plowing new ground, beginning with the welfare reform bill of just 3 years ago, that has not been well implemented yet, in allowing dollars to go directly to churches and synagogues and houses of worship. I think

that is profoundly risky and dangerous and threatens the very purpose and commitment of the Bill of Rights.

The gentlewoman mentioned, quote, there are no problems over the last 6 years. Let me point out that the welfare reform bill was only passed in 1996. It has only been in place 3 years, not 6 years, and in fact it is now being mired down in constitutional debate and court cases over the very point we are making today. Why burden this legislation with the burden that the welfare reform act is going through?

Finally, I think the point is just simply this: For 200 years, we have had separation of church and State for very basic reasons. We do not want government regulation of religious institutions. I would suggest without the Edwards amendment, that is exactly what we are going to get. Even when a church defends its efforts as not being proselytizing or sectarian, that will require itself court cases where it will allow plaintiffs to go in and file lawsuits against churches and houses of worship. I would suggest it is that constitutional question, it is that legal fear that has caused many churches, religions and houses of worship not to want to participate in direct Federal funding under the welfare reform bill.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself such time as I may consume.

The bottom line here is, and the gentleman from Texas (Mr. EDWARDS) said it very clearly, you do not want churches getting the money. I do want churches getting the money. That is the bottom line. I think there is a role in America for churches being part of the social service delivery system because they have the ability to support people at a level of faith that government cannot offer, and they are there after you outgrow the program, they are there after the funding expires. It gives to the person not only a hand up but a permanent supportive community.

I do not want Federal money to go to churches that is not accountable and for programs that are not open to everyone who needs them. So, yes, there will be red tape. Churches who choose to receive Federal money will be regulated. If they do not like it, I cannot help it. If there are Federal dollars, you are accountable. If there are Federal dollars, you cannot discriminate against people needing the service. In addition, the community must make a secular alternative available and so on. The fire wall in the charitable choice language is extremely important and effective. But your fire wall would take effect above that and cut churches out of the service-providing social service network in America. I think that would be a tragedy.

Why did our Founding Fathers not oppose this? Because they never envisioned that the Federal Government would be providing the level of service, job placement, parenting education, not in their wildest dreams. Since we

are doing that, we do have to do that in a way that is respectful of our Constitution and I believe the charitable choice provisions allow that.

Mr. Chairman, I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would hope that the Members would read the bill and read the Edwards amendment before they vote on it, because I understand there are deep philosophical differences among Members as to what we would like to see in regards to the use of faith-based institutions in carrying out programs sponsored by the Federal Government. But that is not what really is involved in the Edwards amendment. The Edwards amendment is very simple. It says that we use faith-based institutions but they must comply with the constitutional standard in regards to establishment of religion.

Let me, if I might, just quote from CRS because I think that really summarizes it best. It says: If the organization's secular functions are separable, government can directly subsidize those functions. However, if the entity is so permeated by a religious purpose and character that its secular functions and religious functions are "inextricably intertwined," that is, the entity is "pervasively sectarian," the Court has construed the establishment clause generally to forbid direct public assistance.

That is what the Edwards amendment is saying. It is not trying to take sides quite frankly on whether it is a good public policy or a bad public policy to get our faith-based institutions involved in the fatherhood initiative. What it is saying is, let us adhere to the establishment clause, let us give guidance to the grantees to make sure that they comply with the constitutional standards. That makes sense. I would hope that everyone would say that we should comply with the Constitution. It is not taking sides on the underlying issue.

Mr. Chairman, in closing, this is one of the amendments, but let us not lose sight of the bill that is an extremely important bill. It is supported by the administration. By letter dated today, the administration urges a "yes" vote on H.R. 3073. It is supported by the Center on Budget and Policy Priorities, by the Center for Law and Social Policy, by the Children's Defense Fund. This is a very important bill. I would hope my colleagues will support it when we have a chance to vote on it a little bit later.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield the balance of my time to the gentlewoman from Washington (Ms. DUNN) and thank her for her good work on this subcommittee over the years.

The CHAIRMAN. The gentlewoman from Washington is recognized for 1 minute.

Ms. DUNN. Mr. Chairman, I want to add my voice to those who enthusiastically support H.R. 3073. I want to thank

the gentlewoman from Connecticut (Mrs. JOHNSON) for her commitment to helping encourage fathers to be involved in their families. The best hope for our children is the daily involvement of both parents in their lives. For too long, we have tolerated the unfortunate trend of fatherless homes to the detriment of our youth. Too many children are being born out of wedlock. A recent census study found that the number of babies born to unwed parents has increased fivefold since the 1930s. Both mothers and fathers are important to raising children and helping them achieve their full potential. Too often, fathers who are not custodial parents have difficulty meeting their financial obligations to their children, or have trouble spending time with them.

We have got to encourage efforts that help men get more involved in the lives of their children, especially when they are not around on a day-to-day basis. This Congress has rightfully promoted improving the lives of families through attempts to lower the historic tax burden they shoulder. Now it is time to help men who may not be a part of the home but who are struggling to be a part of the family.

The CHAIRMAN. Under the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentleman from Missouri (Mr. CLAY) each will control 15 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

I first want to commend the gentlewoman from Connecticut for her efforts to bring attention to the needs of noncustodial fathers who are working to fulfill their responsibilities.

The Fathers Count Act of 1999, as amended by the gentlewoman from Connecticut's substitute, also includes important changes to the welfare-to-work program incorporated from H.R. 3172, the Welfare-to-Work Amendments of 1999, which passed in the Committee on Education and the Workforce on November 3. The major focus of these changes is to provide more flexibility to States and localities in administering the welfare-to-work program.

This program, authorized under the Balanced Budget Act of 1997, provides assistance to welfare recipients who face significant barriers to employment. In an effort to target assistance to those individuals most in need, strict eligibility criteria were established for the program. However, as we have since learned from both States and localities responsible for administering this program, the eligibility has been so strict as to prevent serving individuals clearly in need of these services.

In fact, a report compiled after passage of this program found that most of the funds were aiding only 10 percent of welfare recipients. Largely because of this, States and localities have sim-

ply been unable to expend these funds. To date, of the \$3 billion available for the program, only \$283 million has been spent.

To address this issue, this legislation loosens the eligibility criteria to allow more individuals in need of these services to benefit from the program. This legislation also includes an amendment offered by the gentleman from South Carolina (Mr. DEMINT) providing even greater local flexibility for the targeting of these funds, and streamlines the current burdensome paperwork requirements necessary for verification of program eligibility.

However, it should be made clear the intent of this bill is not to encourage these programs to ignore the significant needs of those welfare recipients who truly have tremendous barriers to achieving self-sufficiency, but rather to provide more flexibility for locals in identifying these individuals.

I also want to highlight several other important provisions under this legislation which I believe will improve the welfare-to-work program.

First, it addresses the importance of providing services to noncustodial parents. Although these parents were eligible under the current program, the criteria for receiving services has been loosened. In addition, provisions adopted from a bill supported by the administration will ensure that noncustodial parents served under this program will work toward fully meeting their responsibilities with respect to their non-custodial child or children.

Secondly, this bill eliminates the current reporting requirements under the welfare-to-work program. It has come to our attention that these reporting requirements are too extensive, complex and cost too much for entities conducting programs to meet. Thus, this bill repeals these requirements and directs the Secretary of Labor, in consultation with the Secretaries of HHS and State and local government, to develop a new and more reasonable and affordable data reporting system.

By increasing the ability to share information, this legislation also promotes increased and improved coordination between human services agencies which administer welfare programs and the workforce development system which administers the welfare-to-work program.

Finally, this legislation also expands local flexibility by allowing funds to be used to support up to 6 months of vocational education job training. Although we view this program as a work program as opposed to a job training or education program, this provision strikes a compromise between those who believe that no limitation should be put on education and training requirements and those who point out the failure of this program's predecessor, the Job Opportunity and Basic Skills Act.

By allowing for limited vocational education and training, it is our hope that local providers will establish pro-

grams that stress the need for employment first, backed up with additional skills training to provide the support necessary for these individuals to move up the career ladder and become self-sufficient.

I am pleased this legislation has bipartisan support and has received the endorsement from several State and local organizations as well as the administration. I urge my colleagues to join in support of this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. CLAY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the welfare-to-work provisions only that are included in H.R. 3073, the Fathers Count Act. These provisions broaden the eligibility requirements for the program so that tens of thousands of low-income families will receive job search and training assistance to improve their ability to secure gainful employment.

The welfare-to-work program was enacted as part of the 1997 budget agreement to help families transition from welfare to work by providing them meaningful education and job training assistance. Forty-seven States currently participate in the program and 76,000 recipients have received services.

This bill contains a number of improvements necessary to ensure the program's future success. Most notably, Mr. Chairman, the bill expands current eligibility requirements which are so narrow in current law that many deserving welfare recipients cannot qualify. Both the Committee on Education and the Workforce and the Committee on Ways and Means reported bills that would ease the rules so that more individuals can be assisted.

□ 1330

Mr. Chairman, there are others issues that were not solved in committee. The substitute, in my opinion, should reauthorize the Welfare to Work program in future years. The 2.6 million individuals who remain on welfare is a hard-to-serve population that will require extensive and intensive assistance to successfully move off of welfare. This program will be needed for many more years to come.

Also, H.R. 3073 only covers six months of education and job training assistance. This is far too short. I regret also that the Committee on Rules did not make in order the amendment of the gentlewoman from California (Ms. WOOLSEY) to extend training to one year. I support amendments to be offered by the gentlewoman from Hawaii (Mrs. MINK) which would change the fatherhood program to the parenthood program. I share her concern that both parents need support and should be treated equally.

Mr. Chairman, I urge my colleagues to support these amendments and to support the welfare-to-work operations of the bill.

Mr. Chairman, I reserve the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield what time he may consume to the gentleman from California (Mr. McKEON), the subcommittee chair.

Mr. McKEON. Mr. Chairman, I rise in strong support of H.R. 3073, the Fathers Count Act. Not only does it focus on the need to help noncustodial fathers gain employment in order to pay child support, it also includes important changes to the Welfare to Work program.

These changes are reflected in the amendment in the nature of a substitute to H.R. 3073 offered by the gentlewoman from Connecticut (Mrs. JOHNSON). This substitute includes important provisions passed in the Committee on Education and the Workforce under H.R. 3172, the Welfare-to-Work amendments of 1999, and reflect bipartisan consensus among Members from both our committee and the Committee on Ways and Means.

Just over a month ago, my Subcommittee on Postsecondary Education, Training and Lifelong Learning held a hearing on the issue of welfare reform and, in particular, on the Welfare to Work program. I was encouraged by a report presented at that hearing by the General Accounting Office which found the Welfare to Work program to be providing an incentive for greater collaboration between welfare agencies and the job training system. This is an issue I believe is critical if these Federal programs are to be cost-effective, efficient, and avoid duplication.

This hearing also highlighted the frustration of many States and localities regarding several aspects of the Welfare to Work program. Specifically, they noted the State eligibility requirements that have limited their ability to serve individuals clearly in need of services, but who simply do not meet the program's targeted criteria.

I am pleased the Johnson substitute includes relief to these agencies by providing more flexibility in designing local programs to address the significant barriers to employment facing those who are still on welfare today.

In addition, this legislation includes several other important provisions which, taken together, expand flexibility for how these funds are used and which cut down on burdensome red tape requirements that have hampered the program's effectiveness.

It is my hope that we ensure States and locals are able to use these funds effectively as part of an ongoing successful strategy to forever change the nature of welfare.

Indeed, these strategies are beginning to show some very encouraging news. The Department of Health and Human Services recently completed its annual review of welfare reform and provided clear evidence of this success.

Specifically, the number of families relying on public assistance has fallen tremendously. Income among those leaving welfare has increased. Employment rates among single parent moth-

ers have increased, while poverty rates have fallen. These are all indeed reasons to be encouraged by welfare reform.

However, welfare reform will not continue to be the success that it is today if there is not a focus on the unique needs of those individuals who have far greater barriers to employment than those who have already left public assistance. We know from the experience of States such as Wisconsin that these individuals can and are making a successful transition into employment and towards self-sufficiency.

However, it takes hard work, dedication, high expectation, and the types of assistance provided through the Welfare to Work program for this to happen. The changes we are making to this program today will help ensure these funds are an effective tool in these efforts to assist these individuals.

Mr. Chairman, I urge my colleagues to support this important legislation.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Chairman, I rise to express my support for those provisions in H.R. 3073, the Fathers Count Act, that will make important changes to the Welfare to Work program.

As my colleagues know, the Welfare to Work program was created when President Clinton insisted that \$3 billion be included in the Balanced Budget Act of 1997 to help States move their welfare recipients into the work force and comply with the ambitious work requirements established in the Personal Responsibility and Work Opportunity Reconciliation Act. I am pleased to say that that program has been largely successful.

Over the last 5 years, the welfare rolls have decreased by over 40 percent, reaching their lowest level since 1969. Conversely, the number of welfare recipients with jobs has quadrupled during that same time period.

In August, President Clinton announced that every State and the District of Columbia had met the work requirements set forth in the Personal Responsibility Act of 1998, and just as important, the annual income earned by those welfare recipients for those jobs has increased by an average of \$650 per year.

However, as several of my colleagues have mentioned, one flaw is keeping the Welfare to Work program from realizing its full potential, overly restrictive eligibility requirements.

Therefore, I support the provisions in this bill that will expand the eligibility requirements of the program. This will help States enormously in their efforts to move their remaining welfare recipients to work.

However, while the new eligibility requirements will allow the States to access previously inaccessible money and provide services to previously unservable welfare recipients, that money will be expended quickly, leaving the hardest to serve individuals without resources.

During the Committee on Education and the Workforce markup of H.R. 3172, the companion bill to H.R. 3073, I offered an amendment to reauthorize the Welfare to Work program at the President's request of \$1 billion for fiscal year 2000, which would have allowed the program to service an additional 200,000 individuals. Given the 2.6 million families remaining on welfare, I think that that is the least we can do.

In a recent letter from the administration, Alexis Herman states, "We view H.R. 3172 as a complement to a complete reauthorization of the Welfare to Work program."

Additional resources are essential to addressing the continuing needs to promote long-term economic self-sufficiency among the hardest to employ welfare recipients and to assist non-custodial parents in making meaningful contributions to their the well-being of their children.

Although, in the spirit of bipartisanship I withdrew my amendment, I agree with the administration and hope that the Congress will also consider legislation to reauthorize and provide additional resources for the Welfare to Work program in the near future. We have made too much progress to abandon our efforts now.

Mr. CLAY. Mr. Chairman, I yield 3 minutes to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I thank the ranking member for yielding me this time.

The Parents Count amendment that I am going to offer later, which attempts to correct what I think is a difficulty with the fatherhood section, and the debate seems to have been exclusively on that portion of the bill, I think we should really be spending time on the portion that has to do with Welfare-to-Work, which is an extremely important amendment that has been put together with this bill which is referred to as the Fathers Count legislation.

Beginning on title III of this legislation, Welfare to Work program eligibility, which was reported out favorably by the Committee on Education and the Workforce, is a bill which attempts to correct a very serious problem with the original welfare reform legislation. In that legislation we attempted to be so strict in defining the eligibility of people who could qualify for Welfare-to-Work, and in setting up the requirements, virtually eliminated 90 percent of the people who might otherwise have been able to participate.

I say that very liberally, because in talking to the Department of Labor that administers this program, they are saying that only about 10 percent of the funds have been utilized. Looking at the figures programs in May and June of this year, they are saying that hopefully it has risen to about 13 to 15 percent, which suggests to me that this legislation which we reported out of the Committee on Education and the Workforce is an absolutely essential correction.

In my own State, and I have talked to the people there, and they say the one thing that eliminates almost all of the custodial parents from participating is the restriction that says you must not have a high school diploma or a GED, and almost all of the people on welfare or the parents on welfare have their high school diplomas in my State, and so they are automatically disqualified.

So this correction which we are making, eliminating these very strict requirements, is essential if we expect to take this Welfare-to-Work opportunity to the people that really need it.

The second point I want to make is that the current law, even the current law which has all of these defects, opens up opportunity for Welfare-to-Work opportunities and assistance and other kinds of programs to both custodial parents and noncustodial parents. It is opened up completely to both aspects. In fact, to make sure that the noncustodial parent has an opportunity, there were restrictions of funding, 70 percent in one area, 30 percent in another. It is an important point to realize that the Welfare Reform Act, in creating Welfare-to-Work, established opportunities for both mothers and fathers.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER), a member of the committee.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, I wanted to briefly talk again about the Edwards amendment on whether or not we are going to have a pervasively sectarian standard that basically, for all of the rhetoric, will eliminate faith-based organizations from being eligible for grants because States and others would be scared away from including faith-based, because there is no definition of what constitutes pervasively sectarian. The Supreme Court has been evolving this definition.

But rather than just talk about Vice President GORE, Governor Bush and others in this House and in the Senate in signed law that has passed three times with this clause, let me read a little bit from the Brookings Institution, once again where it separates kind of the far left of the Democratic Party from the moderate part of the Democratic Party, where they are talking about the reason to change the "pervasively sectarian standard which they say has constituted a genuine, though more subtle establishment of religion, because it supports one type of religious world view, while penalizing holistic beliefs."

Now, what did the Brookings Institution mean by holistic beliefs. They say, "Holistic faith-based agencies operate on the belief that no area of a person's life, whether psychological, physical, social or economic, can be adequately considered in isolation from the spiritual." In other words, that is what we

see in many of the grass-roots organizations around the country.

This bill would not allow them to teach religion; it would not allow them to have the bulk of this program, to discriminate against people who are not in that church, but it would say that if you are a faith-based organization, you can have standards on your staff, you can have it be part of your ministry, because in fact, the holistic approach says that it is not just the mechanical parts of this, but it is also the character that matters.

That is why many, if not most, although we have many secular organizations that had an impact; but many, if not most in the highest risk areas of the effective organizations have dealt with matters of the soul in addition to kind of the just mechanical execution, whether that is in homelessness, whether it is in juvenile delinquency, or whether it is as in this case, fatherhood, as this bill addresses.

□ 1345

Mr. CLAY. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise very reluctantly actually against this bill, because I know that a lot of hard work was done on the bill. There are many things that make a lot of sense about it, and yet, my struggle quite simply is this.

As I read through the idea of establishing a grant program to foster responsible fatherhood, I struggle with that as a conservative. The reason I do is, is that really the role of the Federal government? To me that would seem to be the role of the local priest or the local rabbi or my preacher back home, or my uncle or my granddad, but somebody in my local community not tied to a grant from Washington, D.C., but somebody who actually lives there, who, because they care about me as a person, want to make an impact in my life in how I might be as a father, rather than being fostered through some grant out of Washington.

I would secondly say it is an extra \$140 million, not a lot of money in a \$1.7 million billion budget, but nonetheless, is this the highest and best use of that money?

Finally, again, this is an odd juxtaposition on where I stand on this, but does it grow or shrink government? Again, from my vantage point, it is something that grows government into a realm that we traditionally have not gone. I do not like the idea of the Federal government defining what a good father is. Is that really the role of the Federal government?

So I simply raise those concerns very reluctantly, but nonetheless raise them.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), the subcommittee chair.

Mr. CASTLE. Mr. Chairman, I rise to support title III of the welfare-to-work program and the expansion of eligibility amendment thereto.

The welfare-to-work program was established in 1997 as a separate funding stream to States and localities to provide targeted assistance to moving the hardest to employ welfare recipients to work and self-sufficiency.

But what we have found is that the welfare-to-work program, while well-developed, requires greater flexibility in order to serve a greater population of the hardest to place welfare recipients.

To date, States have only spent \$283 million of the total \$3 billion available, but face multiple barriers to expanding their ability to serve more clients.

In Delaware, although \$2.7 million was available this year, only \$4,000 has been spent, with only about 40 clients being served. By relaxing the criteria as we are doing today, perhaps up to 1,000 others could be served.

Mr. Chairman, I do not ordinarily complain about a lack of State funding on Federal assistance, but in this case, there is a large population of hard to place recipients that otherwise could greatly benefit from relaxed eligibility criteria and more flexibility in who may be served under the program.

States like Delaware are clearly having difficulty in finding welfare recipients who qualify for assistance under this program. The transitional assistance to needy families funds have the flexibility to serve a greater population. Now it is time to expand the welfare-to-work eligibility criteria, thereby allowing us to spread the safety net and package services in a more seamless way.

By expanding the eligibility criteria for the welfare-to-work program, we retain, we dedicate, and strengthen the Federal commitment to serving the hardest to place welfare recipients. Not until adequate resources are targeted to the welfare-to-work recipients in a more realistic way and these recipients are helped off of welfare can we truly say that the historic Welfare Reform Act was a complete and unmitigated success.

Expanding the eligibility of welfare-to-work recipients is an excellent idea whose time has come. I am proud to support the expansion of eligibility for the hardest to serve welfare recipients.

Mr. CLAY. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. GOODLING. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON), a member of the committee.

Mr. ISAKSON. Mr. Chairman, I thank the chairman for yielding time to me, and I commend him for his hard work on this legislation, as well as the subcommittee chairman.

Mr. Chairman, I want to raise two points. I think at this time it is fortunate that we are dealing with legislation to expand welfare-to-work and to

truly reach those that we have failed to reach as of yet.

Secondly, I want to point out, in reply to the comment of the gentleman from South Carolina (Mr. SANFORD) a few minutes ago with regard to whether or not it was the Federal Government's role to deal with the fatherhood programs, when welfare started, the Federal government determined that aid to families of dependent children was predicated upon a single mother and dependent children. Fatherhood was not even an issue.

Today we want to promote families and fathers, and to expand in title III the accessibility to reach out in terms of eligibility for welfare-to-work programs. It means that this Congress and this country are addressing now those that are the most disadvantaged and those that are the last to not realize the success of welfare-to-work as passed by this Congress a number of years ago.

It is only right and proper that the Federal government recognize in this program fatherhood and the promotion of it. It is only right in this program we expand eligibility so as to reach all Americans who deserve the opportunity for the education, the training, and the background, so they can truly become employed and be a contributing member of this society.

I commend my chairman, I commend the committee, and I rise in full support of the bill.

Mr. GOODLING. Mr. Chairman, I yield the balance of my time to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I just want to say that what is so remarkable about this bill, and I appreciate the concern of some of my colleagues about a new program, is that it reaches out to the young men with the very same services that we have been providing to women, and that we have developed so dramatically under the welfare-to-work, the welfare reform bill.

It just helps them get the job, develop their skills, become successful, proud breadwinners, and at the same time we help them develop the discipline, parenting skills, and personal development that is essential if they are going to have good relationships with their children and good relationships with the mother of the children.

If we do not do this, we leave these children isolated, growing up without the economic or emotional support they need to take advantage of the remarkable opportunity free America offers.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the amendment offered by Representative MINK. This amendment would strike Title I of the Fathers Count Act and replace it with a gender neutral Parents Count Act.

This language is preferable because it would allow mothers to be eligible to receive the same benefits as fathers. As offered, the Act without this amendment offers programs to

fathers only, programs that are also needed by mothers.

The new title would make the eligibility of poor women for parenting education programs, job training and other types of counseling equal to that of non-custodial fathers. It would further give preference to applicants that consult with domestic violence prevention and intervention organizations.

This is preferable over the original bill which provides for marriage counseling which expresses a preference for keeping married couples together despite the fact that many women and children suffer from domestic violence as a result of being locked into these marriages.

The Mink Amendment is important also to ensure that the bill does not violate the Constitution. As written, the bill expresses a gender preference for receipt of these benefits, which is contrary to the equal protection clause in the Constitution. By making the bill gender neutral, this provision removes any question of constitutionality.

My concern is that programs that encourage fatherhood—active involvement in the life of children, often overlook the importance of the entire family as a unit. We certainly need to encourage more men to get involved in their families, and I support any effort that makes special efforts to do so.

However, I do not encourage such efforts when they diminish the importance of the mother and the entire family unit in raising and caring for a child. A child needs the support of an entire family—mother, father, grandparents, the entire extended family. The Mink Amendment addresses this concern by making the bill gender neutral, but also by encouraging the reunification of the family, the entire family.

I urge my Colleagues to support this amendment because it is pro-family. If we are a Congress committed to the idea of supporting the American family, then this should be a welcome change.

The CHAIRMAN. All time for general debate has expired.

In lieu of the amendment recommended by the Committee on Ways and Means printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1, modified by the amendment printed in Part A of House Report 106-463. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute, as modified, is as follows:

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the 'Fathers Count Act of 1999'.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—FATHERHOOD GRANT PROGRAM

Sec. 101. Fatherhood grants.

#### TITLE II—FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE

Sec. 201. Fatherhood projects of national significance.

#### TITLE III—WELFARE-TO-WORK PROGRAM ELIGIBILITY

- Sec. 301. Flexibility in eligibility for participation in welfare-to-work program.
- Sec. 302. Limited vocational educational and job training included as allowable activity.
- Sec. 303. Certain grantees authorized to provide employment services directly.
- Sec. 304. Simplification and coordination of reporting requirements.
- Sec. 305. Use of State information to aid administration of welfare-to-work formula grant funds.

#### TITLE IV—ALTERNATIVE PENALTY PROCEDURE RELATING TO STATE DISBURSEMENT UNITS

- Sec. 401. Alternative penalty procedure relating to State disbursement units.

#### TITLE V—FINANCING PROVISIONS

- Sec. 501. Use of new hire information to assist in collection of defaulted student loans and grants.
- Sec. 502. Elimination of set-aside of portion of welfare-to-work funds for successful performance bonus.

#### TITLE VI—MISCELLANEOUS

- Sec. 601. Change dates for evaluation.
- Sec. 602. Report on undistributed child support payments.
- Sec. 603. Sense of the Congress.
- Sec. 604. Additional funding for welfare evaluation study.
- Sec. 605. Training in child abuse and neglect proceedings.
- Sec. 606. Use of new hire information to assist in administration of unemployment compensation programs.
- Sec. 607. Immigration provisions.

#### TITLE I—FATHERHOOD GRANT PROGRAM

##### SEC. 101. FATHERHOOD GRANTS.

(a) IN GENERAL.—Part A of title IV of the Social Security Act (42 U.S.C. 601-679b) is amended by inserting after section 403 the following:

##### “SEC. 403A. FATHERHOOD PROGRAMS.

“(a) PURPOSE.—The purpose of this section is to make grants available to public and private entities for projects designed to—

“(1) promote marriage through counseling, mentoring, disseminating information about the advantages of marriage, enhancing relationship skills, teaching how to control aggressive behavior, and other methods;

“(2) promote successful parenting through counseling, mentoring, disseminating information about good parenting practices including prepregnancy family planning, training parents in money management, encouraging child support payments, encouraging regular visitation between fathers and their children, and other methods; and

“(3) help fathers and their families avoid or leave cash welfare provided by the program under part A and improve their economic status by providing work first services, job search, job training, subsidized employment, career-advancing education, job retention, job enhancement, and other methods.

##### “(b) FATHERHOOD GRANTS.—

“(1) APPLICATIONS.—An entity desiring a grant to carry out a project described in subsection (a) may submit to the Secretary an application that contains the following:

“(A) A description of the project and how the project will be carried out.

“(B) A description of how the project will address all 3 of the purposes of this section.

“(C) A written commitment by the entity that the project will allow an individual to participate in the project only if the individual is—

“(i) a father of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under this part;

“(ii) a father, including an expectant or married father, whose income (net of court-ordered child support) is less than 150 percent of the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section, applicable to a family of the size involved); or

“(iii) a parent referred to in paragraph (3)(A)(iii).

“(D) A written commitment by the entity that the entity will provide for the project, from funds obtained from non-Federal sources, amounts (including in-kind contributions) equal in value to—

“(i) 20 percent of the amount of any grant made to the entity under this subsection; or

“(ii) such lesser percentage as the Secretary deems appropriate (which shall be not less than 10 percent) of such amount, if the application demonstrates that there are circumstances that limit the ability of the entity to raise funds or obtain resources.

“(2) CONSIDERATION OF APPLICATIONS BY INTERAGENCY PANELS.—

“(A) FIRST PANEL.—

“(i) ESTABLISHMENT.—There is established a panel to be known as the ‘Fatherhood Grants Recommendations Panel’ (in this subparagraph referred to as the ‘Panel’).

“(ii) MEMBERSHIP.—

“(I) IN GENERAL.—The Panel shall be composed of 10 members, as follows:

“(aa) 2 members of the Panel shall be appointed by the Secretary.

“(bb) 2 members of the Panel shall be appointed by the Secretary of Labor.

“(cc) 2 members of the Panel shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives.

“(dd) 1 member of the Panel shall be appointed by the ranking minority member of the Committee on Ways and Means of the House of Representatives.

“(ee) 2 members of the Panel shall be appointed by the Chairman of the Committee on Finance of the Senate.

“(ff) 1 member of the Panel shall be appointed by the ranking minority member of the Committee on Finance of the Senate.

“(II) CONFLICTS OF INTEREST.—An individual shall not be eligible to serve on the Panel if such service would pose a conflict of interest for the individual.

“(III) TIMING OF APPOINTMENTS.—The appointment of members to the Panel shall be completed not later than March 1, 2000.

“(iii) DUTIES.—

“(I) REVIEW AND MAKE RECOMMENDATIONS ON PROJECT APPLICATIONS.—The Panel shall review all applications submitted pursuant to paragraph (I), and make recommendations to the Secretary regarding which applicants should be awarded grants under this subsection, with due regard for the provisions of paragraph (3), but shall not recommend that a project be awarded such a grant if the application describing the project does not attempt to meet the requirement of paragraph (I)(B).

“(II) TIMING.—The Panel shall make such recommendations not later than September 1, 2000.

“(iv) TERM OF OFFICE.—Each member appointed to the Panel shall serve for the life of the Panel.

“(v) PROHIBITION ON COMPENSATION.—Members of the Panel may not receive pay, allowances, or benefits by reason of their service on the Panel.

“(vi) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in ac-

cordance with sections 5702 and 5703 of title 5, United States Code.

“(vii) MEETINGS.—The Panel shall meet as often as is necessary to complete the business of the Panel.

“(viii) CHAIRPERSON.—The Chairperson of the Panel shall be designated by the Secretary at the time of appointment.

“(ix) STAFF OF FEDERAL AGENCIES.—The Secretary may detail any personnel of the Department of Health and Human Services and the Secretary of Labor may detail any personnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this subparagraph.

“(x) OBTAINING OFFICIAL DATA.—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this subparagraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

“(xi) MAIls.—The Panel may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

“(xii) TERMINATION.—The Panel shall terminate on September 1, 2000.

“(B) SECOND PANEL.—

“(i) ESTABLISHMENT.—Effective January 1, 2001, there is established a panel to be known as the ‘Fatherhood Grants Recommendations Panel’ (in this subparagraph referred to as the ‘Panel’).

“(ii) MEMBERSHIP.—

“(I) IN GENERAL.—The Panel shall be composed of 10 members, as follows:

“(aa) 2 members of the Panel shall be appointed by the Secretary.

“(bb) 2 members of the Panel shall be appointed by the Secretary of Labor.

“(cc) 2 members of the Panel shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives.

“(dd) 1 member of the Panel shall be appointed by the ranking minority member of the Committee on Ways and Means of the House of Representatives.

“(ee) 2 members of the Panel shall be appointed by the Chairman of the Committee on Finance of the Senate.

“(ff) 1 member of the Panel shall be appointed by the ranking minority member of the Committee on Finance of the Senate.

“(II) CONFLICTS OF INTEREST.—An individual shall not be eligible to serve on the Panel if such service would pose a conflict of interest for the individual.

“(III) TIMING OF APPOINTMENTS.—The appointment of members to the Panel shall be completed not later than March 1, 2001.

“(iii) DUTIES.—

“(I) REVIEW AND MAKE RECOMMENDATIONS ON PROJECT APPLICATIONS.—The Panel shall review all applications submitted pursuant to paragraph (I), and make recommendations to the Secretary regarding which applicants should be awarded grants under this subsection, with due regard for the provisions of paragraph (3), but shall not recommend that a project be awarded such a grant if the application describing the project does not attempt to meet the requirement of paragraph (I)(B).

“(II) TIMING.—The Panel shall make such recommendations not later than September 1, 2001.

“(iv) TERM OF OFFICE.—Each member appointed to the Panel shall serve for the life of the Panel.

“(v) PROHIBITION ON COMPENSATION.—Members of the Panel may not receive pay, allowances, or benefits by reason of their service on the Panel.

“(vi) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in ac-

cordance with sections 5702 and 5703 of title 5, United States Code.

“(vii) MEETINGS.—The Panel shall meet as often as is necessary to complete the business of the Panel.

“(viii) CHAIRPERSON.—The Chairperson of the Panel shall be designated by the Secretary at the time of appointment.

“(ix) STAFF OF FEDERAL AGENCIES.—The Secretary may detail any personnel of the Department of Health and Human Services and the Secretary of Labor may detail any personnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this subparagraph.

“(x) OBTAINING OFFICIAL DATA.—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this subparagraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

“(xi) MAIls.—The Panel may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

“(xii) TERMINATION.—The Panel shall terminate on September 1, 2001.

“(3) MATCHING GRANTS.—

“(A) GRANT AWARDS.—

“(i) IN GENERAL.—The Secretary shall award matching grants, on a competitive basis, among entities submitting applications therefor which meet the requirements of paragraph (I), in amounts that take into account the written commitments referred to in paragraph (I)(D).

“(ii) TIMING.—

“(I) FIRST ROUND.—On October 1, 2000, the Secretary shall award not more than \$70,000,000 in matching grants after considering the recommendations submitted pursuant to paragraph (2)(A)(iii)(I).

“(II) SECOND ROUND.—On October 1, 2001, the Secretary shall award not more than \$70,000,000 in matching grants after considering the recommendations submitted pursuant to paragraph (2)(B)(iii)(I).

“(iii) NONDISCRIMINATION.—The provisions of this section shall be applied and administered so as to ensure that mothers, expectant mothers, and married mothers are eligible for benefits and services under projects awarded grants under this section on the same basis as fathers, expectant fathers, and married fathers.

“(B) PREFERENCES.—In determining which entities to which to award grants under this subsection, the Secretary shall give preference to an entity—

“(i) to the extent that the application submitted by the entity describes actions that the entity will take that are designed to encourage or facilitate the payment of child support, including but not limited to—

“(I) obtaining agreements with the State in which the project will be carried out under which the State will exercise its authority under the last sentence of section 457(a)(2)(B)(iv) in every case in which such authority may be exercised;

“(II) obtaining a written commitment by the agency responsible for administering the State plan approved under part D for the State in which the project is to be carried out that the State will voluntarily cancel child support arrearages owed to the State by the father as a result of the father providing various supports to the family such as maintaining a regular child support payment schedule or living with his children; and

“(III) obtaining a written commitment by the entity that the entity will help participating fathers who cooperate with the agency in improving their credit rating;

“(ii) to the extent that the application includes written agreements of cooperation

with other private and governmental agencies, including the State or local program funded under this part, the local Workforce Investment Board, the State or local program funded under part D, and the State or local program funded under part E, which should include a description of the services each such agency will provide to fathers participating in the project described in the application;

“(iii) to the extent that the application describes a project that will enroll a high percentage of project participants within 6 months before or after the birth of the child; or

“(iv) to the extent that the application sets forth clear and practical methods by which fathers will be recruited to participate in the project.

“(C) MINIMUM PERCENTAGE OF RECIPIENTS OF GRANT FUNDS TO BE NONGOVERNMENTAL (INCLUDING FAITH-BASED) ORGANIZATIONS.—Not less than 75 percent of the entities awarded grants under this subsection in each fiscal year (other than entities awarded such grants pursuant to the preferences required by subparagraph (B)) shall be awarded to—

“(i) nongovernmental (including faith-based) organizations; or

“(ii) governmental organizations that pass through to organizations referred to in clause (i) at least 50 percent of the amount of the grant.

“(D) DIVERSITY OF PROJECTS.—

“(i) IN GENERAL.—In determining which entities to which to award grants under this subsection, the Secretary shall attempt to achieve a balance among entities of differing sizes, entities in differing geographic areas, entities in urban versus rural areas, and entities employing differing methods of achieving the purposes of this section.

“(ii) REPORT TO THE CONGRESS.—Within 90 days after each award of grants under subclause (I) or (II) of subparagraph (A)(ii), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a brief report on the diversity of projects selected to receive funds under the grant program. The report shall include a comparison of funding for projects located in urban areas, projects located in suburban areas, and projects located in rural areas.

“(E) PAYMENT OF GRANT IN 4 EQUAL ANNUAL INSTALLMENTS.—During the fiscal year in which a grant is awarded under this subsection and each of the succeeding 3 fiscal years, the Secretary shall provide to the entity awarded the grant an amount equal to  $\frac{1}{4}$  of the amount of the grant.

“(4) USE OF FUNDS.—

“(A) IN GENERAL.—Each entity to which a grant is made under this subsection shall use grant funds provided under this subsection in accordance with the application requesting the grant, the requirements of this subsection, and the regulations prescribed under this subsection, and may use the grant funds to support community-wide initiatives to address the purposes of this section.

“(B) NONDISPLACEMENT.—

“(i) IN GENERAL.—An adult in a work activity described in section 407(d) which is funded, in whole or in part, by funds provided under this section shall not be employed or assigned—

“(I) when any other individual is on layoff from the same or any substantially equivalent job; or

“(II) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with such an adult.

“(ii) GRIEVANCE PROCEDURE.—

“(I) IN GENERAL.—Complaints alleging violations of clause (i) in a State may be resolved—

“(aa) if the State has established a grievance procedure under section 403(a)(5)(J)(iv), pursuant to the grievance procedure; or

“(bb) otherwise, pursuant to the grievance procedure established by the State under section 407(f)(3).

“(II) FORFEITURE OF GRANT IF GRIEVANCE PROCEDURE NOT AVAILABLE.—If a complaint referred to in subclause (I) is made against an entity to which a grant has been made under this section with respect to a project, and the complaint cannot be brought to, or cannot be resolved within 90 days after being brought, by a grievance procedure referred to in subclause (I), then the entity shall immediately return to the Secretary all funds provided to the entity under this section for the project, and the Secretary shall immediately rescind the grant.

“(C) RULE OF CONSTRUCTION.—This section shall not be construed to require the participation of a father in a project funded under this section to be discontinued by the project on the basis of changed economic circumstances of the father.

“(D) RULE OF CONSTRUCTION ON MARRIAGE.—This section shall not be construed to authorize the Secretary to define marriage for purposes of this section.

“(E) PENALTY FOR MISUSE OF GRANT FUNDS.—If the Secretary determines that an entity to which a grant is made under this subsection has used any amount of the grant in violation of subparagraph (A), the Secretary shall require the entity to remit to the Secretary an amount equal to the amount so used, plus all remaining grant funds, and the entity shall thereafter be ineligible for any grant under this subsection.

“(F) REMITTANCE OF UNUSED GRANT FUNDS.—Each entity to which a grant is awarded under this subsection shall remit to the Secretary all funds paid under the grant that remain at the end of the 5th fiscal year ending after the initial grant award.

“(5) AUTHORITY OF AGENCIES TO EXCHANGE INFORMATION.—Each agency administering a program funded under this part or a State plan approved under part D may share the name, address, telephone number, and identifying case number information in the State program funded under this part, of fathers for purposes of assisting in determining the eligibility of fathers to participate in projects receiving grants under this section, and in contacting fathers potentially eligible to participate in the projects, subject to all applicable privacy laws.

“(6) EVALUATION.—The Secretary, in consultation with the Secretary of Labor, shall, directly or by grant, contract, or interagency agreement, conduct an evaluation of projects funded under this section (other than under subsection (c)(1)). The evaluation shall assess, among other outcomes selected by the Secretary, effects of the projects on marriage, parenting, employment, earnings, and payment of child support. In selecting projects for the evaluation, the Secretary should include projects that, in the Secretary's judgment, are most likely to impact the matters described in the purposes of this section. In conducting the evaluation, random assignment should be used wherever possible.

“(7) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this subsection.

“(8) LIMITATION ON APPLICABILITY OF OTHER PROVISIONS OF THIS PART.—Sections 404 through 410 shall not apply to this section or to amounts paid under this section, and shall not be applied to an entity solely by reason of receipt of funds pursuant to this section. A project shall not be considered a State pro-

gram funded under this part solely by reason of receipt of funds paid under this section.

“(9) FUNDING.—

“(A) IN GENERAL.—

“(i) INTERAGENCY PANELS.—Of the amounts made available pursuant to section 403(a)(1)(E) to carry out this section for fiscal years 2000 and 2001, a total of \$150,000 shall be made available for the interagency panels established by paragraph (2) of this subsection.

“(ii) GRANTS.—Of the amounts made available pursuant to section 403(a)(1)(E) to carry out this section, there shall be made available for grants under this subsection—

“(I) \$17,500,000 for fiscal year 2001;

“(II) \$35,000,000 for each of fiscal years 2002 through 2004; and

“(III) \$17,500,000 for fiscal year 2005.

“(iii) EVALUATION.—Of the amounts made available pursuant to section 403(a)(1)(E) to carry out this section for fiscal years 2000 through 2006, a total of \$6,000,000 shall be made available for the evaluation required by paragraph (6) of this subsection.

“(B) AVAILABILITY.—

“(i) GRANT FUNDS.—The amounts made available pursuant to subparagraph (A)(ii) shall remain available until the end of fiscal year 2005.

“(ii) EVALUATION FUNDS.—The amounts made available pursuant to subparagraph (A)(iii) shall remain available until the end of fiscal year 2007.”

“(b) FUNDING.—Section 403(a)(1)(E) of such Act (42 U.S.C. 603(a)(1)(E)) is amended by inserting “, and for fiscal years 2000 through 2006, such sums as are necessary to carry out section 403A” before the period.

“(c) AUTHORITY TO STATES TO PASS THROUGH CHILD SUPPORT ARREARAGES COLLECTED THROUGH TAX REFUND INTERCEPT TO FAMILIES WHO HAVE CEASED TO RECEIVE CASH ASSISTANCE; FEDERAL REIMBURSEMENT OF STATE SHARE OF SUCH PASSED THROUGH ARREARAGES.—Section 457(a)(2)(B)(iv) of such Act (42 U.S.C. 657(a)(2)(B)(iv)) is amended—

(1) by inserting “(except the last sentence of this clause)” after “this section”; and

(2) by adding at the end the following: “Notwithstanding the preceding sentences of this clause, if the amount is collected on behalf of a family that includes a child of a participant in a project funded under section 403A and that has ceased to receive cash payments under a State program funded under section 403, then the State may distribute the amount collected pursuant to section 464 to the family, and the aggregate of the amounts otherwise required by this section to be paid by the State to the Federal government shall be reduced by an amount equal to the State share of the amount collected pursuant to section 464 that would otherwise be retained as reimbursement for assistance paid to the family.”

“(d) APPLICABILITY OF CHARITABLE CHOICE PROVISIONS OF WELFARE REFORM.—Section 104 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 604a) is amended by adding at the end the following:

“(I) Notwithstanding the preceding provisions of this section, this section shall apply to any entity to which funds have been provided under section 403A of the Social Security Act in the same manner in which this section applies to States, and, for purposes of this section, any project for which such funds are so provided shall be considered a program described in subsection (a)(2).”

**TITLE II—FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE**

**SEC. 201. FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE.**

Section 403A of the Social Security Act, as added by title I of this Act, is amended by adding at the end the following:

“(c) FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE.—

“(1) NATIONAL CLEARINGHOUSE.—The Secretary shall award a \$5,000,000 grant to a nationally recognized, nonprofit fatherhood promotion organization with at least 4 years of experience in designing and disseminating a national public education campaign, including the production and successful placement of television, radio, and print public service announcements which promote the importance of responsible fatherhood, and with at least 4 years experience providing consultation and training to community-based organizations interested in implementing fatherhood outreach, support, or skill development programs with an emphasis on promoting married fatherhood as the ideal, to—

“(A) develop, promote, and distribute to interested States, local governments, public agencies, and private nonprofit organizations, including charitable and religious organizations, a media campaign that encourages the appropriate involvement of both parents in the life of any child of the parents, and encourages such organizations to develop or sponsor programs that specifically address the issue of responsible fatherhood and the advantages conferred on children by marriage;

“(B) develop a national clearinghouse to assist States, communities, and private entities in efforts to promote and support marriage and responsible fatherhood by collecting, evaluating, and making available (through the Internet and by other means) to all interested parties, information regarding media campaigns and fatherhood programs;

“(C) develop and distribute materials that are for use by entities described in subparagraph (A) or (B) and that help young adults manage their money, develop the knowledge and skills needed to promote successful marriages, plan for future expenditures and investments, and plan for retirement;

“(D) develop and distribute materials that are for use by entities described in subparagraphs (A) and (B) and that list all the sources of public support for education and training that are available to young adults, including government spending programs as well as benefits under Federal and State tax laws.

“(2) MULTICITY FATHERHOOD PROJECTS.—

“(A) IN GENERAL.—The Secretary shall award a \$5,000,000 grant to each of 2 nationally recognized nonprofit fatherhood promotion organizations which meet the requirements of subparagraph (B), at least 1 of which organizations meets the requirement of subparagraph (C).

“(B) REQUIREMENTS.—The requirements of this subparagraph are the following:

“(i) The organization must have several years of experience in designing and conducting programs that meet the purposes described in paragraph (1).

“(ii) The organization must have experience in simultaneously conducting such programs in more than 1 major metropolitan area and in coordinating such programs with local government agencies and private, nonprofit agencies, including State or local agencies responsible for conducting the program under part D and Workforce Investment Boards.

“(iii) The organization must submit to the Secretary an application that meets all the conditions applicable to the organization under this section and that provides for projects to be conducted in 3 major metropolitan areas.

“(C) USE OF MARRIED COUPLES TO DELIVER SERVICES IN THE INNER CITY.—The requirement of this subparagraph is that the organization has extensive experience in using married couples to deliver program services in the inner city.

“(3) PAYMENT OF GRANTS IN 4 EQUAL ANNUAL INSTALLMENTS.—During each of fiscal years 2002 through 2005, the Secretary shall provide to each entity awarded a grant under this subsection an amount equal to 1/4 of the amount of the grant.

“(4) FUNDING.—

“(A) IN GENERAL.—Of the amounts made available pursuant to section 403(a)(1)(E) to carry out this section, \$3,750,000 shall be made available for grants under this subsection for each of fiscal years 2002 through 2005.

“(B) AVAILABILITY.—The amounts made available pursuant to subparagraph (A) shall remain available until the end of fiscal year 2005.”

### TITLE III—WELFARE-TO-WORK PROGRAM ELIGIBILITY

#### SEC. 301. FLEXIBILITY IN ELIGIBILITY FOR PARTICIPATION IN WELFARE-TO-WORK PROGRAM.

(a) IN GENERAL.—Section 403(a)(5)(C)(ii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(ii)) is amended as follows:

“(ii) GENERAL ELIGIBILITY.—An entity that operates a project with funds provided under this paragraph may expend funds provided to the project for the benefit of recipients of assistance under the program funded under this part of the State in which the entity is located who—

“(I) has received assistance under the State program funded under this part (whether in effect before or after the amendments made by section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 first apply to the State) for at least 30 months (whether or not consecutive); or

“(II) within 12 months, will become ineligible for assistance under the State program funded under this part by reason of a durational limit on such assistance, without regard to any exemption provided pursuant to section 408(a)(7)(C) that may apply to the individual.”.

(b) NONCUSTODIAL PARENTS.—

(i) IN GENERAL.—Section 403(a)(5)(C) of such Act (42 U.S.C. 603(a)(5)(C)) is amended—

(A) by redesignating clauses (iii) through (viii) as clauses (iv) through (ix), respectively; and

(B) by inserting after clause (ii) the following:

“(iii) NONCUSTODIAL PARENTS.—An entity that operates a project with funds provided under this paragraph may use the funds to provide services in a form described in clause (i) to noncustodial parents with respect to whom the requirements of the following sub-clauses are met:

“(I) The noncustodial parent is unemployed, underemployed, or having difficulty in paying child support obligations.

“(II) At least 1 of the following applies to a minor child of the noncustodial parent (with preference in the determination of the noncustodial parents to be provided services under this paragraph to be provided by the entity to those noncustodial parents with minor children who meet, or who have custodial parents who meet, the requirements of item (aa)):—

“(aa) The minor child or the custodial parent of the minor child meets the requirements of subclause (I) or (II) of clause (ii).

“(bb) The minor child is eligible for, or is receiving, benefits under the program funded under this part.

“(cc) The minor child received benefits under the program funded under this part in the 12-month period preceding the date of the determination but no longer receives such benefits.

“(dd) The minor child is eligible for, or is receiving, assistance under the Food Stamp Act of 1977, benefits under the supplemental security income program under title XVI of

this Act, medical assistance under title XIX of this Act, or child health assistance under title XXI of this Act.

“(III) In the case of a noncustodial parent who becomes enrolled in the project on or after the date of the enactment of this clause, the noncustodial parent is in compliance with the terms of an oral or written personal responsibility contract entered into among the noncustodial parent, the entity, and (unless the entity demonstrates to the Secretary that the entity is not capable of coordinating with such agency) the agency responsible for administering the State plan under part D, which was developed taking into account the employment and child support status of the noncustodial parent, which was entered into not later than 30 (or, at the option of the entity, not later than 90) days after the noncustodial parent was enrolled in the project, and which, at a minimum, includes the following:

“(aa) A commitment by the noncustodial parent to cooperate, at the earliest opportunity, in the establishment of the paternity of the minor child, through voluntary acknowledgement or other procedures, and in the establishment of a child support order.

“(bb) A commitment by the noncustodial parent to cooperate in the payment of child support for the minor child, which may include a modification of an existing support order to take into account the ability of the noncustodial parent to pay such support and the participation of such parent in the project.

“(cc) A commitment by the noncustodial parent to participate in employment or related activities that will enable the noncustodial parent to make regular child support payments, and if the noncustodial parent has not attained 20 years of age, such related activities may include completion of high school, a general equivalency degree, or other education directly related to employment.

“(dd) A description of the services to be provided under this paragraph, and a commitment by the noncustodial parent to participate in such services, that are designed to assist the noncustodial parent obtain and retain employment, increase earnings, and enhance the financial and emotional contributions to the well-being of the minor child.

In order to protect custodial parents and children who may be at risk of domestic violence, the preceding provisions of this sub-clause shall not be construed to affect any other provision of law requiring a custodial parent to cooperate in establishing the paternity of a child or establishing or enforcing a support order with respect to a child, or entitling a custodial parent to refuse, for good cause, to provide such cooperation as a condition of assistance or benefit under any program, shall not be construed to require such cooperation by the custodial parent as a condition of participation of either parent in the program authorized under this paragraph, and shall not be construed to require a custodial parent to cooperate with or participate in any activity under this clause. The entity operating a project under this clause with funds provided under this paragraph shall consult with domestic violence prevention and intervention organizations in the development of the project.”.

(2) CONFORMING AMENDMENT.—Section 412(a)(3)(C)(ii) of such Act (42 U.S.C. 612(a)(3)(C)(ii)) is amended by striking “(vii)” and inserting “(viii)”.

(c) RECIPIENTS WITH CHARACTERISTICS OF LONG-TERM DEPENDENCY; CHILDREN AGING OUT OF FOSTER CARE.—

(1) IN GENERAL.—Section 403(a)(5)(C)(iv) of such Act (42 U.S.C. 603(a)(5)(C)(iv)), as so redesignated by subsection (b)(1)(A) of this section, is amended—

(A) by striking “or” at the end of subclause (I); and

(B) by striking subclause (II) and inserting the following:

“(II) to children—

“(aa) who have attained 18 years of age but not 25 years of age; and

“(bb) who, before attaining 18 years of age, were recipients of foster care maintenance payments (as defined in section 475(4)) under part E or were in foster care under the responsibility of a State.

“(III) to recipients of assistance under the State program funded under this part, determined to have significant barriers to self-sufficiency, pursuant to criteria established by the local private industry council; or

“(IV) to custodial parents with incomes below 100 percent of the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section, applicable to a family of the size involved).”

(2) CONFORMING AMENDMENTS.—Section 403(a)(5)(C)(iv) of such Act (42 U.S.C. 603(a)(5)(C)(iv)), as so redesignated by subsection (b)(1)(A) of this section, is amended—

(A) in the heading by inserting “HARD TO EMPLOY” before “INDIVIDUALS”; and

(B) in the last sentence by striking “clause (ii)” and inserting “clauses (ii) and (iii) and, as appropriate, clause (v)”.

(d) CONFORMING AMENDMENT.—Section 404(k)(1)(C)(iii) of such Act (42 U.S.C. 604(k)(1)(C)(iii)) is amended by striking “item (aa) or (bb) of section 403(a)(5)(C)(ii)(II) and inserting “section 403(a)(5)(C)(iii)”.

### SEC. 302. LIMITED VOCATIONAL EDUCATIONAL AND JOB TRAINING INCLUDED AS ALLOWABLE ACTIVITY.

Section 403(a)(5)(C)(i) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(i)) is amended by inserting after subclause (VI) the following:

“(VII) Not more than 6 months of vocational educational or job training.”.

### SEC. 303. CERTAIN GRANTEES AUTHORIZED TO PROVIDE EMPLOYMENT SERVICES DIRECTLY.

Section 403(a)(5)(C)(i)(IV) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(i)(IV)) is amended by inserting “, or if the entity is not a private industry council or workforce investment board, the direct provision of such services” before the period.

### SEC. 304. SIMPLIFICATION AND COORDINATION OF REPORTING REQUIREMENTS.

(a) ELIMINATION OF CURRENT REQUIREMENTS.—Section 411(a)(1)(A) of the Social Security Act (42 U.S.C. 611(a)(1)(A)) is amended—

(1) in the matter preceding clause (i), by inserting “(except for information relating to activities carried out under section 403(a)(5)) after “part”; and

(2) by striking clause (xviii).

(b) ESTABLISHMENT OF REPORTING REQUIREMENT.—Section 403(a)(5)(C) of the Social Security Act (42 U.S.C. 603(a)(5)(C)), as amended by section 301(b)(1) of this Act, is amended by adding at the end the following:

“(x) REPORTING REQUIREMENTS.—The Secretary of Labor, in consultation with the Secretary of Health and Human Services, States, and organizations that represent State or local governments, shall establish requirements for the collection and maintenance of financial and participant information and the reporting of such information by entities carrying out activities under this paragraph.”.

### SEC. 305. USE OF STATE INFORMATION TO AID ADMINISTRATION OF WELFARE-TO-WORK GRANT FUNDS.

(a) AUTHORITY OF STATE AGENCIES TO DISCLOSE TO PRIVATE INDUSTRY COUNCILS THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF POTENTIAL WELFARE-TO-WORK PROGRAM PARTICIPANTS.—

(1) STATE IV-D AGENCIES.—Section 454A(f) of the Social Security Act (42 U.S.C. 654a(f)) is amended by adding at the end the following:

“(5) PRIVATE INDUSTRY COUNCILS RECEIVING WELFARE-TO-WORK GRANTS.—Disclosing to a private industry council (as defined in section 403(a)(5)(D)(ii)) to which funds are provided under section 403(a)(5) the names, addresses, telephone numbers, and identifying case number information in the State program funded under part A, of noncustodial parents residing in the service delivery area of the private industry council, for the purpose of identifying and contacting noncustodial parents regarding participation in the program under section 403(a)(5)”.

(2) STATE TANF AGENCIES.—Section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)) is amended by adding at the end the following:

“(K) INFORMATION DISCLOSURE.—If a State to which a grant is made under section 403 establishes safeguards against the use or disclosure of information about applicants or recipients of assistance under the State program funded under this part, the safeguards shall not prevent the State agency administering the program from furnishing to a private industry council the names, addresses, telephone numbers, and identifying case number information in the State program funded under this part, of noncustodial parents residing in the service delivery area of the private industry council, for the purpose of identifying and contacting noncustodial parents regarding participation in the program under this paragraph.”.

(b) SAFEGUARDING OF INFORMATION DISCLOSED TO PRIVATE INDUSTRY COUNCILS.—Section 403(a)(5)(A)(ii)(I) of such Act (42 U.S.C. 603(a)(5)(A)(ii)(I)) is amended—

(1) by striking “and” at the end of item (dd);

(2) by striking the period at the end of item (ee) and inserting “; and”; and

(3) by adding at the end the following:

“(ff) describes how the State will ensure that a private industry council to which information is disclosed pursuant to section 403(a)(5)(K) or 454A(f)(5) has procedures for safeguarding the information and for ensuring that the information is used solely for the purpose described in that section.”.

### TITLE IV—ALTERNATIVE PENALTY PROCEDURE RELATING TO STATE DISBURSEMENT UNITS

#### SEC. 401. ALTERNATIVE PENALTY PROCEDURE RELATING TO STATE DISBURSEMENT UNITS.

(a) IN GENERAL.—Section 455(a) of the Social Security Act (42 U.S.C. 655(a)) is amended by adding at the end the following:

“(5)(A)(i) If—

“(I) the Secretary determines that a State plan under section 454 would (in the absence of this paragraph) be disapproved for the failure of the State to comply with subparagraphs (A) and (B)(i) of section 454(27), and that the State has made and is continuing to make a good faith effort to so comply; and

“(II) the State has submitted to the Secretary, not later than April 1, 2000, a corrective compliance plan that describes how, by when, and at what cost the State will achieve such compliance, which has been approved by the Secretary,

then the Secretary shall not disapprove the State plan under section 454, and the Secretary shall reduce the amount otherwise payable to the State under paragraph (1)(A)

of this subsection for the fiscal year by the penalty amount.

“(ii) All failures of a State during a fiscal year to comply with any of the requirements of section 454B shall be considered a single failure of the State to comply with subparagraphs (A) and (B)(i) of section 454(27) during the fiscal year for purposes of this paragraph.

“(B) In this paragraph:

“(i) The term ‘penalty amount’ means, with respect to a failure of a State to comply with subparagraphs (A) and (B)(i) of section 454(27)—

“(I) 4 percent of the penalty base, in the case of the 1st fiscal year in which such a failure by the State occurs (regardless of whether a penalty is imposed in that fiscal year under this paragraph with respect to the failure), except as provided in subparagraph (C)(ii) of this paragraph;

“(II) 8 percent of the penalty base, in the case of the 2nd such fiscal year;

“(III) 16 percent of the penalty base, in the case of the 3rd such fiscal year;

“(IV) 25 percent of the penalty base, in the case of the 4th such fiscal year;

“(V) 30 percent of the penalty base, in the case of the 5th or any subsequent such fiscal year.

“(ii) The term ‘penalty base’ means, with respect to a failure of a State to comply with subparagraphs (A) and (B)(i) of section 454(27) during a fiscal year, the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the preceding fiscal year.

“(C)(i) The Secretary shall waive all penalties imposed against a State under this paragraph for any failure of the State to comply with subparagraphs (A) and (B)(i) of section 454(27) if the Secretary determines that, before April 1, 2000, the State has achieved such compliance.

“(ii) If a State with respect to which a reduction is required to be made under this paragraph with respect to a failure to comply with subparagraphs (A) and (B)(i) of section 454(27) achieves such compliance on or after April 1, 2000, and on or before September 30, 2000, then the penalty amount applicable to the State shall be 1 percent of the penalty base with respect to the failure involved.

“(D) The Secretary may not impose a penalty under this paragraph against a State for a fiscal year for which the amount otherwise payable to the State under paragraph (1)(A) of this subsection is reduced under paragraph (4) of this subsection for failure to comply with section 454(24)(A).”.

(b) INAPPLICABILITY OF PENALTY UNDER TANF PROGRAM.—Section 409(a)(8)(A)(i)(III) of such Act (42 U.S.C. 609(a)(8)(A)(i)(III)) is amended by striking “section 454(24)” and inserting “paragraph (24), or subparagraph (A) or (B)(i) of paragraph (27), of section 454”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1999.

### TITLE V—FINANCING PROVISIONS

#### SEC. 501. USE OF NEW HIRE INFORMATION TO ASSIST IN COLLECTION OF DEFAULTED STUDENT LOANS AND GRANTS.

(a) IN GENERAL.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following:

“(6) INFORMATION COMPARISONS AND DISCLOSURE FOR ENFORCEMENT OF OBLIGATIONS ON HIGHER EDUCATION ACT LOANS AND GRANTS.—

“(A) FURNISHING OF INFORMATION BY THE SECRETARY OF EDUCATION.—The Secretary of Education shall furnish to the Secretary, on

a quarterly basis or at such less frequent intervals as may be determined by the Secretary of Education, information in the custody of the Secretary of Education for comparison with information in the National Directory of New Hires, in order to obtain the information in such directory with respect to individuals who—

“(i) are borrowers of loans made under title IV of the Higher Education Act of 1965 that are in default; or

“(ii) owe an obligation to refund an overpayment of a grant awarded under such title.

“(B) REQUIREMENT TO SEEK MINIMUM INFORMATION NECESSARY.—The Secretary of Education shall seek information pursuant to this section only to the extent essential to improving collection of the debt described in subparagraph (A).

“(C) DUTIES OF THE SECRETARY.—

“(i) INFORMATION COMPARISON; DISCLOSURE TO THE SECRETARY OF EDUCATION.—The Secretary, in cooperation with the Secretary of Education, shall compare information in the National Directory of New Hires with information in the custody of the Secretary of Education, and disclose information in that Directory to the Secretary of Education, in accordance with this paragraph, for the purposes specified in this paragraph.

“(ii) CONDITION ON DISCLOSURE.—The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part. Support collection under section 466(b) shall be given priority over collection of any defaulted student loan or grant overpayment against the same income.

“(D) USE OF INFORMATION BY THE SECRETARY OF EDUCATION.—The Secretary of Education may use information resulting from a data match pursuant to this paragraph only—

“(i) for the purpose of collection of the debt described in subparagraph (A) owed by an individual whose annualized wage level (determined by taking into consideration information from the National Directory of New Hires) exceeds \$16,000; and

“(ii) after removal of personal identifiers, to conduct analyses of student loan defaults.

“(E) DISCLOSURE OF INFORMATION BY THE SECRETARY OF EDUCATION.—

“(i) DISCLOSURES PERMITTED.—The Secretary of Education may disclose information resulting from a data match pursuant to this paragraph only to—

“(I) a guaranty agency holding a loan made under part B of title IV of the Higher Education Act of 1965 on which the individual is obligated;

“(II) a contractor or agent of the guaranty agency described in subclause (I);

“(III) a contractor or agent of the Secretary; and

“(IV) the Attorney General.

“(ii) PURPOSE OF DISCLOSURE.—The Secretary of Education may make a disclosure under clause (i) only for the purpose of collection of the debts owed on defaulted student loans, or overpayments of grants, made under title IV of the Higher Education Act of 1965.

“(iii) RESTRICTION ON REDISCLOSURE.—An entity to which information is disclosed under clause (i) may use or disclose such information only as needed for the purpose of collecting on defaulted student loans, or overpayments of grants, made under title IV of the Higher Education Act of 1965.

“(F) REIMBURSEMENT OF HHS COSTS.—The Secretary of Education shall reimburse the Secretary, in accordance with subsection (k)(3), for the additional costs incurred by the Secretary in furnishing the information requested under this subparagraph.”.

(b) PENALTIES FOR MISUSE OF INFORMATION.—Section 402(a) of the Child Support Performance and Incentive Act of 1998 (112 Stat. 669) is amended in the matter added by paragraph (2) by inserting “or any other person” after “officer or employee of the United States”.

(c) EFFECTIVE DATE.—The amendments made by this section shall become effective October 1, 1999.

**SEC. 502. ELIMINATION OF SET-ASIDE OF PORTION OF WELFARE-TO-WORK FUNDS FOR SUCCESSFUL PERFORMANCE BONUS.**

(a) IN GENERAL.—Section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)) is amended by striking subparagraph (E) and redesignating subparagraphs (F) through (K) (as added by section 305(a)(2) of this Act) as subparagraphs (E) through (J), respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 403(a)(5)(A)(i) of such Act (42 U.S.C. 603(a)(5)(A)(i)) is amended by striking “subparagraph (I)” and inserting “subparagraph (H)”.

(2) Subclause (I) of each of subparagraphs (A)(iv) and (B)(v) of section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(A)(iv)(I) and (B)(v)(I)) is amended—

(A) in item (aa)—

(i) by striking “(I)” and inserting “(H)”; and

(ii) by striking “(G), and (H)” and inserting “and (G)”; and

(B) in item (bb), by striking “(F)” and inserting “(E)”.

(3) Section 403(a)(5)(B)(v) of such Act (42 U.S.C. 603(a)(5)(B)(v)) is amended in the matter preceding subclause (I) by striking “(I)” and inserting “(H)”.

(4) Subparagraphs (E) and (F) of section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(F) and (G)), as so redesignated by subsection (a) of this section, are each amended by striking “(I)” and inserting “(H)”.

(5) Section 412(a)(3)(A) of such Act (42 U.S.C. 612(a)(3)(A)) is amended by striking “403(a)(5)(I)” and inserting “403(a)(5)(H)”.

(c) FUNDING AMENDMENT.—Section 403(a)(5)(H)(i) of such Act (42 U.S.C. 603(a)(5)(H)(i)), as so redesignated by subsection (a) of this section, is amended by striking “\$1,500,000,000” and all that follows and inserting “for grants under this paragraph—

“(I) \$1,500,000,000 for fiscal year 1998; and

“(II) \$1,400,000,000 for fiscal year 1999.”.

**TITLE VI—MISCELLANEOUS**

**SEC. 601. CHANGE DATES FOR EVALUATION.**

(a) IN GENERAL.—Section 403(a)(5)(G)(iii) of the Social Security Act (42 U.S.C. 603(a)(5)(G)(iii)), as so redesignated by section 502(a) of this Act, is amended by striking “2001” and inserting “2005”.

(b) INTERIM REPORT REQUIRED.—Section 403(a)(5)(G) of such Act (42 U.S.C. 603(a)(5)(G)), as so redesignated, is amended by adding at the end the following:

“(iv) INTERIM REPORT.—Not later than January 1, 2002, the Secretary shall submit to the Congress an interim report on the evaluations referred to in clause (i).”.

**SEC. 602. REPORT ON UNDISTRIBUTED CHILD SUPPORT PAYMENTS.**

Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the procedures that the States use generally to locate custodial parents for whom child support has been collected but not yet distributed due to a change in address. The report shall include an estimate of the total amount of such undistributed child support and the average length of time it takes for

such child support to be distributed. The Secretary shall include in the report recommendations as to whether additional procedures should be established at the State or Federal level to expedite the payment of undistributed child support.

**SEC. 603. SENSE OF THE CONGRESS.**

It is the sense of the Congress that the States may use funds provided under the program of block grants for temporary assistance for needy families under part A of title IV of the Social Security Act to promote fatherhood activities of the type described in section 403A of such Act, as added by this Act.

**SEC. 604. ADDITIONAL FUNDING FOR WELFARE EVALUATION STUDY.**

Section 414(b) of the Social Security Act (42 U.S.C. 614(b)) is amended by striking “appropriated \$10,000,000” and all that follows and inserting “appropriated—

“(1) \$10,000,000 for each of fiscal years 1996 through 1999;

“(2) \$12,300,000 for fiscal year 2000;

“(3) \$17,500,000 for fiscal year 2001;

“(4) \$15,500,000 for fiscal year 2002; and

“(5) \$4,000,000 for fiscal year 2003.”.

**SEC. 605. TRAINING IN CHILD ABUSE AND NEGLECT PROCEEDINGS.**

(a) IN GENERAL.—Section 474(a)(3) of the Social Security Act (42 U.S.C. 674(a)(3)) is amended—

(1) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(2) by inserting after subparagraph (B) the following:

“(C) 75 percent of so much of such expenditures as are for the short-term training (including cross-training with personnel employed by, or under contract with, the State or local agency administering the plan in the political subdivision, training on topics relevant to the legal representation of clients in proceedings conducted by or under the supervision of an abuse and neglect court, and training on related topics such as child development and the importance of achieving safety, permanency, and well-being for a child) of judges, judicial personnel, law enforcement personnel, agency attorneys, attorneys representing a parent in proceedings conducted by, or under the supervision of, an abuse and neglect court, attorneys representing a child in such proceedings, guardians ad litem, and volunteers who participate in court-appointed special advocate programs, to the extent the training is related to the court’s role in expediting adoption procedures, implementing reasonable efforts, and providing for timely permanency planning and case reviews, except that any such training shall be offered by the State or local agency administering the plan, either directly or through contract, in collaboration with the appropriate judicial governing body operating in the State.”.

(b) DEFINITIONS.—Section 475 of such Act (42 U.S.C. 675) is amended by adding at the end the following:

“(8) The term ‘abuse and neglect courts’ means the State and local courts that carry out State or local laws requiring proceedings (conducted by or under the supervision of the courts)—

“(A) that implement part B or this part, including preliminary disposition of such proceedings;

“(B) that determine whether a child was abused or neglected;

“(C) that determine the advisability or appropriateness of placement in a family foster home, group home, or a special residential care facility; or

“(D) that determine any other legal disposition of a child in the abuse and neglect court system.

“(9) The term ‘agency attorney’ means an attorney or other individual, including any government attorney, district attorney, attorney general, State attorney, county attorney, city solicitor or attorney, corporation counsel, or privately retained special prosecutor, who represents the State or local agency administering the programs under part B and this part in a proceeding conducted by, or under the supervision of, an abuse and neglect court, including a proceeding for termination of parental rights.

“(10) The term ‘attorney representing a child’ means an attorney or a guardian ad litem who represents a child in a proceeding conducted by, or under the supervision of, an abuse and neglect court.

“(11) The term ‘attorney representing a parent’ means an attorney who represents a parent who is an official party to a proceeding conducted by, or under the supervision of, an abuse and neglect court.”

(c) CONFORMING AMENDMENTS—

(1) Section 473(a)(6)(B) of such Act (42 U.S.C. 673(a)(6)(B)) is amended by striking “474(a)(3)(E)” and inserting “474(a)(3)(F)”.

(2) Section 474(a)(3)(E) of such Act (42 U.S.C. 674(a)(3)(E)) (as so redesignated by subsection (a)(1)(A) of this section) is amended by striking “subparagraph (C)” and inserting “subparagraph (D)”.

(3) Section 474(c) of such Act (42 U.S.C. 674(c)) is amended by striking “subsection (a)(3)(C)” and inserting “subsection (a)(3)(D)”.

(d) SUNSET.—Effective on October 1, 2004—

(1) section 474(a)(3) of the Social Security Act (42 U.S.C. 674(a)(3)) is amended by striking subparagraph (C) and redesignating subparagraphs (D), (E), and (F) as subparagraphs (C), (D), and (E), respectively;

(2) section 475 of such Act (42 U.S.C. 675) is amended by striking paragraphs (8) through (11);

(3) section 473(a)(6)(B) of such Act (42 U.S.C. 673(a)(6)(B)) is amended by striking “474(a)(3)(F)” and inserting “474(a)(3)(E)”.

(4) section 474(a)(3)(E) of such Act (42 U.S.C. 674(a)(3)(E)) (as so redesignated by subsection (a)(1)(A) of this section) is amended by striking “subparagraph (D)” and inserting “subparagraph (C)”; and

(5) section 474(c) of such Act (42 U.S.C. 674(c)) is amended by striking “subsection (a)(3)(D)” and inserting “subsection (a)(3)(C)”.

**SEC. 606. USE OF NEW HIRE INFORMATION TO ASSIST IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS.**

(a) IN GENERAL.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)), as amended by section 501(a) of this Act, is further amended by adding at the end the following:

“(7) INFORMATION COMPARISONS AND DISCLOSURE TO ASSIST IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS.—

“(A) IN GENERAL.—If a State agency responsible for the administration of an unemployment compensation program under Federal or State law transmits to the Secretary the name and social security account number of an individual, the Secretary shall, if the information in the National Directory of New Hires indicates that the individual may be employed, disclose to the State agency the name and address of any putative employer of the individual, subject to this paragraph.

“(B) CONDITION ON DISCLOSURE.—The Secretary shall make a disclosure under subparagraph (A) only to the extent that the Secretary determines that the disclosure would not interfere with the effective operation of the program under this part.

“(C) USE OF INFORMATION.—A State agency may use information provided under this

paragraph only for purposes of administering a program referred to in subparagraph (A).’.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1999.

**SEC. 607. IMMIGRATION PROVISIONS.**

(a) NONIMMIGRANT ALIENS INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISION FOR NONPAYMENT OF CHILD SUPPORT.—

(1) IN GENERAL.—Section 212(a)(10) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)) is amended by adding at the end the following:

“(F) NONPAYMENT OF CHILD SUPPORT.—

“(i) IN GENERAL.—Any alien is inadmissible who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in an arrearage exceeding \$5,000, until child support payments under the judgment, decree, or order are satisfied or the alien is in compliance with an approved payment agreement.

“(ii) WAIVER AUTHORIZED.—The Attorney General may waive the application of clause (i) in the case of an alien, if the Attorney General—

“(I) has received a request for the waiver from the court or administrative agency having jurisdiction over the judgment, decree, or order obligating the alien to pay child support that is referred to in such clause; or

“(II) determines that there are prevailing humanitarian or public interest concerns.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect 180 days after the date of the enactment of this Act.

(b) AUTHORIZATION TO SERVE LEGAL PROC-ESS IN CHILD SUPPORT CASES ON CERTAIN AR-IVING ALIENS.—

(1) IN GENERAL.—Section 235(d) of the Immigration and Nationality Act (8 U.S.C. 1225(d)) is amended by adding at the end the following:

“(5) AUTHORITY TO SERVE PROCESS IN CHILD SUPPORT CASES.—

“(A) IN GENERAL.—To the extent consistent with State law, immigration officers are authorized to serve on any alien who is an applicant for admission to the United States legal process with respect to any action to enforce or establish a legal obligation of an individual to pay child support (as defined in section 459(i) of the Social Security Act).

“(B) DEFINITION.—For purposes of subparagraph (A), the term ‘legal process’ means any writ, order, summons or other similar process, which is issued by—

“(i) a court or an administrative agency of competent jurisdiction in any State, territory, or possession of the United States; or

“(ii) an authorized official pursuant to an order of such a court or agency or pursuant to State or local law.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to aliens applying for admission to the United States on or after 180 days after the date of the enactment of this Act.

(c) AUTHORIZATION TO SHARE CHILD SUP-PORT ENFORCEMENT INFORMATION TO ENFORCE IMMIGRATION AND NATURALIZATION LAW.—

(1) SECRETARIAL RESPONSIBILITY.—Section 452 of the Social Security Act (42 U.S.C. 652) is amended by adding at the end the following:

“(m) If the Secretary receives a certification by a State agency, in accordance with section 454(32), that an individual who is a nonimmigrant alien (as defined in section 101(a)(15) of the Immigration and Nationality Act) owes arrearages of child support in an amount exceeding \$5,000, the Secretary may, at the request of the State agency, the Sec-

retary of State, or the Attorney General, or on the Secretary’s own initiative, provide such certification to the Secretary of State and the Attorney General information in order to enable them to carry out their responsibilities under sections 212(a)(10) and 235(d) of such Act.”.

(2) STATE AGENCY RESPONSIBILITY.—Section 454 of the Social Security Act (42 U.S.C. 654) is amended—

(A) by striking “and” at the end of paragraph (32);

(B) by striking the period at the end of paragraph (33) and inserting “; and”;

(C) by inserting after paragraph (33) the following:

“(34) provide that the State agency will have in effect a procedure for certifying to the Secretary, in such format and accompanied by such supporting documentation as the Secretary may require, determinations for purposes of section 452(m) that nonimmigrant aliens owe arrearages of child support in an amount exceeding \$5,000.”.

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in Part B of the report. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

(Mr. GOODLING asked and was given permission to speak out of order for 1 minute.)

ANNOUNCEMENT REGARDING BILLS TO BE CONSIDERED UNDER SUSPENSION OF THE RULES

Mr. GOODLING. Mr. Chairman, pursuant to House Resolution 353, I announce the following measures to be taken up under suspension of the rules: H.R. 3261, H.R. 2724.

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in Part B of House Report 106-463.

AMENDMENT NO. 1 OFFERED BY MRS. MINK OF HAWAII

Mrs MINK of Hawaii. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 1 offered by Mrs. MINK of Hawaii:

Strike title I and insert the following:

**TITLE I—PARENTS COUNT PROGRAM**

**SEC. 101. PARENT GRANTS.**

(a) IN GENERAL.—Part A of title IV of the Social Security Act (42 U.S.C. 601-619) is amended by inserting after section 403 the following:

**SEC. 403A. PARENT PROGRAMS.**

“(a) PURPOSE.—The purpose of this section is to make grants available to public and private entities for projects designed to—

“(1) promote successful parenting through counseling, mentoring, disseminating information about good parenting practices, including family planning, training parents in money management, encouraging child support payments, encouraging visitation between a custodial parent and their children, and other methods;

“(2) help parents and their families to avoid or leave cash welfare provided by the program under this part and improve their economic status by providing work first services, job search, job training, subsidized employment, career-advancing education, job retention, job enhancement, and other methods; and

“(3) help parents in their marriages through counseling, mentoring, and teaching how to control aggressive methods, and other methods.

“(b) PARENT GRANTS.—

“(i) APPLICATIONS.—An entity desiring a grant to carry out a project described in subsection (a) may submit to the Secretary an application that contains the following:

“(A) A description of the project and how the project will be carried out.

“(B) A description of how the project will address all 3 of the purposes of this section.

“(C) A written commitment by the entity that the project will allow an individual to participate in the project only if the individual is—

“(i) a parent of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under this part; or

“(ii) a parent, including an expectant parent, whose income is less than 150 percent of the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section, applicable to a family of the size involved).

“(D) A written commitment by the entity that the entity will provide for the project, from funds obtained from non-Federal sources (other than funds which are counted as qualified State expenditures for purposes of section 409(a)(7)), amounts (including in-kind contributions) equal in value to—

“(i) 20 percent of the amount of any grant made to the entity under this subsection; or

“(ii) such lesser percentage as the Secretary deems appropriate (which shall be not less than 10 percent) of such amount, if the application demonstrates that there are circumstances that limit the ability of the entity to raise funds or obtain resources.

“(2) CONSIDERATION OF APPLICATIONS BY INTERAGENCY PANELS.—

“(A) FIRST PANEL.—

“(i) ESTABLISHMENT.—There is established a panel to be known as the ‘Parent Grants Recommendation Panel’ (in this subparagraph referred to as the ‘Panel’).

“(ii) MEMBERSHIP.—

“(I) IN GENERAL.—The Panel shall be composed of 10 members, as follows:

“(aa) 1 member of the Panel shall be appointed by the Secretary.

“(bb) 1 member of the Panel shall be appointed by the Secretary of Labor.

“(cc) 2 members of the Panel shall be appointed by the Chairman of the Committee on Education and the Workforce of the House of Representatives.

“(dd) 2 members of the Panel shall be appointed by the ranking minority member of the Committee on Education and the Workforce of the House of Representatives.

“(ee) 2 members of the Panel shall be appointed by the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate.

“(ff) 2 members of the Panel shall be appointed by the ranking member of the Com-

mittee on Health, Education, Labor, and Pensions of the Senate.

“(II) CONFLICTS OF INTEREST.—An individual shall not be eligible to serve on the Panel if such service would pose a conflict of interest for the individual.

“(III) TIMING OF APPOINTMENTS.—The appointment of members to the Panel shall be completed not later than March 1, 2000.

“(iii) DUTIES.—

“(I) REVIEW AND MAKE RECOMMENDATIONS ON PROJECT APPLICATIONS.—The Panel shall review all applications submitted pursuant to paragraph (I), and make recommendations to the Secretary regarding which applicants should be awarded grants under this subsection, with due regard for the provisions of paragraph (3), but shall not recommend that a project be awarded such a grant if the application describing the project does not attempt to meet the requirement of paragraph (I)(B).

“(II) TIMING.—The Panel shall make such recommendations not later than September 1, 2000.

“(iv) TERM OF OFFICE.—Each member appointed to the Panel shall serve for the life of the Panel.

“(v) PROHIBITION ON COMPENSATION.—Members of the Panel may not receive pay, allowances, or benefits by reason of their service on the Panel.

“(vi) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

“(vii) MEETINGS.—The Panel shall meet as often as is necessary to complete the business of the Panel.

“(viii) CHAIRPERSON.—The Chairperson of the Panel shall be designated by the Secretary at the time of appointment.

“(ix) STAFF OF FEDERAL AGENCIES.—The Secretary may detail any personnel of the Department of Health and Human Services and the Secretary of Labor may detail any personnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this subparagraph.

“(x) OBTAINING OFFICIAL DATA.—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this paragraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

“(xi) MAI LS.—The Panel may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

“(xii) TERMINATION.—The Panel shall terminate on September 1, 2000.

“(B) SECOND PANEL.—

“(i) ESTABLISHMENT.—Effective January 1, 2001, there is established a panel to be known as the ‘Parent Grants Recommendation Panel’ (in this subparagraph referred to as the ‘Panel’).

“(ii) MEMBERSHIP.—

“(I) IN GENERAL.—The Panel shall be composed of 10 members, as follows:

“(aa) 1 member of the Panel shall be appointed by the Secretary.

“(bb) 1 member of the Panel shall be appointed by the Secretary of Labor.

“(cc) 2 members of the Panel shall be appointed by the Chairman of the Committee on Education and the Workforce of the House of Representatives.

“(dd) 2 members of the Panel shall be appointed by the ranking minority member of the Committee on Education and the Workforce of the House of Representatives.

“(ee) 2 members of the Panel shall be appointed by the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate.

“(ff) 2 members of the Panel shall be appointed by the ranking member of the Committee on Health, Education, Labor, and Pensions of the Senate.

“(II) CONFLICTS OF INTEREST.—An individual shall not be eligible to serve on the Panel if such service would pose a conflict of interest for the individual.

“(III) TIMING OF APPOINTMENTS.—The appointment of members to the Panel shall be completed not later than March 1, 2001.

“(iii) DUTIES.—

“(I) REVIEW AND MAKE RECOMMENDATIONS ON PROJECT APPLICATIONS.—The Panel shall review all applications submitted pursuant to paragraph (I), and make recommendations to the Secretary regarding which applicants should be awarded grants under this subsection, with due regard for the provisions of paragraph (3), but shall not recommend that a project be awarded such a grant if the application describing the project does not attempt to meet the requirement of paragraph (I)(B).

“(II) TIMING.—The Panel shall make such recommendations not later than September 1, 2001.

“(iv) TERM OF OFFICE.—Each member appointed to the Panel shall serve for the life of the Panel.

“(v) PROHIBITION ON COMPENSATION.—Members of the Panel may not receive pay, allowances, or benefits by reason of their service on the Panel.

“(vi) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

“(vii) MEETINGS.—The Panel shall meet as often as is necessary to complete the business of the Panel.

“(viii) CHAIRPERSON.—The Chairperson of the Panel shall be designated by the Secretary at the time of appointment.

“(ix) STAFF OF FEDERAL AGENCIES.—The Secretary may detail any personnel of the Department of Health and Human Services and the Secretary of Labor may detail any personnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this subparagraph.

“(x) OBTAINING OFFICIAL DATA.—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this paragraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

“(xi) MAI LS.—The Panel may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

“(xii) TERMINATION.—The Panel shall terminate on September 1, 2001.

“(3) MATCHING GRANTS.—

“(A) GRANT AWARDS.—

“(i) IN GENERAL.—The Secretary shall award matching grants, on a competitive basis, among entities submitting applications therefor which meet the requirements of paragraph (I), in amounts that take into account the written commitments referred to in paragraph (I)(D).

“(ii) TIMING.—

“(I) FIRST ROUND.—On October 1, 2000, the Secretary shall award not more than \$70,000,000 in matching grants after considering the recommendations submitted pursuant to paragraph (2)(A)(iii)(I).

“(II) SECOND ROUND.—On October 1, 2001, the Secretary shall award not more than \$70,000,000 in matching grants considering the recommendations submitted pursuant to paragraph (2)(B)(iii)(I).

“(iii) NONDISCRIMINATION.—The provisions of this section shall be applied and administered so as to ensure that both mothers and

expectant mothers and fathers and expectant fathers are eligible for benefits and services under projects awarded grants under this subsection.

“(B) PREFERENCES.—In determining which entities to award grants under this subsection, the Secretary shall give preference to an entity—

“(i) to the extent that the application submitted by the entity describes actions that the entity will take that are designed to encourage or facilitate the payment of child support, including but not limited to—

“(I) obtaining agreements with the State in which the project will be carried out under which the State will exercise its authority under the last sentence of section 457(a)(2)(B)(iv) in every case in which such authority may be exercised;

“(II) obtaining a written commitment by the agency responsible for administering the State plan approved under part D for the State in which the project is to be carried out that the State will cancel child support arrearages owed to the State in proportion to the length of time that the parent maintains a regular child support payment schedule or lives with his or her children; and

“(III) obtaining a written commitment by the entity that the entity will help participating parents who cooperate with the agency in improving their credit rating;

“(ii) to the extent that the application includes written agreements of cooperation with other private and governmental agencies, including State or local programs funded under this part, the local Workforce Investment Board, and the State or local program funded under part D, which should include a description of the services each such agency will provide to parents participating in the project described in the application;

“(iii) to the extent that the application describes a project that will enroll a high percentage of project participants within 6 months before or after the birth of the child;

“(iv) to the extent that the application sets forth clear and practical methods by which parents will be recruited to participate in the project; and

“(v) to the extent that the application demonstrates that the entity will consult with domestic violence prevention and intervention organizations in the development and implementation of the project in order to protect custodial parents and children who may be at risk of domestic violence.

“(C) MINIMUM PERCENTAGE OF GRANTS FOR NONGOVERNMENTAL (INCLUDING FAITH-BASED) ORGANIZATIONS.—Not less than 75 percent of the aggregate amounts paid as grants under this subsection in each fiscal year (other than amounts paid pursuant to the preferences required by subparagraph (B)) shall be awarded to nongovernmental (including faith-based) organizations.

“(D) DIVERSITY OF PROJECTS.—In determining which entities to award grants under this subsection, the Secretary shall attempt to balance among entities of differing sizes, entities in differing geographic areas, entities in urban versus rural areas, and entities employing differing methods of achieving the purposes of this section.

“(E) PAYMENT OF GRANT IN 4 EQUAL ANNUAL INSTALLMENTS.—During the fiscal year in which a grant is awarded under this subsection and each of the succeeding 3 fiscal years, the Secretary shall provide to the entity awarded the grant an amount equal to 1/4 of the amount of that grant.

“(4) USE OF FUNDS.—

“(A) IN GENERAL.—Each entity to which a grant is made under this subsection shall use grant funds provided under this subsection in accordance with the application requesting the grant, the requirements of this subsection, and the regulations prescribed under

this subsection, and may use the grant funds to support communitywide initiatives to address the purposes of this section.

“(B) NONDISPLACEMENT.—

“(i) IN GENERAL.—An adult in a work activity described in section 407(d) which is funded, in whole or in part, by funds provided under this section shall not be employed or assigned—

“(I) when any other individual is on layoff from the same or any substantially equivalent job; or

“(II) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with such an adult.

“(ii) GRIEVANCE PROCEDURE.—

“(I) STATE PROCEDURE.—A State to which a grant is made under this section shall establish and maintain a grievance procedure for resolving complaints of alleged violations of clause (i) by State or local governmental entities.

“(II) FEDERAL PROCEDURE.—The Secretary shall establish and maintain a grievance procedure for resolving complaints of alleged violations of clause (i) by private entities.

“(iii) NO PREEMPTION.—This subparagraph shall not preempt or supersede any provision of State or local law that provides greater protection for employees from displacement.

“(C) RULE OF CONSTRUCTION.—This section shall not be construed to require the participation of a parent in a project funded under this section to be discontinued the project on the basis of changed economic circumstances of the parent.

“(D) RULE OF CONSTRUCTION ON MARRIAGE.—This section shall not be construed to authorize the Secretary to define marriage for purposes of this section.

“(E) PENALTY FOR MISUSE OF GRANT FUNDS.—If the Secretary determines that an entity to which a grant is made under this subsection has used any amount of the grant in violation of subparagraph (A), the Secretary shall require the entity to remit to the Secretary an amount equal to the amount so used, plus all remaining grant funds, and the entity shall thereafter be ineligible for any grant under this subsection.

“(F) REMITTANCE OF UNUSED GRANT FUNDS.—Each entity to which a grant is awarded under this subsection shall remit to the Secretary all funds paid under the grant that remain at the end of the 5th fiscal year ending after the initial grant award.

“(5) AUTHORITY OF STATE AGENCIES TO EX-CHANGE INFORMATION.—Each agency administering a State program funded under this part or a State plan approved under part D may share the name, address, and telephone number of parents for purposes of assisting in determining the eligibility of parents to participate in projects receiving grants under this title, and in contacting parents potentially eligible to participate in the projects, subject to all applicable privacy laws.

“(6) EVALUATION.—The Secretary, in consultation with the Secretary of Labor, shall, directly or by grant, contract, or interagency agreement, conduct an evaluation of projects funded under this section (other than under subsection (c)(1)). The evaluation shall assess, among other outcomes selected by the Secretary, the effects of the projects on parenting, employment, earnings, payment of child support, and marriage. In selecting projects for the evaluation, the Secretary should include projects that, in the Secretary's judgment, are most likely to impact the matters described in the purposes of this section. In conducting the evaluation, random assignment should be used wherever possible.

“(7) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this subsection.

“(8) LIMITATION ON APPLICABILITY OF OTHER PROVISIONS OF THIS PART.—Sections 404 through 410 shall not apply to this section or to amounts paid under this section, and shall not be applied to an entity solely by reason of receipt of funds pursuant to this section.

“(9) FUNDING.—

“(A) IN GENERAL.—

“(i) INTERAGENCY PANELS.—Of the amounts made available pursuant to section 403(a)(1)(E) for fiscal years 2000 and 2001, a total of \$150,000 shall be made available for the interagency panels established by paragraph (2) of this subsection.

“(ii) GRANTS.—Of the amounts made available pursuant to section 403(a)(1)(E), there shall be made available for grants under this subsection—

“(I) \$17,500,000 for fiscal year 2001;

“(II) \$35,000,000 for each of fiscal years 2002 through 2004; and

“(III) \$17,500,000 for fiscal year 2005.

“(iii) EVALUATION.—Of the amounts made available pursuant to section 403(a)(1)(E) for fiscal years 2000 through 2006, a total of \$6,000,000 shall be made available for the evaluation required by paragraph (6) of this subsection.

“(B) AVAILABILITY.—

“(i) GRANT FUNDS.—The amounts made pursuant to subparagraph (A)(ii) shall remain available until the end of fiscal year 2005.

“(ii) EVALUATION FUNDS.—The amounts made available pursuant to subparagraph (A)(iii) shall remain available until the end of fiscal year 2006.”

“(b) FUNDING.—Section 403(a)(1)(E) of such Act (42 U.S.C. 603(a)(1)(E)) is amended by inserting “, and for fiscal years 2000 through 2006, such sums as are necessary to carry out section 403A” before the period.

“(c) AUTHORITY TO STATES TO PASS THROUGH CHILD SUPPORT ARREARAGES COLLECTED THROUGH TAX REFUND INTERCEPT TO FAMILIES WHO HAVE CEASED TO RECEIVE CASH ASSISTANCE; FEDERAL REIMBURSEMENT OF STATE SHARE OF SUCH PASSED THROUGH ARREARAGES.—Section 457(a)(2)(B)(iv) of such Act (42 U.S.C. 657(a)(2)(B)(iv)) is amended—

“(1) by inserting “(except the last sentence of the clause)” after “this section”; and

“(2) by adding at the end the following: “Notwithstanding the preceding sentences of this clause, if the amount is collected on behalf of a family that includes a child of a participant in a project funded under section 403A and that has ceased to receive cash payments under a State program funded under section 403, and the amount so collected exceeds the amount that would otherwise be required to be paid to the family for the month in which collected, then the State may distribute the amount to the family, and the aggregate of the amounts otherwise required by this section to be paid by the State to the Federal Government shall be reduced by an amount equal to the State share of any amount so distributed.””

“(d) TANF MAINTENANCE OF EFFORT DETERMINATIONS TO BE MADE WITHOUT REGARD TO EXPENDITURES FOR PARENT PROGRAMS.—Section 409(a)(7)(B)(ii) of such Act (42 U.S.C. 609(a)(7)(B)(ii)) is amended by adding at the end the following:

“(V) EXCLUSION OF EXPENDITURES FOR PARENT PROGRAMS.—Such term does not include expenditures for any project for which funds are provided under section 403A.”

The CHAIRMAN. Pursuant to House Resolution 367, the gentlewoman from Hawaii (Mrs. MINK) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise to offer my amendment, which substitutes for the word "father" the word "parent." I think that that is a very important change to what has been offered here in titles I and II.

There is, I believe, a misapprehension that somehow, in enacting the Welfare Reform Act and the welfare-to-work provisions that went along with it, that somehow fathers, the noncustodial part of the family, was neglected and not served and not considered.

In debating the Welfare Reform Act, we had numerous discussions about deadbeat dads and how important it was to enforce the child support provisions, and all the mechanisms that went to that. So there was no neglect of the concerns that fathers had an important part in assuming their parental responsibilities. That is all incorporated in the Welfare Reform Act.

In the enactment of the welfare-to-work legislation, there was careful consideration to understand the burden of both the custodial parent as well as the noncustodial parent.

When one infers that in most cases the custodial parent is the mother, about 85 percent of the cases, then we look at the distribution of the funding under the welfare-to-work program and we realize that, indeed, fathers have been taken into account, because I am told by the Department of Labor that about 25 percent of the funding has actually gone to the noncustodial parent, to enable that parent to obtain work guidance and all sorts of assistance, transportation to the job and whatever.

So there was no discrimination, no leaving out of the fathers in the formula for consideration of the necessity of responsibility.

The children were, of course, the main object of the legislation. In every case, both the custodial parent and the noncustodial parent were given the options of coming under the program and benefiting from it.

So now we come to this new provision which is described as a fatherhood grant program. I believe that what is assumed by the purpose of this language is that somehow fathers have been left out.

Obviously, we want to do everything we can to instill responsibility in absent fathers to make sure they pay for their child support, to make sure if they want a job, they are counseled and assisted in every possible way for obtaining a job.

But when we create a new title and we spend \$150 million and direct it only to fathers, it seems to me that the concept of family then kind of withers on the vine. When we talk about family, we are talking about a mother and a father.

When we have, on page 4 of this legislation, a provision which says that there must be a written commitment by the entity applying for this grant

that will allow an individual to participate only if the individual is a father of a child who is on welfare, or a father whose income is less than 150 percent, it seems to me that we are creating a division which is so unnecessary.

It may be true that the entities that come in for this funding will deal with fathers separately than they will with mothers, but it seems to me to create a whole program and declare that only those eligible to participate are fathers is wrong.

So I have offered this amendment to Title I which expands it, talks about the importance of parents. It talks about the importance of counseling. The original bill that we are debating provides for marriage counseling. I do not know if a marriage counselor will deal with a situation with only one part of the family. They want both parties to come together.

So I think that it makes a lot of sense to recognize the roles and responsibilities of both the fathers and the mothers, and to provide this extra assistance.

It is important to realize that the current law does deal with job funding and all sorts of services in job search and getting ready for work for both the custodial and the noncustodial, so that is not new. What it will create is a whole new bureaucracy for the management of this aspect of the welfare-to-work law which already exists in the Department of Labor.

I would hope that my amendment will be agreed to and that we will provide this advantage for both sides of the family equation.

Mr. ENGLISH. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 10 minutes.

Mr. ENGLISH. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Connecticut (Mrs. JOHNSON), the distinguished chairman of the subcommittee.

□ 1400

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong opposition to this amendment. First of all, ironically, in the bill is a reform of the welfare-to-work provisions that is a program whose goal it is to reach out to women who have been on welfare for long periods of time, 5, 10, 15 years, and provide the education and training that is essential to help someone like that get into the workforce. For a lot of societal reasons, the great majority of people on welfare are women. Like 99.9 percent. And almost all the services in the fatherhood bill are already available to women.

Mr. Chairman, all our program does is to level the playing field by making similar services available to men. There is no effort anywhere in current law that would provide for the noncustodial parent the kinds of resources this bill does. And because they are primarily men when we are talking about

noncustodial parents of children on welfare, then we need a fatherhood program.

How many times have I stood on this floor and fought for those special training centers under the SBA for women, because women entrepreneurs need different information than men entrepreneurs to succeed because the environment in which they come up is different. Well, the same is true for poor fathers of welfare children. They suffer a sort of unique exclusion in our society. Their girlfriends, because they are on welfare, get job training, get education. Pretty soon they feel good about themselves; pretty soon they have a good job and they leave the young man behind. This is the imbalance that the gentleman from Florida (Mr. SHAW), my friend, referred to in his remarks and the source of the fatherhood bill.

We need to level the playing fields for these guys so they too can get the job training and skill development; they can get good jobs. Not only will they be able to support the kids better, but they will have the pride in themselves that is essential to healthy relationships.

This bill directly addresses some of the problems that tend to be common among these men, for example, the problem of aggressive behavior. So not only are we looking at providing them with education around parenting skills. Women at least get that from their friends; they at least get it from their moms. The young men who are the unmarried fathers of children on welfare have no milieu in which to help them develop the skills they are going to need for this new life of fatherhood. I am proud that we are recognizing the needs of these men, and it is about time because we recognized the same needs of the women a long time ago.

There is not one aspect of this bill that in any way interferes with the money for maternal and child health block grants; that is gender based. Women, infant and children's program; that is gender based. Violence against women; that money goes to women. This money is to prevent that violence. This is a fatherhood program that is geared primarily at this human development that allows us to control anger in such a way that we do not end up with domestic violence.

Mr. Chairman, I urge my colleagues to go to any school in their district that has done Character Counts and mediation and the principal will tell us, the incidence of "he hit me" or "she hit me" plummet 95 percent in the first 3 months. So we can teach violence control and teach relational issues, but we need to teach that with the men together. They need to hear each other and share experience about how they resolved a conflict with a woman, because there is no venue for them to do that.

If my colleagues visit these fatherhood programs, they will see why we need special services for dads, because dads do count.

So I urge my colleagues to oppose this amendment because it demeans the importance of our fathers, it demeans the role they play, and it denies them the skill development they need to succeed.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the Mink amendment. I strongly support fatherhood and any efforts to help men be better parents. I just do not believe these programs have to be isolated.

Right now under the welfare-to-work program, men and women can receive job training, educational training, and likewise equal support. We do not need a gender-specific law now.

The Mink amendment eliminates all gender discriminatory language and replaces it with parents. By replacing the word "father" with "parent" in title I of the Fathers Count Act, the Mink amendment emphasizes the fact that both fathers and mothers are important to families. Providing grants to help only fathers will pit dads and moms in a fight for welfare assistance against each other. Targeting only fathers ignores the fact that 84 percent of single-parent families are headed by mothers. Tying Federal benefits to only fathers violates the equal protection clause of the 14th amendment to the Constitution.

We must help all parents, whether mother or father, acquire the skills and training to become self-sufficient. This bill, without the Mink amendment, would undo the protections of the family violence option that many States have adopted under welfare reform. The Mink amendment improves the Fathers Count Act by giving preference to programs that consult with domestic violence organizations in the development and implementation of the project. Nearly 30 percent of women on public assistance are experiencing violence in their lives and two-thirds report having been victims previously.

The Mink amendment improves upon the goal of the fatherhood program by stating that the program must help parents in their marriages, through counseling, mentoring and teaching, how to control aggressive behavior.

Mr. Chairman, I urge a "yes" vote on the Mink amendment.

Mr. ENGLISH. Mr. Chairman, I yield myself 1 minute, simply to clarify the point that the language in this bill already provides for nondiscrimination. If I can read from the actual language of the bill that is currently on the floor: "Nondiscrimination. The provisions of this section shall be applied and administered so as to ensure that mothers, expectant mothers, and married mothers are eligible for benefits and services under projects awarded grants under this section on the same basis as fathers, expectant fathers, and married fathers."

Mr. Chairman, this is a red herring. There is no issue here.

Mr. Chairman, I reserve the balance of my time.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank the gentlewoman from Hawaii (Mrs. MINK) for yielding me this time.

Mr. Chairman, I rise in support of the underlying bill. I am pleased to note that legislation that the gentleman from Pennsylvania (Chairman GOODLING), the gentleman from California (Mr. MCKEON), and I authored, which frees up funding for moving from welfare to work, is in this bill. I thank the majority for their cooperation.

Mr. Chairman, I support the Mink amendment. If I could have one wish for every child in America, it would be that there is at least one committed adult who gets out of bed every morning and makes that child's welfare the most important priority in his or her life. I think it is important that we recognize that males or females, blood relatives or nonblood relatives, can serve that function.

Anything that narrows those opportunities by gender, by blood relation versus nonblood relation, I think narrows the chance that children are going to get that kind of care. Mothers and fathers, aunts and uncles, friends who are willing to take responsibility as guardians, all of these people are necessary for children to be nurtured.

Mr. Chairman, I support the Mink amendment because I believe it does not tie the funding streams to the gender of the adult, but it ties the funding streams to the needs of the child and the existence of an adult who is willing to help. I urge support of the Mink amendment as well as support for the underlying bill.

Mr. ENGLISH. Mr. Chairman, I have no additional speakers, and I reserve the balance of my time.

Mrs. MINK of Hawaii. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of amendment offered by the gentlewoman from Hawaii (Mrs. MINK) to make all parents count, rather than only fathers. We cannot over-emphasize the value of having a father present and participating in a positive way in a child's life. Dads are invaluable. But so are moms. And most of the children we want to help with this bill live with their mothers.

Mr. Chairman, if we want to change these children's lives, we must provide grants to help both their parents, their mom and their dad. Then the family can make changes.

Why should we not offer parents counseling and job skills assistance, both the moms and the dads, and make sure that the custodial parent, the low-

income mom, has the same opportunity as the noncustodial father? A recent study of 10 cities by the Institute of Children and Poverty showed that 42 percent of the poorest families in those cities do not get TANF benefits. We have census data that shows that the poorest one-fifth of single-mother families had a significant loss of income between 1995 and 1997, due largely to the loss of public benefits without any corresponding gain in earnings.

The moms in these poor families would need to go on welfare in order to get the kind of benefits that are being offered to the absentee dads by the fatherhood grants. What sense does that make? Our goal is to get more people into work, not on to welfare.

Mr. ENGLISH. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, listening to the debate on this particular amendment on the floor, I am constrained one more time to reread what is actually in the bill on the floor before us that addresses this issue already:

"Nondiscrimination. The provisions of this section shall be applied and administered so as to ensure that mothers, expectant mothers, and married mothers are eligible for benefits and services under projects awarded grants under this section on the same basis as fathers, expectant fathers, and married fathers."

Mr. Chairman, we have heard some curious arguments today. We do not hear the same arguments applied to other programs such as maternal and Child Health Block Grants, the Women, Infants and Children program, and the Violence Against Women Act. Mr. Chairman, I think the point here is we already have a level playing field. We are not creating a new bureaucracy. This is a very lean program in which the money will go directly to projects at the local level and do so on a non-discriminatory basis.

This program is not being created in isolation. This fits nicely and directly into many of the efforts that are already going on at the local level and also at existing welfare-to-work programs.

Mr. Chairman, I believe that this amendment is unnecessary and it overlooks a fundamental reality and that is the benefits from this legislation will go beyond the father by enabling the father to provide help and support for the mother; and most importantly, it will benefit their child by providing two caring, supportive parents active in their lives.

This bill, without this amendment, is a solid social initiative. This amendment, I believe, simply muddies the waters; and it should be categorically rejected.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). All time for debate on the amendment has expired.

The question is on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. ENGLISH. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, further proceedings on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 2 OFFERED BY MR. ENGLISH

Mr. ENGLISH. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment No. 2 Offered by Mr. ENGLISH:

In section 403A(b)(2)(A)(ii) of the Social Security Act, as proposed to be added by section 101(a) of the bill, redesignate subclauses (II) and (III) as subclauses (III) and (IV), respectively, and insert after subclause (I) the following:

“(II) QUALIFICATIONS.—An individual shall not be eligible to serve on the Panel unless the individual has experience in programs for fathers, programs for the poor, programs for children, program administration, or program research.”

In section 403A(b)(2)(B)(ii) of the Social Security Act, as proposed to be added by section 101(a) of the bill, redesignate subclauses (II) and (III) as subclauses (III) and (IV), respectively, and insert after subclause (I) the following:

“(II) QUALIFICATIONS.—An individual shall not be eligible to serve on the Panel unless the individual has experience in programs for fathers, programs for the poor, programs for children, program administration, or program research.”

In section 403A(b)(3)(B)(i) of the Social Security Act, as proposed to be added by section 101(a) of the bill—

(1) strike “and” at the end of subclause (II);

(2) add “and” at the end of subclause (III); and

(3) add at the end the following:

“(IV) helping fathers arrange and maintain a consistent schedule of visits with their children.”

The CHAIRMAN pro tempore. Pursuant to House Resolution 383, the gentleman from Pennsylvania (Mr. ENGLISH) and a Member opposed each will control 5 minutes.

Mr. CARDIN. Mr. Chairman, I am not in opposition to the amendment, but I am not aware of anyone in opposition, and I ask unanimous consent to control the time in opposition.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment has two parts. First, it requires that individuals who serve on the selection panels created under this act have some

background in programs for fathers, programs for the poor, programs for children, program administration or program research.

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This amendment ensures that only individuals who have professional experience related to social programs evaluate which fatherhood programs should be funded under this act.

Second, this amendment encourages the payment of child support by helping fathers with visitation. The intent of this legislation is to select programs which will have the greatest chance of promoting marriage, improving parent effectiveness, and helping fathers with employment.

This legislation gives preference to those programs which promote the payment of child support by helping fathers in a variety of ways. My amendment would add one more way to promote payment of child support specifically by helping fathers arrange and maintain a schedule of regular visits to their children.

This amendment encourages fathers to have a more active role in their children's lives, both financially and by spending more time with their children. Under this amendment, the real winners are the children. This amendment, I understand, has bipartisan support and has no budgetary impact.

I urge all of my colleagues on both sides of the aisle to support it.

Mr. Chairman, I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I pointed out, I support the gentleman's amendment. But I took the time because I have had some conversations with the gentleman concerning this amendment. I support it, but a literal reading of it could be interpreted to link visitation with the payment of child support. Now, I know that the author of the amendment does not intend that to be the consequence. We are in a position where we cannot amend an amendment on the floor under the rule which we are operating under.

So I heard the gentleman's explanation, and I fully agree with what he is intending to do that we want to make sure the noncustodial parent has a more active role in the child's life, which is the language used by the gentleman from Pennsylvania (Mr. ENGLISH), a more responsible relationship.

I would just point out, my conversations with the gentleman is that we will work, as this bill works its way through the process, to make sure there is no unintended consequences of the gentleman's amendment.

Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I make that commitment absolutely. I thank the gentleman from Maryland (Mr. CARDIN) for his support and his

thoughtful analysis of this issue, and I would be delighted to work with him and work with the rest of the subcommittee on that point.

Mr. CARDIN. Mr. Chairman, I yield back the balance of my time.

Mr. ENGLISH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I urge all of my colleagues to look carefully at this issue. I think it is relatively straightforward. This amendment would vastly strengthen this bill. It would introduce expertise into the evaluation process. In the end, it would bring fathers closer to their children.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. PEASE). All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ENGLISH).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 3 printed in Part B of House Report 106-463.

AMENDMENT NO. 3 OFFERED BY MRS. MINK OF HAWAII

Mrs. MINK of Hawaii. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 3 offered by Mrs. MINK of Hawaii:

Strike title II, and redesignate succeeding titles and sections (and amend the table of contents) accordingly.

The CHAIRMAN pro tempore. Pursuant to House Resolution 383, the gentlewoman from Hawaii (Mrs. MINK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, title II of the Fathers Count Act gives \$5 million to two nationally recognized nonprofit fatherhood promotion organizations, \$5 million to each of two nationally recognized nonprofit fatherhood promotion organizations. I oppose that kind of selection out of organizations for funding at such a level as \$5 million.

We have been debating on the floor that the Federal Government and the bureaucracy has to be cut. In fact, we cannot come to agreement on many of our appropriation bills because we are still arguing over the funding levels that each of these worthy groups are entitled to. Yet, here, today we have legislation which is prepared to give two organizations \$5 million just for existing.

The provision in the law says that the nonprofit promotion organization has to have a minimum of 4 years of experience in disseminating a national public education campaign, including production and placement of television, radio, and print public service

announcements that promote the importance of responsible fatherhood.

While I do not have any objection to national organizations being in existence to do exactly that, to teach men in our society to be responsible if they father children, they ought to be willing to pay for their support, maintenance, and education.

The government ought not to be out there trying to find ways in which to nurture these people through the establishment of funding for national organizations. But national organizations probably do a tremendous amount of good. They gather together the forces within a community, within the country, to come to grips with this issue of parental responsibility. I think that is something to be applauded.

But I do take great objection to the idea that the Federal Government needs to get involved in promoting through the placement of television, radio, and present public service announcements about the responsibilities of fatherhood. So I would hope that my amendment would be agreed to, and that only title I of this Fathers Count Act legislation will be agreed to and, hopefully, will be changed to a parent-hood kind of program.

It is important to realize that, if this is connected to welfare, which I assume that it is, that 85 percent of the people on welfare who are the custodial parents are women. If we are going to try to deal with this issue of welfare and the problems of poverty and the problems that children must suffer through because they are in a welfare family, then we have to make special efforts to try to support the single moms who are out there struggling to make a life and to support these children. Yet, we have no programs that I am aware of that specifically allocates \$5 million for the support of single moms who are trying to raise their children and who are on welfare.

So I think that it is a matter of priorities. It is not a priority which I share. I believe it is a dangerous precedent. I hope that, instead of spending this \$10 million in this way, that we can provide the monies for other programs.

I am told by someone who is knowledgeable that Healthy Mothers Program has been cut from the budget. Now, there is a program that has been nationally recognized, and the people that organize that program have all remarked what a tremendous contribution it makes to helping children and families at risk. Yet, the Congress is seeing fit not to fund this program.

So this money, I think, is needed in other programs where the need is much, much greater and where the benefits for the children at risk can be addressed directly. While I have no objection to these two organizations in mounting their campaigns for fatherhood and to insist that fathers be recognized for their responsibilities in their communities and in this country, I do object to the fact that special

funds are set aside for the purposes for promoting these private organizations.

Mr. Chairman, title II of the Fathers Count Act gives \$5 million to two nationally recognized nonprofit fatherhood promotion organizations. Five million dollars! We have recently been debating on the floor that every federal agency must cut its wasteful spending so its budget can be reduced by 1 percent. Yet, this legislation is prepared to give two organizations \$5 million just for existing.

We have not done this for motherhood organizations. And mothers make up 84 percent of the custodial parents on welfare. If we do anything with this five million dollars, we should provide it to the people that need this assistance the most—the custodial parent.

Title II would give this money to organizations to help them develop and promote material addressing the issue of responsible fatherhood and promote marriage. Fathers should be responsible, and I applaud any organization that strives to make non-custodial fathers active in their children's lives and well-being. But it is not the federal government's job to provide these non-profit organizations with millions of dollars to help them do their job. This sets a dangerous precedent. Are we to provide millions of dollars to the National Education Association? Or to the National Organization for Women? Of course not.

It is the federal government's responsibility to provide services to help custodial parents become self-sufficient. We should help these parents find jobs so they can provide for their families.

My amendment will strike title II and save this government millions of dollars that can be better spent.

I urge my colleagues to support this amendment.

Mr. ENGLISH. Mr. Chairman, I rise in opposition to the amendment and claim the time in opposition.

The CHAIRMAN pro tempore. The gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH. Mr. Chairman, I yield as much time as she may consume to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in strong opposition to this amendment. The bill does not allocate \$1 to any organization. It does set aside \$5 million for competitive grants where the Secretary makes the final decision.

We do want some of the money in the bill to be set aside for highly developed organizations that have been in the fatherhood business for a long time, that are reputable, and that are capable of testing project designs in many different places across the Nation because we know very, very little about what works in reaching out to these dads.

The rest of the money goes to community-based organizations because we know what is happening out there, the things that are going on, some of them funded by TANF, happening at the neighborhood level, at the small city level; and those are useful.

But it may be very hard to tell from those what ideas might be useful nationwide and what will not. We know there are a number of organizations

whose programs are well enough developed and whose reputation in the service community is strong enough that they would be able to begin to test some models nationwide in multiple cities. So two of these competitive grants have to go to that kind of organization.

The bill would be weakened by the elimination of these projects because since we know so little about this area, not to be able to both fund some of the big experienced programs in municipalities across the Nation to see how they work and whether they are as effective in New England as in the Southwest or California, and not to be able to do that as well as the small community-based grants would limit our ability to draw from our experience through this bill a national policy that will serve these families.

So I urge opposition to the amendment.

Mr. ENGLISH. Mr. Chairman, may I inquire how much time is remaining.

The CHAIRMAN pro tempore. The gentleman from Pennsylvania (Mr. ENGLISH) has 2½ minutes remaining.

Mr. ENGLISH. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, the gentlewoman from Hawaii (Mrs. MINK) has brought a lot of passion to this debate. But I sense that she seems to fear that, in a free and open competition for funds in which religious and other faith-based organizations are playing on a level playing field, the usual suspects may not get all the money.

There is no question this fatherhood legislation will bring lots of new organizations into play, most of which have never before received government funding. As long as that competition is fair, what can be wrong with more competition?

Let us recognize the major provision of title II is the multicity fatherhood project. Only organizations that have experience in organizing and conducting fatherhood programs and in coordinating with local agencies are eligible for this money. These are very reasonable requirements, directly relating to achieving program success.

The committee required that at least one of the projects use the technique of employing married couples who live and work in the service delivery area to serve as role models. Based on our hearings, this innovative approach was judged to hold a great deal of potential for success, and the committee, therefore, wants to test this model through rigorous experimentation.

Also in this provision is a clearinghouse which we feel is absolutely essential. If we are going to learn from the experience with fatherhood programs, experience which is already developing, then we need to have a national clearinghouse that will allow that information and that experience to be disseminated to communities that can learn and profit from the example. We urge the rejection of this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mrs. MINK of Hawaii. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, further proceedings on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK) will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 4 printed in Part B of House Report 106-463.

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AMENDMENT NO. 4 OFFERED BY MR. CARDIN

Mr. CARDIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 4 offered by Mr. CARDIN:

In section 403(a)(5)(C)(iv) of the Social Security Act, as so redesignated by section 301(b)(1)(A) of the bill, and as proposed to be amended by section 301(c)(1)(B) of the bill—

(1) insert “or” at the end of subclause (II);  
 (2) strike “; or” at the end of subclause (III) and insert a period; and  
 (3) strike subclause (IV).

In section 301 of the bill, redesignate subsection (d) as subsection (e) and insert after subsection (c) the following:

(d) CUSTODIAL PARENTS WITH INCOME BELOW POVERTY LINE WHO ARE NOT ON WELFARE.—

(I) IN GENERAL.—Section 403(a)(5)(C) of such Act (42 U.S.C. 603(a)(5)(C)), as amended by subsection (b)(1) of this section, is amended—

(A) by redesignating clauses (vi) through (ix) as clauses (vii) through (x), respectively; and

(B) by inserting after clause (v) the following:

“(vi) CUSTODIAL PARENTS WITH INCOME BELOW POVERTY LINE WHO ARE NOT ON WELFARE.—An entity that operates a project with funds provided under this paragraph may use the funds to provide assistance in a form described in clause (i) to custodial parents—

“(I) whose income is less than 100 percent of the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section, applicable to a family of the size involved); and

“(II) who are not otherwise recipients of assistance under a State program funded under this part.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 403(a)(5)(C)(iv) of such Act (42 U.S.C. 603(a)(5)(C)(iv)), as so redesignated by subsection (b)(1)(A) of this section, and as amended by subsection (c)(2) of this section, is amended in the last sentence by striking “clause (v)” and inserting “clause (v) and (vi)”.

(B) Section 412(a)(3)(C)(ii) of such Act (42 U.S.C. 612(a)(3)(C)(ii)), as amended by subsection (b)(2) of this section, is amended by striking “(viii)” and inserting “(xi)”.

In section 304(b) of the bill—

(1) strike “section 301(b)(1)” and insert “subsections (b)(1) and (d)(1) of section 301”; and

(2) redesignate clause (x) of section 403(a)(5)(C) of the Social Security Act, as proposed to be added by such section 304(b), as clause (xi).

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, the gentleman from Maryland (Mr. CARDIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the Cardin amendment to allow custodial parents, usually moms with incomes below the poverty line, to participate in welfare-to-work programs equally with noncustodial parents, usually dads.

While I was glad to get this limited amendment into the Committee on Education and the Workforce markup for access for low-income custodial moms, this is far better. In fact, it is far more fair and sensible to treat low-income custodial moms equal to dads. We know that more and more of the very poorest families in this country are not receiving welfare. These are families headed by single moms. It is not sensible, nor is it fair to give absentee dads greater access to welfare-to-work programs than it is to give these programs to the mothers, those who are living with their children and taking care of them day in and day out.

If we want to help low-income children, we need to give both their parents equal access to the welfare-to-work program. That is what the Cardin amendment does, and I urge my colleagues to support it.

Mr. GOODLING. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from Pennsylvania (Mr. GOODLING) is recognized for 5 minutes.

Mr. GOODLING. Mr. Chairman, I yield myself such time as I may consume.

I would hope we would not go down this path, Mr. Chairman, for many reasons. Under the current law, the funds are targeted for hard-to-employ welfare recipients and noncustodial parents with children on welfare. No one else can get that money. But we worked out in committee an arrangement where 30 percent of that money could go for nonwelfare recipients living in poverty.

Now, I have a tremendous fear if we ever open this up and say 100 percent. Why do I have that fear and why is it legitimate? When we combined all these workforce programs to try to make them work several years ago, the State employment offices were out

there trying to kill everything we were doing. Why were they doing that? Because they have a tendency to give all of their effort to those who they know they can count as successful so when they have to give their statistics, they say, okay, we were very successful. However, the people they neglected are the hardest people there are to try to prepare for employment.

That is my fear here. If we open this up beyond the 30 percent, the next thing we will find is these people on welfare, these custodial parents with children on welfare, all of a sudden will get no service, because they are very, very difficult to try to prepare for the workforce.

Again, we have to make sure that we understand there is all sorts of money out there for those people. When we look at TANF and other programs, there are billions of dollars that are serving these very people that we are talking about at the present time. We do not want to just turn this into another job-training program, because that, of course, was a real failure in the past.

Also keep in mind there is \$2.5 billion for economically disadvantaged adults and dislocated workers assistance under the Work Force Investment Act. All of that money is out there for these people. But this sets up a situation where 100 percent of the funds could be used to serve custodial parents in poverty. Again, we are taking away the opportunity, and not only the opportunity but the mandate to make sure that the most difficult to prepare for the workforce are getting help through this service.

Mr. Chairman, I yield 2½ minutes to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Chairman, I rise in strong support of every person on welfare who wants to get his or her hands on the ladder of opportunity, and that is why I rise in strong opposition to this amendment.

I also rise to congratulate over 2 million welfare recipients in this country who, under the Republican welfare reform program, have had restored to them not only a job but dignity in their life; and I implore those on the other side of the aisle to keep our focus on this welfare-to-work program for the people that are truly on welfare.

There are many job training programs, but there is only one welfare-to-work. We worked out a good compromise in committee that would allow us to use up to 30 percent of the funds for those not on welfare but below the poverty line, and this is a good start. But if we take our total focus off of welfare recipients, the ones that are still on it are going to be the ones that are hardest to get jobs and we need more than ever the welfare-to-work program focused on these people today.

So I again encourage everyone on the other side to remember, let us do not create another job training program. There are a lot of those. But in my district, the folks in the chamber and in

businesses and in community organizations are working together with the Department of Social Services to focus welfare funds as well as private sector funds to get people back to work. And I just hope that we will not destroy this program by opening it up and just leaving it to anyone who chooses to use it in a different way.

Mr. CARDIN. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, having examined this amendment, I am inclined to agree with it, and I rise in support of it.

What this amendment does is it allows more people to participate in welfare-to-work and it allows States to use more funds for welfare-to-work programs for low-income custodial parents who do not receive TANF.

This provides greater flexibility to the States. And given that flexibility was the hallmark of our 1996 welfare reform bill, I believe that this is consistent with its spirit. I support this amendment.

Mr. CARDIN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me just make a couple points, if I might, in response to the gentleman from Pennsylvania, the chairman of the committee.

This amendment carries out the commitment we made to our States when we enacted welfare reform, and that is to give flexibility to our States to be able to deal with the problems. The gentleman is suggesting that we should restrict our States somehow on how they feel it is best to deal with the problems by imposing this 30 percent restrictional use of funds for low-income custodial parents. The Committee on Ways and Means, in its version of the bill, included this amendment. It did not put the 30 percent restriction in.

Mr. Chairman, what really concerns me is that it is not limited to 30 percent; it is limited much below that. In fact, it is unlikely that any resources will get to this targeted group unless this amendment is adopted, because it has to compete with two other groups of individuals; one, those that have been on TANF for 30 months or less and, number two, the commitment we made to help children aging out of foster care. They are both subject to the same 30 percent.

There are not going to be any resources available for low-income custodial parents who are playing according to the rules. We would be telling them to go on welfare to get the help. That does not make any sense. We should be rewarding people who want to play by the rules, who want to be able to get a good job. The States should have this flexibility.

I listened to the proponents of welfare reform and I voted for it. We talked about trusting our States to be able to have the flexibility to deal with the job. Let us not discriminate against low-income people because

they have not been on welfare. And let us live up to our commitment we promised to children aging out of foster care so there would be resources available for that group. And let us also deal with the people who have been on welfare for less than 30 months.

Support this amendment. It is a good amendment. It is a bipartisan amendment. I urge my colleagues to vote in favor of it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Maryland (Mr. Cardin).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 5 printed in Part B of House Report 106-463.

AMENDMENT NO. 5 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer amendment No. 5.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 5 offered by Mr. TRAFICANT:

In section 403A(b)(1) of the Social Security Act, as proposed to be added by section 101(a) of the bill, add at the end the following:

"(E) A written commitment by the entity that the entity will make available to each individual participating in the project education about alcohol, tobacco, and other drugs and the effect of abusing such substances, and information about HIV/AIDS and its transmission."

The CHAIRMAN pro tempore. Pursuant to House Resolution 383, the gentleman from Ohio (Mr. TRAFICANT) and a member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Following this debate, Mr. Chairman, the gentleman from New York (Mr. HINCHY) made a very good statement about poverty. One of the statements he made was that people without seem to have more problems.

My little amendment says it would require any of these projects getting grants under this bill to also add a drug-alcohol education component and information about the transmission of AIDS and the HIV factor.

In America, at the University of Cincinnati Medical School, 20 milligrams of diacetylmorphine, known on the streets as heroin, has produced physical dependence in 7 days, known as addiction on the streets, in 7 days with laboratory animals. The synergistic effect of drugs has destroyed families, where many families unknowingly, fathers, end up in hospital rooms with unintended overdose accidents. I think that these projects and this program is good, but any fatherhood project that does not offer this, I think, would be lacking.

I think it is a good program. I do not ask for any additional money, because I believe the social service system

could network to do this, but Congress says they shall do this. I think it is that important.

Mr. Chairman, I reserve the balance of my time.

Mr. ENGLISH. Mr. Chairman, I ask unanimous consent to manage the time in opposition, even though I am not opposed to this amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH. Mr. Chairman, I yield myself such time as I may consume, and I rise in support of the amendment of the gentleman from Ohio (Mr. TRAFICANT).

I think it is noteworthy that what he has offered is a requirement that these fatherhood projects provide education on alcohol, tobacco and other drugs, as well as the effect of abusing such substances and information about HIV/AIDS. I think we can all agree that this is a valuable addition to this bill and a valuable addition to this debate.

Mr. Chairman, I serve in a district that abuts on that of the gentleman from Ohio (Mr. TRAFICANT), and let me say I am very grateful for his longstanding interest in these issues. He has been, I think, a real leader in the House focusing on these issues for many, many years, and he has been an inspiration to me.

Let me just say, in addition, that I think his amendment strongly adds to this bill. I think it gives this bill an additional push and I, for one, strongly support its inclusion in the final language.

Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I also want to congratulate the gentleman from Ohio on his amendment. I think it is a very worthy one. I accept it for myself.

Mr. CARDIN. Mr. Chairman, will the gentlewoman yield?

Mrs. JOHNSON of Connecticut. I yield to the gentleman from Maryland.

Mr. CARDIN. Mr. Chairman, I also support the amendment and compliment my friend from Ohio. It strengthens the bill, and we certainly would like to see it included.

Mrs. JOHNSON of Connecticut. Yes, reclaiming my time, Mr. Chairman, we appreciate the gentleman's continued interest in these issues and find his amendment a real constructive addition to the bill.

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume to thank the chairman, and I want to close by thanking my friend and neighbor, the gentleman from Pennsylvania (Mr. ENGLISH), who has worked with me on many issues.

I also want to thank my fellow graduate at Pitt, the gentleman from Maryland (Mr. CARDIN), who has done a

great job. And, Mr. Chairman, it seems that every bill that the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) seem to be involved with, it has worked out good for the American people.

Mr. Chairman, I yield back the balance of my time.

Mr. ENGLISH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN pro tempore. It is now in order to consider amendment No. 6 printed in Part B of House Report 106-463.

AMENDMENT NO. 6 OFFERED BY MR. EDWARDS

Mr. EDWARDS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B amendment No. 6 offered by Mr. EDWARDS:

At the end of section 403A(b)(3)(C) of the Social Security Act, as proposed to be added by section 101(a) of the bill, add the following new flush sentence: "Notwithstanding any other provision of law, funds shall not be provided under this section to any faith-based institution that is pervasively sectarian."

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, the gentleman from Texas (Mr. EDWARDS) and a member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Texas (Mr. EDWARDS).

□ 1445

Mr. EDWARDS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment is one sentence long. It says this: "Notwithstanding any other provision of law, funds shall not be provided under this section to any faith-based institution that is pervasively sectarian."

This is very simple. The Supreme Court ruled in 1988 they cannot give dollars directly to pervasively sectarian organizations, essentially organizations that are thoroughly religious, that their secular and religious purposes are so intertwined they cannot separate them. We are picking up that language of the Supreme Court in its 1988 case to try to make this bill constitutional.

I want to be clear. My amendment does not stop Federal funds from flowing to faith-based organizations. That is happening today. It has happened for years. And it will continue to happen under my amendment.

What will be different is, under my amendment, we will follow the profound principles of the first 10 words, in fact, the establishment clause of the Bill of Rights, that say our Founding Fathers did not and would not want direct Federal dollars to go directly to houses of worship, churches, and synagogues.

There are many supporters, from the Joint Baptist Committee to the American Jewish Committee, of this amendment. Let me just say some things that will happen if it does not pass.

First, they will obliterate a 200-year wall of separation between church and State. Convenience or even good intentions are not good enough reasons to turn our back on the first 10 words of the First Amendment of the Bill of Rights.

Secondly, without my amendment passing, this bill will let a church or religious organization take Federal dollars and, in the decision of hiring people for that federally funded program, say, no, they are not good enough, we are not hiring them because they are not, as an American citizen, of the right religion in our opinion. I find that is offensive to the concept of religious freedom and respect and independence in this country.

Third, I think they are going to harm these religious organizations by inviting massive Federal regulation of them. And finally, they will create great dissension as these organizations compete for Federal dollars.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me the time.

Mr. Chairman, this has been a fascinating partial debate. Now we are to the actual amendment, which the sponsor says would not affect faith-based organizations but would, in fact, gut the intent of this amendment and certainly would set back and probably reverse the whole flow that the Federal Government has been doing for a number of years to try to include people who want to include character and faith-based organizations in the delivery of social services by going back to the pervasively sectarian standard.

In fact, Vice President AL GORE, in his home page for President, as well as his speech that he gave in Atlanta, said,

I believe the lesson for our Nation is clear. In those instances where the unique power of faith that can help us meet the crushing social challenges that are otherwise impossible to meet, such as drug addiction and gang violence, we should explore carefully tailored partnerships with our faith communities so that we can use approaches that are working best.

Governor Bush in Texas has done this with prison fellowship, with other groups that are involved in youth issues and fatherhood issues, and we see many examples in this current administration.

The Brookings Institute has come out forcefully for this saying that, in fact, to use a pervasively sectarian standard has, in fact, discriminated

against those who want to include as a part the moral teachings.

Now, to argue and rewrite the American Constitution to say that this obliterates the wall of separation, first off, that was not in the original Constitution, but it certainly does not oblige the wall of separation.

The intent of the Founding Fathers was clearly not to take religion out but, rather, to keep certain religions from being funded.

As an anti-Baptist, I would not have wanted to fund the Anglican Church. People in the other States would not have wanted to fund, as they were at the time of original founding, the ministers and the church schools in those States as the only choice for schoolchildren.

But, in fact, the United States Congress in their first few years when they could not get Bibles in from England, the United States Congress, with Federal dollars, bought Bibles to distribute to the public schools.

A little bit later the Congress, concerned that it was difficult even to purchase those, the same Founders who wrote the Constitution purchased Bibles, printed them, and it says at U.S. Government expense, to be distributed by congressional legislation to public schools.

That is not what we are proposing here. The question is not whether we are proposing actual religious education. In fact, everything in this bill and in the previous three times this House has voted overwhelmingly for the charitable choice provision, the same provision that we are voting on today that the gentleman from Texas (Mr. EDWARDS) is trying to gut, the plain truth of the matter is that we cannot use any of these funds for religious teaching.

So contrary to what the Founding Fathers allow, which was Bibles printed at congressional expense distributed by the United States Congress to public schools, we are not proposing that.

We are just saying, in the process of addressing questions like fatherhood, as we did earlier in Juvenile Justice, as we did earlier in Human Services, as we did earlier in welfare reform, that we should be able to include character and faith-based organizations in that section.

The most dynamic organizations in this country, in fact, have pastors, youth leaders, people who attend churches, church-based organizations, or parent church organizations that do not teach religion but have that as a component, the love, the hope, the faith, the kindness, the tolerance that comes through religion is intermingled in their programs.

To say that a program, for example, if a particular religion, whether it is, for example, Orthodox Jews, and if Orthodox Jews have a program to reach kids in their neighborhood or fathers in their neighborhood, to say that they must hire somebody who does not belong to their religion, in effect, means they will not participate in these programs.

Now, the Government gets to decide when a faith-based organization comes up and says we have a proposal here under the Father Counts bill or any of the other three previous bills where we passed this exact same language, that when they propose this to the Government, they do not say it has to show it is not teaching religion, it has to show that it is addressing the problems there, it is addressing them in a unique way regardless which of these bills we are talking about, and there are many protections; and ultimately the Federal Government has to decide is this group the best way to deliver these services.

So I think this is a reasonable amendment that has passed by as many as 350 votes in this House. It is supported by the leading presidential candidates in both parties as a general principle.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I reserve the balance of my time.

Mr. EDWARDS. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN), cosponsor and coauthor of this legislation.

Mr. CARDIN. Mr. Chairman, I thank the gentleman from Texas for yielding me this time, and I urge my colleagues to support his amendment.

I hope everybody will put this in proper perspective. This bill deals with \$150 million over the next 5 years. It incorporates by reference the charitable choice provisions that are in the 1997 Welfare Reform bill that has spent \$16.5 billion per year. What the Edwards amendment does is make it clear that this money must be spent in a constitutionally acceptable way.

We have by reference in this statute that it must be spent consistent with the establishment clause of the United States Constitution as it relates to religious freedom, separation of church and state. That is already in this bill by reference.

Read the Edwards amendment. The Edwards amendment says that it goes to the establishment clause and incorporates the Supreme Court test, as it is in the Kendrick case. So the pervasively sectarian test is the test on whether we have violated the establishment clause.

This is not whether faith-based organizations will participate or not. They do participate under the bill or under the Edwards amendment. The Edwards amendment makes sure that we spend the money in a constitutionally acceptable way.

I urge my colleagues to accept the amendment so that we can get faith-based institutions and entities using these funds but using it an acceptable way so we can build upon the program and really help the people that this legislation is aimed at.

It is a good amendment. It clarifies. It prevents it from causing problems that otherwise could occur. I urge my colleagues to support the amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, I stand in opposition to the amendment. I am afraid that this would have a chilling effect upon the application of an otherwise very, very fine bill.

We are going to need a lot of help from a lot of areas in order to be able to get through and to accomplish the goals that all of us have with regard to this legislation.

The Supreme Court, in its decisions, is not a static entity. It is a living entity. It is one that shifts and goes back and forth in accordance with the facts of the various cases and the changing times.

It is time that we looked to other organizations, non-traditional organizations, to help out. This bill is not going to promote any religious activity. It would be grossly unconstitutional if this is what it was. But the churches and synagogues and other religious institutions can be very valuable in reaching out and getting these fathers and bringing them in and do exactly what the intent of this bill is.

I stand in opposition to the amendment.

Mr. EDWARDS. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Chairman, I rise in support of the Edwards amendment.

Mr. Chairman, the amendment is simple. It just conforms the bill to the First Amendment of the Constitution as interpreted by a long line of Supreme Court decisions.

Many religiously affiliated groups now sponsor Federal programs, but the program must be administered in a secular manner and not conducted in a pervasively sectarian manner. And so, Federal funds support programs sponsored by Catholic Charities or Lutheran Services. But they do not have to be Catholic or Lutheran to benefit from those services. And if they want to compete for a job funded by those Federal dollars, they do not have to be Catholic or Lutheran to be hired.

This bill, without the Edwards amendment, allows Federal funds to sponsor pervasively sectarian activities and allows sponsors to require program participants as a condition of receiving federally funded benefits to require the participation in church religious activities and allows churches to discriminate based on religious affiliation in hiring employees with Federal dollars. That is wrong. It is unconstitutional, and we should fix it by adopting the Edwards amendment.

The CHAIRMAN. The gentlewoman from Connecticut (Mrs. JOHNSON) has 4 minutes remaining. The gentleman from Texas (Mr. EDWARDS) has 4½ minutes remaining.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 3½ minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELAY. Mr. Chairman, I rise in very strong objection and opposition to this amendment.

It is amazing to me how people can misinterpret history. Separation of church and state was created in this century by these courts. And, in fact, the courts are moving away from the concept, as outlined by the Members on the other side of the aisle.

To claim that our Founding Fathers were for separation of church and State is either rewriting history or being very ignorant of history.

So I just rise in strong opposition to the charge that there is this great wall separating this Government from religious influence. There was no such separation when the Nation was founded, and there can be no separation today.

George Washington, the father of our country, left no doubt that religion and religious institutions provide indispensable support to our Government. In his farewell speech, President Washington warned that, "Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle."

John Jay, the original Chief Justice of the Supreme Court, said it is the duty of wise, free, and virtuous governments to "encourage virtue and religion."

John Adams, our second President, stated, "Our Constitution was made only for a moral and religious people."

John Hancock argued that, "The very existence of the Republics depend much upon the public institutions of religion."

Time after time, the founders implored the influence of religion in public affairs. This amendment tries to forbid the exact same influence that the Founding Fathers thought so necessary.

□ 1500

Those who argue for an absolute separation of church and State like to quote Thomas Jefferson as he has been quoted here many times and they quote him all over the place, but they leave out a few details.

For example, while he was President of the United States, Jefferson supported the appropriation of Federal funds to pay for Christian missionaries to Indians. That is right. As President, Thomas Jefferson provided cash support from the government to pay for missionaries and actually built a church building with government money.

The point is very clear. All of these great men had a profound impact on the creation of this Republic, and their words add essential insight into the original intent of the Constitution.

This bill we are debating deals with fatherhood programs and charitable organizations. Despite the precedence set by the Founders, this amendment tries to build a wall between virtue and its source, religious principle.

Mr. Chairman, America has always been one Nation under God. The Constitution and religion have never been mutually exclusive. As the founders set forth, it is simply impossible and it is

unwise to try to separate people and their government from religion. I urge my colleagues to defeat this bad amendment.

Mr. EDWARDS. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Chairman, we should all feel some trepidation at what has just been spoken in this Chamber. As a former United Methodist minister, I know and I believe that there is an appropriate role that religious organizations play in social services. In fact, they are already doing wonderful things with Federal funding through such secular affiliations as Catholic Charities and Jewish Federations. We are grateful to them for providing desperately needed services. But when we cross the line and let specific churches receive Federal grants and then engage in discriminatory practices, we are setting back the clock of civil rights in our country.

This bill would allow churches and synagogues to receive Federal money directly which would in turn allow them to use those Federal funds to discriminate in hiring practices. Do we want to open that door? Do we really want to see a sign in front of a church getting Federal funds that says, "Jews need not apply"? Do we want to see a sign in front of a protestant church saying "Catholics will not be considered for this position"?

I think not. I hope not. I pray not.

Mr. EDWARDS. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, without this amendment, this bill opens the door to religious organizations requiring individuals to participate in a religious ceremony or to listen to sectarian proselytizing as a condition of participating in a federally funded program. That violates our Constitution and quite frankly is an abuse of government authority over families in need.

No one has or should exclude religious institutions from performing good works or from receiving public funds to do so. But a religious organization should never be allowed using Federal funds to condition a meal for a homeless person or anger counseling for an abusive husband on participating in a religious ceremony or listening to a religious sermon and it should not be allowed to discriminate in employment on a religious basis using government funds.

No one is talking about separating, totally separating church and State. But we are talking about keeping each in its proper sphere and not allowing government to help invade the religious sphere or religion invade the government's sphere. We are talking about preventing the sectarian strife that will come when the Methodists think they are getting half a percent too little and the Catholics half a percent too much of Federal funds.

That is why we need this amendment, Mr. Chairman.

Mr. EDWARDS. Mr. Chairman, I yield myself such time as I may consume.

I have gone from being concerned about the language of this bill to being alarmed by some of the statements I have heard from the leadership of this House. First, we heard the gentleman from Indiana (Mr. SOUDER) say the establishment clause of the first amendment really was not in the original Constitution, as if, my colleagues, that is to suggest that the Bill of Rights somehow has less power or force in our constitutional government because it was only part of the Bill of Rights, it was only the first amendment to the Constitution.

Then the gentleman from Texas (Mr. DELAY) came up and said separation of church and State was invented in the 20th century. My colleagues, that would be a great surprise to Mr. Jefferson who mentioned that very phrase in the 18th century. It would be a great surprise to Mr. Madison and the writers of the Bill of Rights who felt deeply about this.

The fact is that this bill is going to allow Federal funds to go to faith-based organizations but it is going to follow not only the Bill of Rights but the Supreme Court decision of 1988, that is this century, not two centuries ago, that said you cannot send Federal dollars to pervasively sectarian organizations.

Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time and I especially thank him for his leadership on this issue. He has been a great defender of the Constitution in this House. We take that oath when we become Members of Congress, and he has fulfilled it so admirably. I thank the gentleman from Texas.

I rise in support of his amendment which will maintain the constitutional separation of church and State while protecting religious institutions from the entangling reach of government.

His amendment is necessary because the charitable choice provision of the Fathers Count Act is, I believe, unconstitutional.

Mr. Chairman, my husband, my five children and I have among us over 100 years of Catholic education. Catholic religious organizations are an integral part of our lives. I think it is very important in understanding the importance of the gentleman from Texas' amendment to understand the difference between religious organizations and the nonsectarian aspect of their activities. These groups are called religious affiliates. For example, in our community and across the country, local Catholic charities and Jewish social service groups are nonsectarian groups. We should be able to support them. The gentleman from Texas' amendment allows us to do so. We should support his amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield myself the balance of my time.

Let me conclude by saying this is a very simple issue. The gentleman from Texas does not want money going to churches and I do. In many poor neighborhoods in our cities, in many small rural towns, the church is the only institution remaining. I want them to be able to reach out to fathers who need help, to welfare women to provide day care and other services. I do not want them to be able to use public dollars to proselytize or discriminate against participants. In the charitable choice statute is a clear line between church business and public business. I urge rejection of the Edwards amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Texas (Mr. EDWARDS).

The question was taken; and the Chairman pro tempore announced that the ayes appeared to have it.

Mr. EDWARDS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, further proceedings on the amendment offered by the gentleman from Texas (Mr. EDWARDS) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 1 printed in part B offered by the gentlewoman from Hawaii (Mrs. MINK); amendment No. 3 printed in part B offered by the gentlewoman from Hawaii (Mrs. MINK); amendment No. 6 printed in part B offered by the gentleman from Texas (Mr. EDWARDS).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MRS. MINK OF HAWAII

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentlewoman from Hawaii (Mrs. MINK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 172, noes 253, not voting 8, as follows:

[Roll No. 583]

AYES—172

Abercrombie	Baird	Barrett (WI)
Ackerman	Baldacci	Becerra
Allen	Baldwin	Bentsen
Andrews	Barcia	Berkley

Berman	Hoeffel	Nadler	Kuykendall	Pickering	Souder
Blagojevich	Holden	Napolitano	LaFalce	Pickett	Spence
Blumenauer	Holt	Neal	LaHood	Pitts	Stearns
Bonior	Hooley	Oberstar	Largent	Pombo	Stenholm
Borski	Inslee	Obeley	Latham	Portman	Strickland
Boswell	Jackson (IL)	Olver	Lazio	Pryce (OH)	Stump
Boucher	Jackson-Lee	Ortiz	Leach	Radanovich	Sununu
Brady (PA)	(TX)	Owens	Lewis (CA)	Ramanstad	Sweeney
Brown (FL)	Johnson, E. B.	Pallone	Lewis (KY)	Regula	Talent
Brown (OH)	Jones (OH)	Pascarel	Linder	Reynolds	Tancredo
Campbell	Kanjorski	Pastor	Lipinski	Riley	Tanner
Capps	Kaptur	Payne	LoBiondo	Roemer	Tauscher
Capuano	Kennedy	Pelosi	Lucas (KY)	Rogers	Tauzin
Carson	Kildee	Pomeroy	Lucas (OK)	Rohrabacher	Taylor (MS)
Clay	Kilpatrick	Price (NC)	Manzullo	Ros-Lehtinen	Taylor (NC)
Clayton	Kind (WI)	Rahall	McCollum	Roukema	Terry
Clyburn	Kleczka	Rangel	McCrary	McHugh	Thomas
Conyers	Klink	Reyes	McInnis	Ryan (WI)	Thune
Coyne	Kucinich	Rivers	Rodriguez	McIntosh	Tiahrt
Crowley	Lampson	Rothman	Rothman	Ryan (KS)	Toomey
Cummings	Lantos	Royal-Ballard	McIntyre	Sabo	Traficant
Danner	Larson	Rush	McKeon	Salmon	Turner
Davis (IL)	Lee	Sanchez	Metcalf	Sanford	Upton
DeFazio	Levin	Sanders	Mica	Saxton	Visclosky
DeGette	Lewis (GA)	Sanders	Miller (FL)	Scarborough	Vitter
Delahunt	Lofgren	Sandlin	Miller, Gary	Schaffer	Walden
DeLauro	Lowey	Sawyer	Moran (KS)	Sensenbrenner	Walsh
Deutsch	Luther	Schakowsky	Myrick	Sessions	Wamp
Dicks	Maloney (CT)	Scott	Nethercutt	Shadegg	Watkins
Dingell	Maloney (NY)	Serrano	Ney	Shaw	Watts (OK)
Dixon	Markey	Sherman	Northup	Shays	Weldon (FL)
Doggett	Martinez	Slaughter	Norwood	Sherwood	Weldon (PA)
Dooley	Mascara	Spratt	Nussle	Shimkus	Weller
Doyle	McCarthy (MO)	Stabenow	Ose	Show	Whitfield
Edwards	McCarthy (NY)	Stark	Oxley	Shuster	Wicker
Engel	McDermott	Stupak	Packard	Sisisky	Wilson
Eshoo	McGovern	Thompson (CA)	Paul	Skeen	Wolf
Etheridge	McKinney	Thompson (MS)	Pease	Skelton	Wynn
Evans	McNulty	Thurman	Peterson (MN)	Smith (MI)	Young (AK)
Farr	Meehan	Tierney	Peterson (PA)	Smith (NJ)	Young (FL)
Fattah	Meek (FL)	Towns	Petri	Smith (WA)	
Filner	Meeks (NY)	Udall (CO)	Phelps	Snyder	
Ford	Menendez	Udall (NM)			
Frank (MA)	Millender-	Velazquez			
Frost	McDonald	Vento			
Gejdenson	Miller, George	Waters			
Gephardt	Minge	Watt (NC)			
Gonzalez	Mink	Waxman			
Green (TX)	Moakley	Weiner			
Gutierrez	Mollohan	Wexler			
Hastings (FL)	Moore	Weygand			
Hilliard	Moran (VA)	Wise			
Hinchey	Morella	Woolsey			
Hinojosa	Murtha	Wu			

## NOES—253

Aderholt	Combest	Goodling			
Archer	Condit	Gordon			
Armeay	Cook	Goss			
Bachus	Cooksey	Graham			
Baker	Costello	Granger			
Ballenger	Cox	Green (WI)			
Barr	Cramer	Greenwood			
Barrett (NE)	Crane	Gutknecht			
Bartlett	Cubin	Hall (OH)			
Bass	Cunningham	Hall (TX)			
Bateman	Davis (FL)	Hansen			
Bereuter	Davis (VA)	Hastings (WA)			
Berry	Deal	Hayes			
Biggert	DeLay	Hayworth			
Bilbray	DeMint	Hefley			
Bilirakis	Diaz-Balart	Herger			
Bishop	Dickey	Hill (IN)			
Blyle	Doolittle	Hill (MT)			
Blunt	Dreier	Hilleary			
Boehlert	Duncan	Hobson			
Boehner	Dunn	Hoekstra			
Bonilla	Ehlers	Horn			
Bono	Ehrlich	Hostettler			
Boyd	Emerson	Houghton			
Brady (TX)	English	Hoyer			
Bryant	Everett	Hulshof			
Burr	Ewing	Hunter			
Burton	Fletcher	Hutchinson			
Buyer	Foley	Hyde			
Callahan	Forbes	Isakson			
Calvert	Fossella	Istook			
Camp	Fowler	Jefferson			
Canady	Franks (NJ)	Jenkins			
Cannon	Frelinghuysen	John			
Cardin	Gallegly	Johnson (CT)			
Castle	Ganske	Johnson, Sam			
Chabot	Gekas	Jones (NC)			
Chambliss	Gibbons	Kasich			
Chenoweth-Hage	Gilchrest	Kelly			
Clement	Gillmor	King (NY)			
Coble	Gilman	Kingston			
Coburn	Goode	Knollenberg			
Collins	Goodlatte	Kolbe			

## NOT VOTING—8

Barton	Quinn	Smith (TX)
LaTourette	Rogan	Thornberry
Matsui	Simpson	

## □ 1533

Messrs. RADANOVICH, DEMINT, BURR of North Carolina, WALSH, NUSSLE, FOSSELLA, SPENCE, GORDON, COSTELLO, BARR of Georgia, MCINTYRE, and Mrs. TAUSCHER changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. SIMPSON. Mr. Chairman, on rollcall No. 583 I was unavoidably detained. Had I been present, I would have voted "No."

(Mr. ARMEY asked and was given permission to speak out of order for 1 minute.)

## FURTHER LEGISLATIVE PROGRAM

Mr. ARMEY. Mr. Chairman, I have an announcement concerning the schedule for the rest of the day.

Mr. Chairman, the passage vote on the fathers count bill will be the last recorded vote for today. We will continue debate on those suspensions already scheduled for consideration. However, any request for recorded votes on those suspensions will be held over until 12 noon on Friday.

As previously announced, the House will be in pro forma session tomorrow. We do expect legislative business on the floor Friday, with votes after 12 noon.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the distinguished majority leader for yielding to me.

Mr. Chairman, might I inquire of the gentleman from Texas (Mr. ARMEY) that in the event that the appropriations bills are not ready to be voted upon on Friday, does the majority intend to have the Members come back on Friday to vote on the suspension bills?

Mr. ARMEY. The gentleman should be advised the leadership sees no contingency that would precipitate such an event. There is nothing that I can see that would cause me to think that that would be necessary.

When and if I saw anything that would result in that kind of consideration, I would give that consideration out of respect for the Members. Should such an unlikely and unpredictable contingency arise, I am sure the Members would be notified in a proper and effective fashion.

(Mr. HOYER asked and was given permission to speak out of order for 1 minute.)

## REGARDING THE LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding.

I would just ask the majority leader to respond to two problems. I think Members have a right to know what is happening in some of these conferences.

At this point, two of the vehicles which had been expected to be used to bring bills back to this House are being tied up in the other body by individual Members.

In addition to that, we have not yet reached any significant agreement in the Labor-HHS bill. We still have outstanding issues in both the Interior and Commerce-State-Justice which are viewed as major by both sides.

It is my profound belief that if Members are asked to come back here Friday, it is highly unlikely that there will be something for them to vote on out of these conferences.

I would simply urge the majority leader to take another read on what is happening on these bills, because it does not do any Member any good to come back here and sit twiddling their thumbs while they wait for the conferees to finish.

I would also make one other request. We just met in the D.C. conference. The decision was made to bring all five bills into one bill. My concern is that if we are interested in passing whatever comes out of the conference, if those five bills are put into one, I am afraid that there are a variety of groups on both sides who will be so concerned and so opposed to portions of those bills that we will maximize the opposition to a bill if it is packaged as five bills. I think there is a significant opportunity that the entire thing could go down.

So I think we need to have some private conversations. I am trying to help move this process forward, but I think there is insufficient appreciation of the resistance that we are still likely to meet from groups on both sides of the aisle to various items that are expected to be in these packages.

Mr. ARMEY. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Chairman, I appreciate, again, the remarks from the gentleman from Wisconsin.

Mr. Chairman, I might mention that we have listened to the voices in this Chamber, primarily from the other side, express their regret that we have not yet finished our business almost daily now for some few weeks.

We understand their frustration with that, and we are determined to end that frustration and complete this work on Friday. We expect to do that. We intend to do that. We are determined to do that.

The obstructions that the gentleman from Wisconsin (Mr. OBEY) noted may seem formidable, and perhaps they are daunting to some, but they will be overcome. We will be back here Friday at noon. Votes will be taken. I thank the Members for their attention.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN pro tempore. Pursuant to House Resolution 367, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

(Mr. ABERCROMBIE asked and was given permission to speak out of order for 1 minute).

POINT OF ORDER

Mr. ABERCROMBIE. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ABERCROMBIE. Mr. Chairman, is every Member of this body entitled to equal treatment on this floor?

The CHAIRMAN. Does the gentleman from Hawaii (Mr. ABERCROMBIE) state a point of order?

Mr. ABERCROMBIE. Mr. Chairman, the Chair will have to give me some guidance. Part of regular order, Mr. Chairman, is to see to it that every Member is allowed to deal with his or her district and still be able to, under the rules of this House, fulfill his or her duties with respect to voting.

The CHAIRMAN. The gentleman has not stated a point of order. Does the gentleman wish to state a point of order?

Mr. ABERCROMBIE. Mr. Chairman, I believe that under what the majority leader just stated, I will be prevented from being able to go home and come back in adequate time to be able to vote.

The CHAIRMAN. The gentleman has not stated a point of order that the Committee of the Whole can resolve.

Mr. ABERCROMBIE. Is it the Chair's ruling that I am out of order wanting to be able to vote on this floor?

The CHAIRMAN. The gentleman has not stated a point of order.

Mr. ABERCROMBIE. This is unseemly, Mr. Chairman. I would not deny any Member in this House the right to vote.

The CHAIRMAN. The gentleman will suspend.

Mr. ABERCROMBIE. I will not be silenced on this.

The SPEAKER pro tempore. The gentleman will suspend.

Does the gentlewoman from Hawaii seek recognition?

Mr. ABERCROMBIE. I will not be silenced on this. There is not a Member here that does not know that I am speaking of something that goes to the vital interest of every single Member here.

The CHAIRMAN. The gentleman from Hawaii (Mr. ABERCROMBIE) will suspend.

AMENDMENT NO. 3 OFFERED BY MRS. MINK OF HAWAII

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 3 offered by the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Chairman, I ask unanimous consent that my demand for a recorded vote on amendment No. 3 be withdrawn.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

The CHAIRMAN pro tempore. The amendment fails by voice vote.

AMENDMENT NO. 6 OFFERED BY MR. EDWARDS

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. EDWARDS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 184, noes 238, not voting 11, as follows:

[Roll No. 584]

AYES—184

Abercrombie	Blagoevich	Cardin	DeFazio	Kucinich	Pomeroy
Ackerman	Blumenauer	Carson	DeGette	Lampson	Porter
Allen	Boehlert	Clay	Delahunt	Lantos	Price (NC)
Andrews	Bonior	Clayton	DeLauro	Larson	Rahall
Baird	Borski	Clyburn	Deutsch	Lee	Rangel
Baldacci	Boswell	Conyers	Dicks	Levin	Rivers
Baldwin	Boucher	Costello	Dingell	Lewis (GA)	Rodriguez
Barrett (WI)	Boyd	Coyne	Dixon	Lofgren	Rothman
Becerra	Brady (PA)	Crowley	Doggett	Lowe	Royal-Allard
Bentsen	Brown (FL)	Cummings	Dooley	Luther	Rush
Bereuter	Brown (OH)	Danner	Doyle	Maloney (CT)	Sabo
Berkley	Capps	Davis (FL)	Engel	Maloney (NY)	Sanchez
Berman	Capuano	Davis (IL)	Eshoo	Markey	Sanders
			Etheridge	Martinez	Sandlin
			Evans	Mascara	Sanford
			Farr	McCarthy (MO)	Sawyer
			Fattah	McCarthy (NY)	Schakowsky
			Filner	McDermott	Scott
			Frank (MA)	McGovern	Serrano
			Frost	McIntyre	Sherman
			Geddes	McKinney	Sisisky
			Gephart	McNulty	Slaughter
			Gonzalez	Meehan	Smith (WA)
			Green (TX)	Meek (FL)	Snyder
			Gutierrez	Meeks (NY)	Spratt
			Hastings (FL)	Menendez	Stabenow
			Hilliard	Millender-	Stark
			Hinchey	McDonald	Strickland
			Hoeffel	Miller, George	Stupak
			Holden	Minge	Tanner
			Holt	Mink	Thompson (CA)
			Hooley	Moakley	Thompson (MS)
			Hoyer	Moore	Thurman
			Inslee	Morella	Towns
			Jackson (IL)	Murtha	Turner
			Jackson-Lee (TX)	Nadler	Udall (CO)
			Jefferson	Napolitano	Udall (NM)
			Johnson, E. B.	Neal	Velazquez
			Jones (OH)	Oberstar	Vento
			Kanjorski	Obey	Waters
			Kaptur	Olver	Watt (NC)
			Kennedy	Ose	Waxman
			Kildee	Owens	Weiner
			Kilpatrick	Pallone	Wexler
			Kind (WI)	Pascrall	Weygand
			Kleczka	Paul	Woolsey
			Klink	Payne	Wu
				Pelosi	Wynn

NOES—238

Aderholt	Cunningham	Herger
Armeni	Davis (VA)	Hill (IN)
Bachus	Deal	Hill (MT)
Baker	DeLay	Hilleary
Ballenger	DeMint	Hinojosa
Barcia	Diaz-Balart	Hobson
Barr	Dickey	Hoekstra
Barrett (NE)	Doolittle	Horn
Bartlett	Dreier	Hostettler
Bass	Duncan	Hulshof
Batemann	Dunn	Hunter
Berry	Ehlers	Hutchinson
Biggert	Ehrlich	Hyde
Bilbray	Emerson	Isakson
Bilirakis	English	Istook
Bishop	Everett	Jenkins
Bliley	Ewing	John
Blunt	Fletcher	Johnson (CT)
Boehner	Foley	Johnson, Sam
Bonilla	Forbes	Jones (NC)
Bono	Ford	Kasich
Brady (TX)	Fossella	Kelly
Bryant	Fowler	King (NY)
Burr	Franks (NJ)	Kingston
Burton	Frelinghuysen	Knollenberg
Buyer	Gallegly	Colbe
Callahan	Ganske	Kuykendall
Calvert	Gibbons	LaFalce
Camp	Gilchrest	LaHood
Campbell	Gillmor	Largent
Canady	Gilman	Latham
Cannon	Goode	Lazio
Castle	Goodlatte	Leach
Chabot	Goodling	Lewis (CA)
Chambliss	Gordon	Lewis (KY)
Chenoweth-Hage	Goss	Linder
	Graham	Lipinski
	Granger	LoBiondo
	Green (WI)	Lucas (KY)
	Greenwood	Lucas (OK)
	Gutknecht	Manzullo
	Hall (OH)	McCollum
	Hall (TX)	McCrary
	Hansen	McHugh
	Hastings (WA)	McInnis
	Hayes	McIntosh
	Hayworth	McKeon
	Hefley	Metcalf

Mica	Roemer	Talent
Miller (FL)	Rogers	Tancredo
Miller, Gary	Rohrabacher	Tauscher
Mollohan	Ros-Lehtinen	Tauzin
Moran (KS)	Roukema	Taylor (MS)
Myrick	Royce	Taylor (NC)
Nethercutt	Ryan (WI)	Terry
Ney	Ryun (KS)	Thomas
Northup	Saxton	Thune
Norwood	Scarborough	Tiahrt
Nussle	Schaffer	Toomey
Ortiz	Sensenbrenner	Traficant
Oxley	Sessions	Upton
Packard	Shadegg	Visclosky
Pastor	Shays	Vitter
Pease	Sherwood	Walder
Peterson (MN)	Shimkus	Walsh
Peterson (PA)	Shows	Watkins
Petri	Shuster	Watts (OK)
Phelps	Simpson	Weldon (FL)
Pickering	Skeen	Weldon (PA)
Pickett	Skelton	Weller
Pitts	Smith (MI)	Whitfield
Pombo	Smith (NJ)	Wicker
Portman	Souder	Wilson
Pryce (OH)	Spence	Wise
Radanovich	Stearns	Wolf
Ramstad	Stenholm	Young (AK)
Regula	Stump	Young (FL)
Reyes	Sununu	
Reynolds	Sweeney	

## NOT VOTING—11

Archer	LaTourette	Salmon
Barton	Matsui	Smith (TX)
Gekas	Quinn	Thornberry
Houghton	Rogan	

□ 1550

Mr. Bonior changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOBSON) having assumed the chair, Mr. PEASE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3073) to amend part A of title IV of the Social Security Act to provide for grants for projects designed to promote responsible fatherhood, and for other purposes, pursuant to House Resolution 367, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCOTT. Mr. Speaker, I am, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCOTT moves to recommit the bill H.R. 3073 to the Committee on Ways and Means with instructions to report the same to the House forthwith with the following amendment:

Strike section 101(d) and insert the following:

(d) APPLICABILITY OF CHARITABLE CHOICE PROVISIONS OF WELFARE REFORM.—Section 104 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 604a) is amended by adding at the end the following:

"(l) Notwithstanding the preceding provisions of this section, this section (except subsection (f), relating to publicly funded employment discrimination by religious institutions) shall apply to any entity to which funds have been provided under section 403A of the Social Security Act in the same manner in which this section applies to States, and, for purposes of this section (except subsection (f)), any project for which such funds are so provided shall be considered a program described in subsection (a)(2)."

Mr. SCOTT (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. SCOTT) is recognized for 5 minutes.

Mr. SCOTT. Mr. Speaker, first of all, I want to State that if this motion to recommit is passed, we will immediately consider final passage. So adopting the motion to recommit will not defeat the bill.

Mr. Speaker, this is a simple amendment. The bill provides that religious organizations which sponsor fatherhood programs with Federal funds may discriminate in hiring based on religious affiliation. The amendment in the motion to recommit provides that hiring with Federal funds cannot be based on religion.

The motion to recommit provides that civil rights laws will apply to these Federal funds. Mr. Speaker, the idea that religious bigotry may take place with Federal funds is not speculative. The bill, without this amendment, specifically provides that religious sponsors are not covered by title VII of the Civil Rights Act against discrimination based on religion.

Mr. Speaker, during the prior debate on charitable choice, we heard how this would work. Cited on page H4687 of the CONGRESSIONAL RECORD, June 22, 1999, the gentleman from Texas (Mr. EDWARDS) asked the major sponsor of charitable choice if a religious organization using Federal funds could fire or refuse to hire a perfectly qualified employee because of that person's religion. The response from the supporter

of charitable choice, which was never disputed during that debate and was frankly validated during today's debate, was and I quote: "A Jewish organization can fire a Protestant if they choose."

Mr. Speaker, there was a time when some Americans, because of their religion, were not considered qualified for certain jobs. In fact, before 1960 it was thought that a Catholic could not be elected President. And before the civil rights laws of 1960s, people of certain religions routinely suffered invidious discrimination when they sought employment. Fortunately, the civil rights laws of the 1960s put an end to that practice, and we no longer see signs suggesting that those of certain religions need not apply for jobs.

Now, when those civil rights laws passed, there was one common sense exception that allowed religious organizations to discriminate based on religion when, for example, a Catholic church hired a priest. They could, of course, require that the job applicant be Catholic. Or a Jewish synagogue hiring a rabbi, they can, of course, require that the applicant be Jewish. But, Mr. Speaker, that exemption applies to the use of the private funds of the religious organizations. It was never expected to be applied to Federal funds used in a discriminatory manner.

□ 1600

Now, the sponsor of the bill may say that we need to honor the religious integrity of the sponsor. That is fine for the church funds, but we should not use Federal funds in a discriminatory manner.

Religious organizations now sponsor Federal programs. Catholic Charities sponsor federally funded services, but one does not have to be Catholic to get a job with those programs, because the civil rights laws apply to those Federal funds. The Lutheran Services of America sponsor federally funded services, but one does not have to be Lutheran to get a job paid for with those Federal funds.

This bill grants a new exemption and would allow religious bigotry to be practiced with the use of Federal funds. That is wrong. The motion to recommit guarantees that those who apply for jobs paid for with Federal dollars will not have to suffer the indignity of invidious discrimination based on their religious beliefs. So I urge my colleagues to support the motion to recommit.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in opposition to the amendment. Under the charitable choice provisions of the welfare reform bill, provisions that have been affirmed by this body in three consecutive Congresses in one form or another, religious institutions do have the right to maintain their religious character; that is, they do not have to hire someone who radically disagrees with them and cannot, therefore, be part of the body of the character of that institution.

However, they have no right to proselytize in programs that are funded with public money, and they have no right to discriminate on the basis of religion amongst applicants.

In other words, within the charitable choice provisions, there is a constitutional firewall drawn. Furthermore, it is one that has worked. There have been cases in which programs have proselytized, and their grants have been withdrawn. So it not only has a firewall, it is an enforceable firewall.

Now, I would just say to my colleagues that the underlying issue here is, do you think that churches should take part. Because this is an important matter of public policy that we are about to vote on, I believe that churches should be part of providing social services in America as long as they do not, through that means, proselytize, because the church-based groups can provide a larger context in which people can grow.

Once the money has been lost from the Federal Government, the program eliminated, or the person no longer fits the criteria, they still have the support system that the church-based community represents in many poor neighborhoods in our cities, in many small, poor rural towns where some of the fathers that need our help live.

In many of our cities, in the poorest neighborhoods, in many of our small towns, the only institution remaining is the small churches, often small black churches, small Hispanic community churches. Yes, they need to be able to reach out to the fathers of children on welfare and help them, and help them in the same way that we help the mothers of children on welfare.

So this is a very good bill. We need the small church institutions to help us reach people, and we need those institutions to support people long after the public money and the public interest is gone.

I urge my colleagues' rejection of the motion to recommit. I urge my colleagues' support for this bill, which, for the first time, is going to recognize that dads do count and that we can help dads be better providers, better fathers, and that, together, we can create for children, for all children, a structure around them that provides better economic and emotional support.

So vote no on the motion to recommit. Support the bill. It is a giant step forward.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. SCOTT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the bill.

The vote was taken by electronic device, and there were—ayes 176, noes 246, not voting 11, as follows:

[Roll No. 585]

#### AYES—176

Abercrombie	Gonzalez	Nadler	Emerson	LaHood	Ryan (WI)
Ackerman	Green (TX)	Napolitano	English	Largent	Ryun (KS)
Allen	Gutierrez	Neal	Everett	Latham	Salmon
Andrews	Hastings (FL)	Oberstar	Ewing	LaTourette	Sanford
Baird	Hilliard	Obey	Fletcher	Lazio	Saxton
Baldacci	Hinchey	Olver	Foley	Leach	Scarborough
Baldwin	Hinojosa	Ortiz	Forbes	Lewis (CA)	Schaffer
Barrett (WI)	Hoefel	Owens	Fossella	Lewis (KY)	Sensenbrenner
Becerra	Holden	Pallone	Franks (NJ)	Lipinski	Sessions
Bentsen	Holt	Pastor	Frelinghuysen	LoBiondo	Shadegg
Berkley	Hoyer	Payne	Gallegly	Lucas (KY)	Shays
Berman	Inslee	Pelosi	Ganske	Lucas (OK)	Sherwood
Bishop	Jackson (IL)	Pickett	Gekas	Manzullo	Shimkus
Blagojevich	Jackson-Lee	Pomeroy	Gibbons	McCollum	Shows
Blumenauer	(TX)	Price (NC)	Gilchrest	McCrery	Shuster
Bonior	Jefferson	Rahall	Gillmor	McHugh	Simpson
Borski	John	Rangel	Gilman	McInnis	Skeen
Boucher	Johnson, E. B.	Reyes	Goode	McIntosh	Skelton
Brady (PA)	Jones (OH)	Rivers	Goodlatte	McIntyre	Smith (MI)
Brown (FL)	Kanjorski	Rodriguez	Gordon	McKeon	Smith (NJ)
Brown (OH)	Kaptur	Rothman	Goss	Menendez	Smith (WA)
Capps	Kennedy	Royal-Allard	Graham	Metcalf	Souder
Capuano	Kildee	Rush	Granger	Mica	Spence
Cardin	Kilpatrick	Sabo	Miller (FL)	Miller, Gary	Spratt
Carson	Kind (WI)	Sanchez	Greenwood	Mollohan	Stearns
Clay	Kleczka	Sanders	Gutknecht	Moran (KS)	Stump
Clayton	Klink	Sandlin	Hall (OH)	Myrick	Sununu
Clyburn	Kucinich	Sawyer	Hall (TX)	Nethercutt	Sweeney
Condit	Lampson	Schakowsky	Hansen	Ney	Talent
Conyers	Lantos	Scott	Hastings (WA)	Northup	Tancredo
Costello	Larson	Serrano	Hayes	Norwood	Tauscher
Coyne	Lee	Sherman	Haworth	Nussle	Tauzin
Crowley	Levin	Sisisky	Hefley	Ose	Taylor (MS)
Cummings	Lewis (GA)	Slaughter	Hill (IN)	Oxley	Taylor (NC)
Danner	Lowey	Snyder	Hill (MT)	Packard	Terry
Davis (IL)	Luther	Stabenow	Hilleary	Pascrill	Thomas
DeFazio	Maloney (CT)	Stark	Hobson	Paul	Thune
Delahunt	Maloney (NY)	Strickland	Hoekstra	Pease	Tiahrt
DeLauro	Markley	Stupak	Horn	Peterson (MN)	Toomey
Deutsch	Martinez	Tanner	Hostettler	Peterson (PA)	Traficant
Dickey	Mascara	Thompson (CA)	Hulshof	Petri	Turner
Dicks	McCarthy (MO)	Thompson (MS)	Hunter	Phelps	Upton
Dingell	McCarthy (NY)	Thurman	Hutchinson	Pickering	Visclosky
Dixon	McDermott	Tierney	Hyde	Pitts	Vitter
Doggett	McGovern	Towns	Isakson	Pombo	Walden
Dooley	McKinney	Udall (CO)	Jenkins	Porter	Walsh
Doyle	McNulty	Udall (NM)	Jenkins	Portman	Wamp
Edwards	Meehan	Velazquez	Johnson (CT)	Pryce (OH)	Watkins
Engel	Meek (FL)	Vento	Johnson, Sam	Radanovich	Watts (OK)
Eshoo	Meeks (NY)	Waters	Jones (NC)	Ramstad	Weldon (FL)
Etheridge	Millender	Watt (NC)	Kasich	Regula	Weldon (PA)
Evans	McDonald	Waxman	Kelly	Reynolds	Weller
Farr	Miller, George	Weiner	King (NY)	Riley	Whitfield
Fattah	Minge	Wexler	Kingston	Roemer	Wicker
Filner	Mink	Weygand	Knollenberg	Rogers	Wilson
Ford	Moakley	Woolsey	Kolbe	Rohrabacher	Wise
Frank (MA)	Moore	Wu	Kuykendall	Ros-Lehtinen	Wolf
Frost	Moran (VA)	Wynn	LaFalce	Roukema	Young (AK)
Gejdenson	Morella			Royce	Young (FL)
Gephardt	Murtha				

#### NOES—246

Aderholt	Bonilla	Coburn			
Archer	Bono	Collins			
Armey	Boswell	Combest			
Bachus	Boyd	Cook			
Baker	Brady (TX)	Cooksey			
Ballenger	Bryant	Cox			
Barcia	Burr	Cramer			
Barr	Burton	Cubin			
Barrett (NE)	Buyer	Cunningham			
Bartlett	Callahan	Davis (FL)			
Bass	Calvert	Davis (VA)			
Bateman	Camp	Deal			
Bereuter	Campbell	DeLay			
Berry	Canady	DeMint			
Biggert	Cannon	Diaz-Balart			
Bilbray	Castle	Doolittle			
Bilirakis	Chabot	Dreier			
Biley	Chambliss	Duncan			
Blunt	Chenoweth-Hage	Dunn			
Boehlert	Clement	Ehlers			
Boehner	Coble	Ehrlich			

#### NOT VOTING—11

Barton	Houghton	Rogan
Crane	Lofgren	Smith (TX)
DeGette	Matsui	Thornberry
Hooley	Quinn	

#### □ 1622

Messrs. MCINTOSH, SPRATT, MCINNIS and GILMAN changed their vote from "aye" to "no."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Mr. ROGAN. Mr. Speaker, on rollcall Nos. 583, 584 and 588 I was attending parent-teacher conferences for my daughter. Had I been present, I would have voted "no" on all three votes.

The SPEAKER pro tempore (Mr. PEASE). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. JOHNSON of Connecticut. Mr. Speaker, on that I demand the yeas and nays.