the shock of Washington insiders and even to some Members of the Democrat side, the leader of the Democrat Party in the House and the leader of the Democrat Party in the other body have announced in advance their enthusiasm for tax increases.

You heard that right, tax increases. Now, you have to admire their courage and you have to admire their daring. Middle-class families are not going to be so impressed, but lovers of expanded government, they are going to be ecstatic.

The House minority leader wants to expand Washington's control over our local schools and he wants to fund that with a tax increase on Americans. And the minority leader in the other body agrees. He said last weekend that tax increases are on the table.

I guess the Democrats really are serious when they say they are against business as usual in Washington.

FAIR CARE FOR THE UNINSURED ACT

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, this morning I am introducing the Fair Care for the Uninsured Act. This bill would create a new refundable tax credit for the purchase of private health insurance. The credit would be $1,000 per adult, $3,000 per family. No mandates, no bureaucracy. Your choice of plans, your choice of doctors.

Who is this bill for? Mr. Speaker, it is for the 44 million Americans who today lack health insurance. Their ranks are growing by 100,000 people a month. A decade from now, there could be 53 million, or 60 million if the economy softens.

Who are these people without insurance? They are the working poor, low-wage workers, people between jobs, the self-employed, cleaning ladies, African Americans, and Hispanics.

In California, Mr. Speaker, nearly 40 percent of the Hispanics are uninsured. Forty percent. And why is it they cannot afford insurance coverage? Because the tax code punishes you when you buy your own insurance outside the workplace. If your employer cannot afford a plan, you are out of luck. If your job is not full time, you are out of luck. That is not fair, and it is not necessary.

If the high-paid CEO is going to receive a big tax break for health care, then should the cleaning lady not that makes minimum wage?

Mr. Speaker, nowadays Democrats seem more eager to pile new mandates onto health care insurance than to help people who do not have any, but the truth is access to affordable health coverage is the first patient protection.

□ 0915

So let us protect patients by helping those 44 million get good health insurance.

ONCE AGAIN REPUBLICAN LEADERSHIP TRYING TO TALK CAMPAIGN FINANCE REFORM TO DEATH

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, can there be any doubt now that the leadership wants to kill campaign finance reform? If my colleagues will listen closely, they can even hear the leadership trying to talk this issue to death one more time.

The leadership has ordered 2 months of hearings. Last Thursday was our first. What did we learn? Nothing, nothing that we did not learn in 15 hours of floor debate last year on the Shays-Meehan bill, a bill that passed this House by 252 to 179; nothing that we have not learned already in the 12 committee hearings on the issue since the 104th Congress.

Mr. Speaker, the time for talk has long since passed. The Americans want and expect action. We can pass the bipartisan Shays-Meehan bill right now. These hearings are a sham designed to delay actions. As our colleague, the gentleman from Tennessee (Mr. WAMP), observed, if we wait until September, the Senate will just run out the clock.

Mr. Speaker, I urge my colleagues to sign the discharge petition to bring Shays-Meehan to the floor. Otherwise these hearings promise to be the death knell for meaningful campaign finance reform this year.

ANNOUNCEMENT REGARDING SUBMISSION OF AMENDMENTS ON H.R. 10, FINANCIAL SERVICES ACT OF 1999

Mr. DREIER. Mr. Speaker, first I am proud to stand next to this trophy for the 17-to-1 victory last night.

Mr. Speaker, I rise to inform the House of the Committee on Rules' plans in regard to H.R. 10, the Financial Services Act of 1999. Today I inform the House of the Committee on Rules' plans regarding this bill in a ''Dear Colleague'' letter which I have just sent out.

The Committee on Rules will be meeting the week of June 28 to grant a rule which may restrict the offering of amendments to the Financial Services Act of 1999.

The bill was reported by the Committee on Banking and Financial Services on March 23 of 1999 and by the Committee on Commerce on June 15, 1999.

Any Member contemplating an amendment should submit 55 copies of the amendment and a brief explanation to the Committee on Rules up in H–312 of the Capitol no later than Tuesday, June 29, at 3 p.m.

Amendments should be drafted to the amendment in the nature of the substitute printed in the GPO Committee on Rules print which will be available to Members later today in the Committee on Rules' office. A version of the amendment in the nature of a substitute is now available on our Committee on Rules Web site. Members should use the Office of Legislative Counsel to assure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

FOSTER CARE INDEPENDENCE ACT OF 1999

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules. I call up House Resolution 221 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 221

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1802) to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 401(b) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed 80 minutes, with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Ways and Means. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with section 401(b) of the Congressional Budget Act of 1974 are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. 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, shall be 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 division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on

the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. KNOLLENBERG). The gentlewoman from Ohio is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I might consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 221 is a structured rule providing for the consideration of H.R. 1802, the Foster Care Independence Act of 1999. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Ways and Means. An additional 20 minutes of debate time will be equally divided and controlled by the chairman and ranking member of the Committee on Commerce.

The rule waives clause 41(b) of the Congressional Budget Act against both the bill's consideration and the consideration of the amendment in the nature of a substitute recommended by the Committee on Ways and Means which the rule makes in order for the purpose of amendment. These waivers are required because there are provisions in both bills, in both the bill and the substitute amendment, that provide new entitlement authority. This authority will allow States to provide Medicaid coverage to adolescents leaving foster care and allow continued SSI benefits to certain Filipino veterans who fought in World War II, two worthwhile causes.

The Committee on Rules heard testimony yesterday which revealed that there is little controversy surrounding H.R. 1802; however, a few amendments were filed with the Committee on Rules which would make minor but important changes to the legislation. Of the six amendments filed, two were withdrawn, and three were made in order. One other amendment, which pertained to the Higher Education Act, was not germane to the bill.

The amendments made in order under the rule are printed in the Committee on Rules report. The amendments will be considered in the order specified by the report, if offered by the Member designated, and are debatable for the time indicated in the report.

Debate on each amendment will be equally divided between a proponent and an opponent, and the amendment shall not be subject to amendment or to a demand for division of the question.

To assure efficient consideration of the Foster Care Independence Act, the rule allows the Chair to postpone votes and reduce voting time to 5 minutes on a postponed question as long as it follows a 15-minute vote.

Finally, the rule provides for a motion to recommit with or without instructions.

Mr. Speaker, we have a crisis in this Nation which can be seen on the faces of thousands of children who are languishing in our foster care system. As an adoptive mother, I know firsthand the joy of opening one's heart and their home to a child. It is heartbreaking to look into the eyes of children who are so desperate to have someone to call mom or dad, to have a place to call home and to have a sense of peace that comes with permanency.

In 1997, Congress tried to help these children by passing legislation to facilitate the adoption of children in foster care. As a result, the dream of a permanent family and a loving home is becoming a reality for more and more children. Yet despite our best efforts to streamline the system and find willing families to adopt these kids, the reality is that there are thousands of children who will never leave the foster care system during their childhood.

Every year approximately 20,000 adolescents are forced out of the foster care system because they have reached the age of 18. On their 18th birthday they are emancipated and left to their own devices to create a life for themselves, often with no one to rely on for emotional, financial or moral support. It is not surprising that these young people are more likely to quit school, be unemployed, have children out of wedlock, end up on welfare or in jail. Without a support system, these kids often develop mental health problems, become dependent on drugs or turn to lives of delinquency and crime that put them at great risk of violence.

We simply cannot turn our backs on these young people. As parents, we do not cut off our children once they turn 18, although I think it is safe to say that even if we did, our children would have a better chance at survival than the products of the foster care system. These adolescents, more than most, need personal support and a helping hand if they are going to succeed in adulthood, and it is common sense to make a small investment in these kids to ensure they become productive taxpaying citizens who can make contributions to society rather than become lifelong dependents on the government.

The Foster Care Independence Act doubles the money available to the States for the independent living program to help children make the transition from foster care to self-sufficiency. The bill expands this program to provide assistance to former foster kids between the age of 18 and 21 by helping them prepare for secondary education, plan a career or train for a job. These programs also may offer personal and emotional support through mentors as well as offer financial assistance and housing.

Under the bill States are encouraged, though not required, to provide health care coverage through Medicaid to young adults who have left foster care. H.R. 1802 also increases the amount of savings children may accumulate and still be eligible for foster care payments. It makes little sense to discourage kids from saving some money to prepare for the day when they will be on their own. This legislation allows children to remain eligible for foster care assistance if they have resources up to $10,000.

To encourage innovation the bill provides flexibility to States and localities so that they can build on their own unique strengths and utilize their existing resources to meet the purposes of the independent living program. There are only a few requirements States are expected to meet, including a 20 percent match of Federal dollars. By requiring a State investment in a program, H.R. 1802 encourages wise use of funds. States also are expected to collect data and report outcome measures so that the Federal Government can assess what is working.

In addition to the worthwhile goals of this legislation with regard to foster children, the bill incorporates a number of reforms that will reduce fraud and inefficiency in the SSI program. The SSI program has been on the General Accounting Office's list of programs that are at high risk for fraud and abuse. Reforms of H.R. 1802 will save taxpayers nearly a quarter of a billion dollars over 5 years.

I hope my colleagues will agree with me on the merits of the Foster Care Independence Act which furthers the cause of good government by providing assistance to the neediest in our society while safeguarding the taxpayers' dollars by attacking fraud and abuse in government programs.

Mr. Speaker, a childhood spent in foster care is enough of a challenge for one lifetime. Let us help these children find a brighter future in their adulthood. I urge my colleagues to support this fair rule and passage of the Foster Care Independence Act.

☐ 0930

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentlewoman from Ohio (Ms. PRYCE) for yielding me this time.

This is a structured rule. It will allow for consideration of H.R. 1802, which is a bill that increases spending for the Federal program which provides job training and other services to foster children.

This rule provides one hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee

on Ways and Means. The rule permits only 3 amendments.

Most of us agree that primary support for children must come from their parents. However, when children do not have parents, the responsibility often falls to the State. Unfortunately, we do not always do a good enough job, especially for older children and for children who have left foster care and are trying to live on their own.

This bill doubles the funding for the Independent Living Program from $70 million to $140 million. This program helps foster children make the transition from foster care to living on their own, and it requires States to use a portion of these funds for children who have left foster care up to the age of 21. It makes a number of other changes aimed at improving the lives of foster children, including helping children save for education or other essentials.

This bill is the product of 2 years of hearings by the Committee on Ways and Means and extensive consultation with government agencies and private organizations. It is a bipartisan bill with the support of House Democrats and the administration.

The rule is very restrictive, because it makes in order only 3 amendments. However, there are special circumstances which make this rule acceptable. The Committee on Rules made in order all germane amendments which were submitted in advance. Moreover, the bill is a bipartisan effort that was drafted in an open committee process. Therefore, I support the rule, and I urge Members to vote for the rule and the bill.

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

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise to congratulate both of my friends from Ohio for their superb management of this very important rule. To me, this bipartisan rule represents perfectly the bipartisan nature of this legislation.

I think in the testimony yesterday delivered before the Committee on Rules, the gentleman from Maryland (Mr. CARDIN) said it best when he said, would a parent, upon seeing their child turn 18, all of a sudden take that child and throw them out and provide them no direction and no assistance whatsoever. And the answer is a resounding ''no.''

This legislation is designed to provide the States with flexibility within a framework that will ensure that many of the problems that those young people, once they reach the age of 18, have been facing, will, in fact, be addressed. It increases, in fact doubles, the level of funding for the program, and at the same time realizes that we cannot micromanage it from here in Washington, D.C. Every year, the figures that we have seen show that there are about 20,000 adolescents who leave the foster care program simply because they have reached the age of 18, and they are then expected to provide full support for themselves.

We know that there are many people who are between the ages of 18 and 21 who end up facing serious problems. In fact, they are inclined to quit school once they have come out of this program, to be unemployed, to be on welfare, to have mental health problems, to be parents outside of marriage, to be arrested, to be homeless, to be victims of violence and other crimes. As a Nation, we obviously want to do everything that we can to mitigate those sorts of challenges that are there.

So I simply would like to congratulate again the managers of the rule for helping us put together what is a structured, bipartisan rule for very important bipartisan legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. CARDIN), one of the main sponsors of this bill, and certainly one of the guiding lights behind it, along with the gentlewoman from Connecticut (Mrs. JOHNSON).

Mr. CARDIN. Mr. Speaker, let me thank my friend from Ohio for yielding me this time.

This rule gives the Members of this body a rare opportunity: A chance to vote for legislation that has the enthusiastic support of the President of the United States and the majority whip of this body.

The Foster Care Independence Act has received its broad-based support because there is a general recognition that we are not doing enough for the 20,000 children who age out of foster care every year.

I want to inform my colleagues that the information that they may have received from the American Public Human Services Association on H.R. 1802 is very misleading. First, contrary to their letter sent to our congressional offices yesterday, H.R. 1802 provides increased Independent Living funds for every State, except South Dakota and the District of Columbia. The only reason why South Dakota and the District of Columbia do not receive increased funding is because we are updating the number of children in foster care for the formula that is currently about 15 years old, and both of those jurisdictions have had a reduction in the number of children in foster care.

Second, the same number overstates the number of States and the overall funding impacted by the bill's changes in the child support hold harmless provision.

Third, the letter's suggestion that States should be allowed to continue Medicaid coverage under SSI-related eligibility criteria for individuals denied SSI is already addressed by the manager's amendment which will be made in order when we adopt this rule.

Mr. Speaker, I urge the adoption of this rule and the adoption of the Foster Care Independence Act.

Mr. HALL of Ohio. Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

In closing, there is little controversy surrounding this rule or the underlying bipartisan legislation which will help us meet the needs of some of our most vulnerable citizens, children who have spent their lives in the foster care system. I hope all of my colleagues can see the wisdom of investing some Federal dollars in the programs that will prevent more young people from falling through the cracks once they turn 18 and leave foster care. Let us give them a fighting chance at some success and happiness in life.

Mr. Speaker, I urge a ''yes'' vote on the rule and the Foster Care Independence Act.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. KNOLLENBERG). Pursuant to House Resolution 221 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. 1802.

☐ 0938

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. 1802) to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes, with Mr. LAHOOD 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 New York (Mr. RANGEL) each will control 30 minutes, and the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Michigan (Mr. DINGELL) each will control 10 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, I am grateful for this opportunity to present to the House H.R. 1802, the Foster Care Independence Act of 1999. H.R. 1802 provides important help to children who are leaving foster care so that they can establish themselves as self-reliant adults.

The goal is to prepare these young people to be able to move into the work force or to continue with their education on the very day they leave foster care. These children face very difficult problems and we must create programs to help them learn to be self-reliant.

I want to thank my colleagues and lead cosponsor, the gentleman from Maryland (Mr. CARDIN) for his leadership in drafting this legislation. His great interest in these young people, and knowledge of their problems and of the current programs has made him an invaluable coauthor of this legislation. The gentleman from Maryland and I have also worked with numerous highly qualified and experienced people in the administration, State governments, and private and nonprofit sectors, and have gained from their experience. Consequently, this bill enjoys broad bipartisan support and is endorsed by the administration.

Our bill contains five central innovations. First of all, we double the money available to the States for helping children leaving foster care establish themselves as adults.

Second, we require States to in effect conduct two programs, one for adolescents before they leave foster care, and a second program for young adults who have left foster care and are in the process of establishing themselves as independent adults.

Third, we require States to prepare every adolescent in foster care by age 18 to either get a job or attend an institution of higher education. On the very day they leave foster care, it is our expectation that State programs will have these children ready to follow one or both of these paths.

Fourth, we have worked with the Committee on Commerce to modify Medicaid law so that many of the 18, 19, and 20 year olds who leave foster care may receive Medicaid coverage.

And fifth, we raise the asset level so that these young people can save as they work in high school for a security deposit on an apartment, down payment on insurance on a car, and build a cushion for life's inevitable challenges.

The services States must provide to these young people so they will succeed are broad: Assistance in obtaining high school diploma; postsecondary education; career exploration, vocational training, job placement and retention; training in daily life skills; budgeting; substance abuse prevention education; education in preventive health care, including smoking avoidance; nutrition education; pregnancy prevention; and for the first time, foster children must be involved in designing their program and accepting personal responsibility for carrying it out.

Lastly, States must coordinate their independent living programs with their school-to-work programs, other work force training programs, community college and university programs, and other relevant programs like abstinence training.

Finally, let me briefly outline the contents of the manager's amendment. Actually, I am going to skip through this in defense to many who want to speak on this bill and just mention that one of the things that we do in this bill is to authorize additional payments to States for increasing their rate of adoptions. The amount of bonus money we appropriated in previous legislation is inadequate because States have done such a remarkable job of increasing the number of adoptions of children in foster care.

Mr. Chairman, many of these kids have suffered more hard knocks in their lives than any of us ever will, but they have skills and abilities. They have dreams and hopes. Many of them are an inspiration. They not only deserve our support, but they are a good investment. Today, two-thirds do not complete high school, 61 percent have no job experience, and 38 percent are diagnosed emotionally disturbed. Most end up jobless, addicted, pregnant, or in jail. That is a terrible thing, to waste a child's life when they are filled with the same abilities and dreams that our own children are.

We can and must change that. With common sense and resources, with focus on work and education, with just good care, common sense and concern, these kids can fulfill their dreams like all American children should be able to.

Mr. Chairman, I am pleased to present this legislation to the Members today.

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

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

Mr. Chairman, first let me commend the gentlewoman from Connecticut (Mrs. JOHNSON) and the ranking member, the gentleman from Maryland (Mr. CARDIN) for seeing a serious problem and working together in a bipartisan way to find a solution that Members on both sides of the aisle would be anxious and proud to support.

Most all of us know as parents that a child becoming 18 does not necessarily mean that they are ready to assume the responsibility of adulthood. This is especially so for those children who find themselves in foster homes where most of the benefits would just be terminated because they are 18 but not out of foster homes.

This legislation gives them a chance to get their lives together, allows the State to continue to give Medicaid support, and allows them also to give the type of assistance that is necessary so that they will be more able to adapt to negotiate adulthood, in seeking jobs and entering into society.

□ 0945

This has been paid for by provisions to amend and improve the supplementary Social Security Income program. Most of these provisions that are paid for have been requested by the SSA, and also a provision on child support from President Clinton's budget.

Nearly 20,000 children out of our foster care system are placed in high risk of homelessness and sometimes are the perpetrators as well as the victims of crime.

As the gentlewoman from Connecticut (Mrs. JOHNSON) has pointed out, this legislation provides the tools of education, it provides the continued health coverage, it provides for the ability for them to find a place to live so that they can become productive and independent.

I cannot thank the Members enough for their work, the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN). As the gentlewoman from Connecticut has pointed out, it has broad-based support: The Child Welfare League of America, the Children's Defense Fund, and of course, President Clinton.

Mr. Chairman, I yield the remainder of my time to the gentleman from Maryland (Mr. CARDIN), the ranking member of the Subcommittee on Human Resources, and I ask unanimous consent that he be allowed to allocate the time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

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

Mr. Chairman, I also would like to commend the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their excellent work on this legislation.

The Committee on Ways and Means had primary jurisdiction for this legislation. I am here as a member of the Committee on Commerce because in the Committee on Commerce we have jurisdiction for Medicaid, and this bill quite intelligently and compassionately extends the opportunity for States to extend Medicaid eligibility to foster children during their 18th, 19th, and 20th years.

I am also here because prior to my commitment to public service, I was a foster care worker. I worked with these very children. It was my job to identify children who were physically abused, who were neglected, who were in many cases sexually abused. If it was not safe or in the children's interest for them to remain with their biological parents, we went to court and got custody of these children, and tried our best to find good foster homes.

The foster care system in America is the system that we use to compassionately come to the rescue of these children, who have had the most, in many cases, horrific and tragic childhoods. But the problem with our foster care system, as good as it is up until that 18th year, is that suddenly and arbitrarily we withdraw support from children.

I have watched these children age out of the system. I have seen how one day,

up until their 18th birthday, they are in a foster home, they have a bedroom, they have a refrigerator, they have a mom and a dad, and the next day they are on their own, they are out into the cold, fending for themselves. Maybe they have a low-paying job, maybe they do not. Maybe they have a place to live, maybe they do not. It is sad.

When we think of ourselves as parents, how many of us with our children, who have the fortune to have had good, stable upbringings where they are loved, how many of us say, here is your 18th birthday card, hit the street? We do not do that. Certainly for those kids who are most vulnerable, who have the most emotional and sometimes physical scars, we should not be so callous, as well. This bill reverses that.

If we look at any of the dysfunctional characteristics of people in America, over and over again the data shows that the primary predicter for all kinds of dysfunctional behavior, substance abuse, criminal behavior, mental health problems, is a childhood of trauma and abuse. We know these children coming out of foster care very frequently are the kids who most need help in transition.

Many of them have been involved in much needed and very important mental health therapy. They have been going to a counselor to talk about their sexual abuse that they have received at the hands of a parent, or their physical abuse. And again, at the age of 18, without this legislation, we stop that arbitrarily and not only send them out into the streets without any physical help, but without any psychological help as well.

Again, this legislation wisely would permit the transition for these children to continue to have mental health therapy, if that is what they need.

Mr. Chairman, I have not been a caseworker since 1980. That is 19 years ago. I still have some of my kids call me. They call me at home on holidays, they come into my congressional office. Most of them are doing okay. Some of them are still, 20 years after being released from foster care, still on the streets, still struggling because they did not have the help that they needed in making that transition.

This legislation is consistent with other changes that we have made in social welfare policy, where we no longer encourage or even tolerate people to remain with lives of dependency, but nor do we suddenly and arbitrarily pull the rug out from under them; but rather, we help people who are in need to transition from the time in their lives where they need support from others to a time in their lives where they can successfully transcend their dependency and become independent.

Again, I commend the authors of this legislation. We think this legislation is wise and compassionate.

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

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

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

Mr. CARDIN. Mr. Chairman, I want to first compliment the gentlewoman from Connecticut (Mrs. JOHNSON) for her leadership on this legislation.

As chair of the committee, she held early hearings so that we could establish the record that we all knew would be there that we are not doing enough for the children aging out of foster care. Due to her leadership, we are able to bring forward a bill that is supported by both the Democrats and the Republicans, and has the strong support of the Clinton administration.

I want to also compliment Ron Haskins, the majority staff person, Nick Gwyn, the Democratic staff, for the work they have done in bringing this bill to the point where it enjoys very, very broad support.

Mr. Chairman, we are here today because we are the parents of children aging out of foster care. We are responsible for them. Twenty thousand children every year age out of foster care. These children are very vulnerable. In many cases they were removed from their natural parents because of abuse, neglect, or abandonment. They may have been in two, three, four, five, or more foster homes during their childhood. Now they turn 18 and we say they are on their own.

How many of us as parents tell our children at 18 that they are on their own? We have a responsibility. These children are very vulnerable at the age of 18. In many cases, they lack housing. They have poor employment prospects, inadequate educational achievement, absence of health care coverage, and tragically, many have substance abuse and will become homeless.

The legislation that we bring forward contains five major provisions in order to deal with this circumstance. First, we double the amount of money available in the independent living program from $70 million to $140 million. We expand counseling services, not just for children over the age of 18 but for children under the age of 18, so they can be prepared upon reaching that age to be more self-sufficient.

We expand educational opportunity, training, job accomplishment, and other resources available so that they have a better chance to be able to make it in independent living.

Second, for the first time we allow the use of independent living program funds for housing assistance for children aging out of foster care between the ages of 18 and 21. This is a major change in Federal law. It acknowledges that 18-year-olds coming out of foster care have difficulty finding adequate and safe housing. Yes, many end up homeless today, and we want to do something about that.

Third, the legislation allows an 18-year-old to have a little bit more money in the bank. Under current law the limit is $1,000, almost penniless, expected to make it on their own. This bill allows a foster child to at least accumulate up to $10,000 so they may have some money in order to put down a deposit on an apartment or to be able to get an automobile for transportation, so they can make it in the real world.

Fourth, the legislation improves the data and research on children in foster care. Mr. Chairman, we have a responsibility to establish reasonable goals of what we want to achieve in our foster care program. Yet, we do not have the information today in order to evaluate that.

This legislation will give us the tools to be able to assess what the Federal programs should be accomplishing and to hold our local governments accountable to reasonable results.

Fifth and last, it allows the States to provide Medicare coverage for those children between the ages of 18 and 21. A recent study shows that as much as 44 percent in that age group are having great difficulty finding health insurance.

Mr. Chairman, this legislation is not without cost. It has been scored to cost $500 million over 5 years. The legislation is paid for, which we think is the responsible thing to do. We have done that in a way that we think adds to the benefit of the legislation before us, first by curbing abuse in SSI fraud so that we can make the system more accountable; secondly, by allowing veterans of World War II to collect SSI at a reduced amount if they desire to return to their homeland; and third, by repealing the child support hold harmless provisions that were put in the law during welfare reform in 1995.

I think all of us know that welfare rolls have dropped dramatically since 1995. The hold harmless, which was questionable when it was put into the law, certainly today tends to provide more Federal resources than the States actually spend in child support enforcement, but we decided to do a good thing in repealing the hold harmless.

That is, we adopted an approach in the manager's amendment that was suggested by the gentleman from Wisconsin (Mr. KLECZKA) to reward those States that passed through their child support collections to the families, to the families coming off of welfare, so we encourage the family units; so that the noncustodial parent believes, and rightly so, that he or she is part of supporting the family.

Mr. Chairman, this is good legislation. I encourage my colleagues to support H.R. 1802.

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

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY), a member of the subcommittee.

Mr. FOLEY. Mr. Chairman, let me very much thank the gentlewoman from Connecticut (Mrs. JOHNSON) for her chairmanship of this important committee, and the ranking member, the gentleman from Maryland (Mr.

CARDIN), for their hard work on this important bill, the Foster Care Independence Act of 1999.

We can all remember how hard growing up can be. Fortunately for most of us we had loving and supportive of family and parents to nurture, encourage, and teach us how to gradually enter adulthood. I could never imagine the feelings of fear or uncertainty that a foster care approaching his or her 18th birthday must have. While most teens are celebrating their graduation from high school and working at part-time jobs while they anxiously wait to leave for college, foster children are trying to figure out how to find a job and who will pay enough to put a roof over their head and to put food on their own table.

Last year Florida had 3,103 youths who were eligible for independent living programs. Although some of these kids have foster parents who stick with them and are willing to help, including giving them money out of their own pockets, many have been shuffled around so much that they do not have anyone to turn to.

These foster children have barely been able to be kids, and suddenly they are forced to become instant adults. It is no wonder that many of them end up on the streets or on welfare, or as teenaged parents.

By getting States to provide 18- to 21-year-old foster children with job training, job skills, financial planning classes, information on higher education, counseling, life skills, housing, and health care, we are giving these kids a better chance to become responsible adults. We are giving them a chance to have a life that is not characterized by fear and by hardship.

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We are giving them their independence, not only from their foster parents, but from Federal assistance. But we are also preparing them to handle this independence and to make choices that lead to positive results.

My own State of Florida has already provided Medicaid and tuition assistance to older foster children. There are many programs that teach independent living skills. However, we can not always reach all of the children that need these services or provide all of the programs in every area of the State. This bill will enhance the ability. It will give foster children a chance.

I urge passage of this very, very important legislation.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend the gentleman from Virginia (Chairman BLILEY) and the gentleman from Florida (Chairman BILIRAKIS) for taking swift action on the Foster Care Independence Act of 1999. I thank my colleagues on the Committee on Ways and Means, the gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL), for taking up this bill, which will provide financial assistance for former foster care children between the ages of 18 and 21.

As these young people age out of foster care without a permanent family or a structure of continued support, they can face problems with the social, emotional, and basic skills necessary for self-sufficiency. By increasing the availability of services designed to improve the transition into independent living, such as budgeting, career planning, and safe housing, these young people can face a brighter future.

By increasing funding for the Independent Living Program, this bill would provide Ohio's and my State's foster care children with 10 percent more funding, increasing that funding from $2.8 million to $3.2 million.

In addition to providing financial support for adolescents leaving foster care homes, this bill would give States the option of providing Medicaid benefits to these teenagers until they reach the age of 21. The security of comprehensive health insurance is critical, not only for their health, but to give them the freedom to concentrate on preparing for the future.

Young people leaving the foster care system who are just starting out on their own need our assistance. This will do just that. I urge my colleagues to support its passage.

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

Mr. GREENWOOD. Mr. Chairman, I yield 2½ minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

I want to join with my colleagues in encouraging support of this bill. This bill really provides significant transition that is not readily there for foster kids who, by the time they reach 18, have, on many occasions, if not most occasions, faced more adversity than most of us face in a lifetime: the insecurity of the life as a foster child, the not knowing the situation with one's parents, the not knowing what may come next.

In fact, statistics show that foster kids do have greater problems as adults with alcoholism, with homelessness, with crime, with poverty. This bill helps give that independent living transition the leg up that is needed.

The gentleman from Ohio (Mr. BROWN) just talked about the importance of continuation of health insurance. Many, many kids in our society have health insurance from 18 to 21, or maybe even 18 until 23 because they are continuing their education, and their parents are able to extend their coverage to them. That is not available to foster children. So foster children, during that time of transition, during that decision about further schooling, have to deal with this critical question of health care and insurance as well. This helps bridge part of that gap. This is a bill that really does address the needs of foster kids.

This Congress needs to be committed to foster care. The gentleman from Texas (Mr. DELAY), the majority whip, is a foster parent. He and his wife have foster children. Others in this body have really been leaders in trying to extend to foster care and foster children the care that is missing in their life.

This Congress can show we care today about these kids. We care about what happens to them as they make that transition often, and most often without the benefit of that parental involvement in their life, the transition to the work force, transition to adult responsibility, a transition to taking care of themselves. This bill helps make that happen.

I urge my colleagues to support it.

Mr. CARDIN. Mr. Chairman, I am now pleased to yield 3 minutes to the gentleman from California (Mr. FILNER), the sponsor of legislation that is incorporated in the legislation we have before us that gives flexibility to our veterans.

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

Mr. Chairman, I want to speak to one provision of H.R. 1802, a provision introduced as H.R. 26, which, for the RECORD, was originally sponsored by the distinguished gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations.

I thank the gentlewoman from Connecticut (Ms. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for taking this legislation, broadening it, and fitting it into this bill today.

The provision I am speaking of allows Filipino World War II veterans, and others currently on SSI and living in the United States, to return to the Philippines if they wish to do so, taking a portion of their SSI with them.

When many Filipino World War II veterans immigrated to the United States, they thought they would get full veterans benefits once they arrived here to allow them to live in dignity. However, they were denied these benefits, and many are living alone and in poverty today, unable to bring their families here with them to the United States.

So this legislation will allow those who wish to return to the Philippines to be with their loved ones in their final days to do so. This is a humanitarian gesture and one which finally recognizes these soldiers as true veterans.

It will also save us money. It is possible that as much as $30 million a year could be saved.

As many of my colleagues know, during World War II, the military forces of the Commonwealth of the Philippines served in our Armed Forces by Executive Order of the President of the United States. With their vital participation so crucial to the outcome of this war, one would assume that the United States would be grateful to their Filipino comrades. So it is hard to believe

that, soon after the war ended, the 79th Congress voted to take away those benefits and recognition that Filipino World War II veterans were promised earlier.

Over 50 years have passed since that action took place, 50 long years in which Filipino veterans and their sons and daughters have been waiting for justice. Two hundred nine cosponsors of last year's Filipino Veterans Equity Act, again introduced by the gentleman from New York (Mr. GILMAN), have asked our colleagues to correct these injustice that veterans have endured.

This bill is a significant step on behalf of many of these brave colleagues who served side by side with the forces from the United States. Let us join together in this bipartisan effort to correct this monumental injustice. I urge my colleagues to support H.R. 1802.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), who is chairman of the Committee on International Relations, but for today's purpose introduced the legislation that is bringing to our Filipino veterans really a very humane and wonderful option. I thank the gentleman from New York for his work.

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

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time, and I thank her for her kind remarks.

Mr. Chairman, this Foster Care Independence Act is an excellent act, and I commend the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their bipartisan leadership on this important measure.

This legislation accomplishes three worthy goals. First, it makes changes to Federal foster care programs by providing additional funding that is needed, as well as granting greater flexibility for various States to help prepare foster care teenagers for independent living once they leave the program at age 18.

Second, this measure establishes additional procedures to crack down on fraud and abuse within the Supplemental Security Income Program.

Finally, this legislation incorporates language from a bill that I introduced, along with the gentleman from California (Mr. FILNER), H.R. 26, which permits Filipino World War II veterans who currently are recipients of SSI benefits to be able to retain those benefits if they decide to return to their homes in the Philippines.

Each Filipino veteran who chooses to do this will still have his SSI benefits, but at a 25 percent reduced rate to reflect the lower cost of living in the Philippines.

I want to thank the gentlewoman from Connecticut (Mrs. JOHNSON), the chairman of the Subcommittee on Human Resources, and the gentleman from Maryland (Mr. CARDIN), the ranking member, for permitting our Filipino veterans the opportunity to testify on this measure at their hearing earlier this year, and for incorporating our language in H.R. 26 in the overall bill.

It is estimated that several thousand Philippine veterans will be affected by this change in law. Many of these veterans are financially unable to petition their families to immigrate for our country, causing them to live alone. When this bill is adopted, these veterans are going to be able to return to their families in the Philippines, bringing a decent income with them.

Accordingly, I urge my colleagues to fully support this worthy measure.

Mr. CARDIN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD), who has also been very actively involved in helping our Filipino veterans.

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

Mr. UNDERWOOD. Mr. Chairman, I rise today in support of H.R. 1802, and I want to thank the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) and of course the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. FILNER) for their efforts in particular for the provision regarding extending SSI benefits as a humanitarian gesture to World War II veterans, particularly the focus is Filipino veterans.

Under current law, World War II veterans who live in the continental United States, the District of Columbia, and the Commonwealth of the Northern Mariana Islands are eligible for such benefits. However, if such veterans move to a foreign country, like the Philippines or the other U.S. territories, their benefits would stop.

Over the years many of us have tried to rectify this matter to extend such SSI benefits to our veterans who desire to return abroad to the Philippines or who wish to be united with their families in the territories. Some of us, particularly from the territories, have also tried to address the inequities of those in the territories who currently do not receive any SSI benefits because, under the original legislation, Guam, the U.S. Virgin Islands, Puerto Rico, and American Samoa were excluded.

Today, we address one of those inequities under the current law by allowing World War II veterans who qualify for SSI now to be able to continue their benefits should they desire to return to the Philippines or to the territories; and, of course, we are in full support of this measure. Our Filipino veterans in particular who fought valiantly alongside U.S. troops in World War II deserve this recognition.

I remain, however, concerned that World War II veterans who already reside in the U.S. territories, U.S. citizens, all who are not currently receiving SSI benefits, will not be eligible under this provision simply because of the fact that current benefits extend only to those veterans who live in the continental United States.

Mr. Chairman, while we try to resolve one inequity for Filipino veterans, let us not forget the inequities which exist for other U.S. citizens.

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

Mr. Chairman, I would like to return briefly to the foster care issue. I think it is important to underscore who is an 18-year-old foster child. Some of us think of a child coming into foster care at a very early age and remaining there for 18 years. That should not happen and rarely does happen.

Usually a child who comes into care early is either reunited with their biological family after they have overcome some of their difficulties, or, if that is not possible, the child is adopted.

An individual who turns 18 years of age in foster care probably came into foster care relatively late. It underscores the abruptness, when one had a horrendous event in a child's life, where one finally detects a bad home life at the age of 13 or 14 or 15, one brings that child into foster care. It is very difficult to find an adoptive home who will adopt a teenager.

So, again, these kids have come into care abruptly. To release them from care abruptly does them a terrible disservice. This bill corrects all of that. It is a tremendous bill.

Mr. Chairman, since the Committee on Commerce has no additional requests for time, I ask unanimous consent to yield the balance of my time to the gentlewoman from Connecticut (Mrs. JOHNSON).

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BROWN of Ohio. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I would like to thank the gentleman from Ohio (Mr. BROWN), the ranking member, for recognizing me for this time, and for the work that has been done on this bill by both the leaders of the Committee on Ways and Means, the jurisdiction of the Committee on Commerce, and certainly the gentleman from Maryland (Mr. CARDIN) and the gentlewoman from Connecticut (Mrs. JOHNSON) for their work on this bill.

So I rise in support of H.R. 1802, the Foster Care Independence Act. I support providing more resources to the States to help children make the very important transition from foster care to independent living.

I also want to express my support for the critical provision in the bill for World War II veterans, especially the Filipino-American veterans. I know that there are many of us that have worked on this provision for a long,

long time and support it. I want to salute those that have seen fit to put it in this bill.

For the more than 500,000, that is a half a million, children in our country today in the foster care system, turning 18 can be a frightening time. They have had a rough time being in the foster care system, because we know it is not a system that we can at all times say that we are proud of.

I know of what I speak, because I rise as a foster parent. One of my kids came to us at 13 years old, and we were her 26th placement. It is very difficult to move on in life having moved through a system that is rough, children that have really not had a real home and parents to love them. So I think I know of what I speak because I have dealt with the system.

For those of us that have raised teenage children, we know that it is a very, very difficult time. It is difficult for them to move out on their own and pay their own bills.

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So H.R. 1802 addresses this by providing States the flexibility and the necessary funding.

We can do all the talking we want about these things, but if there are not the necessary resources to continue supporting these kids through the age of 21 and what comes with it, then what we want to happen really will not happen. We can do better for our Nation's children. I think this bill sets this aside and does that.

There is another group of people, Mr. Chairman, who I think deserve better than the current system, and that is the underinsured and uninsured women in our country that are diagnosed with breast and cervical cancer. I am using some of this time to once again highlight something that has been left so far unattended by this Congress and I think that we need to move on it.

In 1990, the Congress directed the CDC to provide screening for breast and cervical cancer for underinsured and uninsured low-income women. It was a very, very important step that the Congress took. But we need to take the next step, because women that are diagnosed through the screening are then informed by us that they are on their own; that there is not any resources for the treatment that needs to take place.

A bill that I introduced with my colleague the gentleman from New York (Mr. LAZIO) would close this loophole, and I urge the leadership to not only hold a hearing on this bill that has 250 cosponsors but also to move on a markup. I think we can do this, along with what we are doing today with the foster care bill, and I thank my colleagues for giving me the time to not only underscore this but to rise in support of 1802.

I support providing more money to states to help children make the very important transition from foster care to independent living.

For the more than 500,000 children now in the foster care system, turning 18 can be a frightening time. That is because the system we currently have in place drops them on their 18th birthday.

For those of us with teenage children, we know that 18-year-olds aren't often prepared to live on their own, paying their own bills. H.R. 1802 addresses this by providing states the flexibility and funding to continue supporting these kids until age 21.

I support this bill because the Nation's children deserve better than the current system.

There is another group of people who deserve better than the current system, Mr. Chairman—uninsured and underinsured women diagnosed with breast or cervical cancer.

In 1990, Congress enacted the Breast and Cervical Cancer Mortality Prevention Act, authorizing a breast and cervical cancer-screening program for low-income, uninsured or underinsured women through the Centers for Disease Control (CDC).

This law was an important first step, but it was only a first step. While the current program covers screening services, it does not cover treatment for women who are diagnosed with cancer through the program.

A bill I have introduced with my colleague, RICK LAZIO of New York, would close this loophole.

The Breast and Cervical Cancer Treatment Act (H.R. 1070) would establish an optional state Medicaid benefit for the coverage of uninsured and underinsured women who were screened by the CDC program and diagnosed with breast and cervical cancer.

The federal government should not be in the business of telling low-income women, ''We've helped you find out whether you have cancer, now that you do, you're on your own.''

H.R. 1070 is a matter of life or death.

Breast cancer kills over 46,000 women each year and is the leading cause of death among women between 40 and 45.

Cervical cancer has a mortality rate over 30%.

Yet, it lies in the drawer of a Commerce Committee staffer with no floor action scheduled and no date for a markup.

The Committee Leadership has said we don't have time for the Breast and Cervical Cancer bill.

Yet, twice in the past week, the Commerce Committee has discharged its jurisdiction on legislation and brought it immediately to the floor for a vote.

On Tuesday, a resolution on prostate cancer with 65 cosponsors.

Today, a bill on foster care with no cosponsors.

And yet, the Breast and Cervical Cancer bill—a bill with 250 cosponsors, including over three-quarters of the Commerce Committee—remains in limbo.

What kind of message are we sending to the women of this country? We have time for prostate cancer and foster care but no time for a breast and cervical cancer treatment bill that has the overwhelming support of over half the Congress and yet we have time to push through other bills?

Thankfully, Mr. Chairman, we possess the technology to detect and treat breast and cervical cancer. But we must pair this with the will to help women fight this disease.

Treatment for breast and cervical cancer should not be a partisan issue.

In the last decade we have made great strides in diagnosing and treating breast and cervical cancer. But the causes of these cancers remain unknown and for many women how they will pay for their treatment remains unknown as well. H.R. 1070 would change that for thousands of women each year.

The women of this country deserve consideration of H.R. 1070. The 18 organizations that endorse the bill deserve its consideration. The 250 Members of Congress who are cosponsors deserve its consideration.

I implore the Commerce Committee Leadership to schedule a markup of H.R. 1070, the Breast and Cervical Cancer Treatment Act.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS), a member of the subcommittee. I appreciate his work on this bill.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today to express my support for H.R. 1802. Each year 20,000 young people leave the foster care system when they turn 18 years old. All young people face new challenges on their 18th birthday, but as we learned in committee, many foster care individuals face individual hurdles.

By continuing our efforts to fight fraud and abuse in the SSI program we are able to return more money to the States for independent living programs. These programs identify adolescents who are getting ready to leave the foster care system and help them achieve self- sufficiency.

The SSI fraud prevention provisions in this bill build on the seccess of the 1996 welfare reform bill. For example, SSA, Social Security Administration, is required to share its prisoner database with other Federal agencies to prevent the continued fraudulent payment of other benefits to prisoners.

Under H.R. 1802, the prisoners and fugitives are barred from SSI eligibility for 10 years if they fail to report receiving payments while in prison or violated a repayment schedule. Representative payees who do not return SSI payments made after the death of a beneficiary would be held liable for repayment under this legislation.

H.R. 1802 also cracks down on doctors and lawyers convicted of SSI fraud. So by stopping fraud and abuse, we can benefit the needs of foster kids.

In closing, I would like to thank the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their work on this important legislation. It is my hope my colleagues will join me in voting for H.R. 1802.

Mr. BROWN of Ohio. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. CARDIN) of the Committee on Ways and Means.

Mr. CARDIN. Mr. Chairman, I yield 6 minutes to the gentlewoman from Ohio (Mrs. JONES), who has been one of the real leaders in this Congress on the issues of children.

Mr. JONES. Mr. Chairman, I rise today in support of H.R. 1802. As Cuyahoga County prosecutor, I oversaw a unit of 18 attorneys responsible for litigating issues of abuse and neglect. In that capacity this issue of foster care

children aging out of the child welfare system arose in both the civil and criminal arena.

I would like to thank the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. Cardin) for asking me to come to the floor to speak on this issue. Mrs. Jackie Ashby, a constituent from my district, wrote the following letter, which best expressed the need for change. She originally wrote in support of H.R. 671, however, her comments are just as applicable to 102.

Miss Ashby is a social worker in my district.

She writes: ''Dear Representative Tubbs-Jones: It has come to my attention that the house resolution is being debated concerning abused and neglected children who are aging out of foster care. I would strongly urge you to support this bill. I work in an independent living program in Cleveland. The children I work with are 18 years old and are exactly the children for whom this resolution is aimed. I know from first-hand experience that these kids need your help.

''Ten years ago I kept watching children leave our residential center or even our group home to the street because they had nowhere else to turn. Once they turned 18 they were too old for the child welfare system to take care of them anymore and they were unprepared to manage job, school, bills, relationships, drugs, sex, and all the other things that go with adult life. They ended up back with the same parents who abused or neglected them or in relationships that mirrored those poor parental relationships. Often this resulted in them becoming homeless, abusing drugs or becoming either victims or perpetrators of crime.

''There were many good programs out there, and my agency gave me the freedom to look at these programs and find a model that worked for these kids and start it. Five years ago three staff and myself began the independent living program. We had our share of troubles. The scenarios above still happen for some kids. But I can tell you more kids now graduate from high school. More kids than before learn what it takes to be a good worker and how to keep a job, and more kids know that they can never go home, at least not to stay again. And they do have other choices.

''The sad thing is that sometimes all those revelations happen after they have been kicked out of the children's welfare system. Being homeless, jobless or overcome by drug abuse are powerful lessons that many kids could be helped with when they ask for it, but the system doesn't allow for reentry into the children's system once they are 18. The adult system here in Cleveland, although better than most, doesn't cater to the specific problems of young adults. Consequently, young people who are belligerent, present poorly, and are reluctant to follow through without a good deal of follow-up by the case manager won't get services.

''Let me give you an example. Linda spent her whole life in foster care. From foster care home to foster care home, even a failed adoption. All she wanted was to be able to live with her mother, for whom she knew was parenting her other three siblings. Reunification was tried and failed. One home after another couldn't tolerate her belligerent attitude, skipping school and her sexual acting out. Out of frustration, certainly not because she was mature enough, the child protection worker recommended an independent living program.

''Linda loves the idea. Finally she has a home of her own. And for the first month of the program she does wonderfully. She is compliant, eager to learn and has made a nice connection with the staff. School starts to fall apart. She was behind in school so now she starts cutting classes. She has all-night parties with all her friends in her apartment, and now her counselor thinks she is using marijuana. The program tries intervention after intervention. Linda states she wants out, out of the system and out on her own.

''Her wish gets granted, mostly because there are so few services to offer an adult who is unwilling to comply with basic rules. So Linda goes back with mom, which is where she always wanted to be. But Linda's fantasy of having mom waiting at the door with open arms is quickly dashed by the reality of a mom who now has other children to attend. Linda and mom never worked out the problems of the past, so the past repeats itself and Linda at some point either leaves mom's house or gets kicked out.

''Linda now ends up either going from friend's house to friend's house, if she is lucky to have friends, or on the street. Now Linda is calling the program back saying, gee, I learned my lesson, you were all right all along. Take me back, I'll be better. And the social worker says, sorry, we would love to have you back. I really believe you have learned your lesson, but you're not a kid any more. You're an able-bodied adult, and you should get yourself a job and make a life for yourself.

''After reading this you might say, tough love is the best medicine. And for some, a good dose is. But how many 18 years old do you know who have had sometimes 20 caregivers over the course of their young life and who have to decide where they are going to live, how they are going to support themselves, what they're going to do without anyone's support all by their 18th birthday. It is tough when you have no one to rely on.

''This kind of funding that the house resolution offers is a chance to give a child like Linda help at a time when she can really use it.''

The letter goes on, but I think it specifically states what we are all talking about here on the floor. She says, ''I have 20 more stories like this.'' Her words can better express, based on her experience, anything that I or my colleagues would say, and I urge the support of this resolution.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the majority whip.

Mr. Chairman, around here and in this process we rarely get a chance to see the dimensions of any Member, and I would have to say when he testified before our committee he was the first one to describe the agony of foster parents as they have to deal with the 18th birthday issue.

So I commend the gentleman for both his work on this legislation and for his good work as a foster father.

Mr. DELAY. Mr. Chairman, I rise in very strong support of this bill. I cannot thank the gentleman from Maryland (Mr. CARDIN) and the gentlewoman from Connecticut (Mrs. JOHNSON) enough for bringing this very, very important piece of legislation that will have a very strong impact on children in America.

There is no better investment that a Nation can make than in its children, and it is time that the welfare of all of America's kids are furthered, all of them, including the abused and neglected and children in the foster care system.

Approximately 20,000 young Americans are released from foster care every year, often without any previous experience with independence. This bill provides direction and assistance for these young adults struggling to make a new start.

American youths are let out of the foster care system on their 18th birthday. Now, for many of those children this can be a bittersweet occasion. In many of the instances they have not graduated from high school, have never held a job, are unemployable for the near future, and they lack basic every day living skills, such as just cooking or keeping a checkbook. Leaving foster care translates into leaving the only security many of these children have ever had.

Now, today, it is taken for granted a loving supportive family is important for youth. But all children are not so blessed. My wife Christine and I are foster parents and we know firsthand the struggles that confront these kids. It is difficult for the average American to understand just how scary it must be for a teenager to be alone. Add the necessity to be self-sufficient for the first time, and a strong recipe for defeat is concocted. But such despair can be avoided, and this pending foster care legislation sets foster children down the right path to adulthood.

My foster daughter turned 18 yesterday. And she, by all rights, should be out on the street. But she is staying in our home, getting ready to go to college. And this bill gives new flexibility to States to develop programs that provide skills to foster children during and

after they are in foster programs. It requires States to guarantee that everyone is either employed or in school when they leave foster care. It also lets them keep their medical benefits after they turn age 18, which now are stripped from them the day they turned 18.

An old cliche relates that an ounce of prevention is worth a pound of cure. This argument is even more compelling where young lives are concerned. Some early preventive measures save a lifetime of grief and trouble, partly because the failures in current foster care transition periods, the rates of crime, jail time, homelessness, and welfare dependency are very high among Americans formerly in foster programs. There is no reason to accept these costs to society and to the individual when they can be prevented.

Mr. Chairman, imagine the hopelessness of a young person's world where there is no security, no comfort, and no one willing to help.

□ 1030

We are sentencing too many of our kids to certain failure and chronic dependency if we do not arm them with the skills and the resources they need as they transition out of the foster care system. The Foster Care Independence Act simply offers a helping hand to those who desperately need it. I strongly urge my colleagues to support this bill.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana (Mr. MCCRERY) not only a member of the subcommittee as we developed this bill but the member of the subcommittee that has put enormous time into understanding the SSI program and the needs of the disabled. I thank him for the provisions in this bill that address the problems of fraud and abuse in that system.

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

Mr. MCCRERY. Mr. Chairman, I want to thank the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their hard work on this legislation and I particularly thank the gentlewoman from Connecticut for her kind remarks regarding my work on SSI, particularly the SSI for children program that we revised in the welfare reform bill a couple of years ago that was signed into law.

The gentlewoman from Connecticut knows that I would not have been nearly as active in crafting those provisions were it not for a valued member of my staff, Ms. Angel Vallillo. Ms. Vallillo recently died of brain cancer. Part of the reason I am speaking now is to thank her parents, to thank Angel for the work that she has done on this very important subject. I remember very well following our victory in welfare reform and having recognized Angel's work in that bill on SSI, it was not long after that that Angel came to me with a report in her hand, as she often did, and said, ''You need to look at this.'' I said, ''What is it?''

She said, ''This is a new report by the GAO on SSI, and it talks about all the fraud, waste and abuse in SSI, and this is one of the highest risk programs in the Federal Government for fraud and abuse, even after all the work we did in the welfare reform bill.''

I said, ''Okay, I will take a look at it.'' Sure enough, the GAO wrote a fairly scathing report on fraud and abuse in the SSI program.

So we set to work, Angel did mostly, on crafting some provisions to correct the fraud and abuse in the program. We have heard a lot here today about the foster care provisions of this bill and how good they are. I agree. They are. I am very thankful that we are able to make these changes in the law with respect to foster care. We are financing those good provisions on foster care with the savings that we are going to create through the changes in the SSI program.

Mr. Chairman, I think that you, like I, hear all the time from folks back home, ''If you all would just cut out the fraud and abuse in the Federal Government, you could save enough money to balance the budget.''

Well, we have balanced the budget now partly because we have cut out a lot of fraud and abuse in the Federal Government, but there is still work to be done. This bill does that. It helps us to cut the waste, cut the fraud, the abuse in a very important Federal program, and with those savings, Mr. Chairman, we are going to re-create a foster care program that I think will do worlds of good for foster children in this country for years to come.

I thank the gentlewoman from Connecticut for yielding me this time.

Mr. Chairman, I rise to inform the Congress and the Nation of the debt we owe Ms. Angel Vallillo for her hard work in crafting the legislation before us today. Angel served for ten years on my staff, first as a campaign volunteer and ultimately as my legislative director until she died of a brain tumor on October 2, 1998. I know her parents, Mr. and Mrs. Raymond Vallillo of Shreveport, Louisiana, and all of her family and friends are as proud of Angel today as they were throughout her life and career.

I have no doubt that Angel is watching over us as we consider H.R. 1802, the ''Foster Care Independence Act of 1999''. This important bill, which will help thousands of foster children make the transition to adulthood and independent lives, will pass the House today thanks to her hard work in drafting many provisions to end fraud and abuse in the Supplemental Security Income (SSI) program. Without those provisions and the savings they produce—by, for example, blocking benefits for prisoners and fugitives, improving recovery of benefit overpayments, and ensuring recipients are not hiding resources they should rely on—this bill would not be on the House floor today.

I will always remember Angel as a driving force behind the 1996 welfare reform law, and especially the provisions reforming the SSI program for children. As a caseworker in my district, Angel often saw this program perpetuate poverty rather than alleviate it. As a trusted legislative assistant, Angel helped me and all the Members of the Ways and Means Committee and, in the end, the House, the Senate and the President, make the changes needed. Thanks to Angel's skills and determination, welfare reform is working and an entire generation of children is being saved from lives of dependency.

As a parent of two young children, I want to address a thought to Angel's parents. Regretfully, the evidence that raising children is difficult is all around us. Of all the goals we set for ourselves in life, for those of us blessed to be parents, the single most important goal is raising our children to be honest, moral, hard-working, and honorable citizens of this great country. As Angel's boss, colleague, mentor, and most importantly friend, I knew Angel about as well as you can know someone who is not in your own family. I want her parents to know that she exemplified the very best of everything we raise our children to be. I fervently hope my own children achieve the high standards set by Angel. Raymond and Marie, you are deeply honored as parents by the life and achievements of your wonderful daughter.

Mr. Chairman, few Americans know the great privilege of serving in the people's House, and fewer still of actually developing major legislation that improves the lives of American citizens. But that is exactly what Angel Vallillo did with the few years God granted her on this earth. On behalf of my family and the families of the Fourth Congressional District of Louisiana, I join with all Members of the U.S. House of Representatives today in recognizing Angel's all too short lifetime of dedicated service.

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

I just want to underscore the point of my friend from Louisiana, and, that is, this bill does a lot of good things in helping children aging out of foster care and we pay for it in part by dealing with fraud and abuse. I want to thank the gentleman for his help. I also want to thank the Clinton administration for working with us. These provisions have all been mutually agreed upon as an effort to make the program do what we think it should do and provide savings so that we can help children. It is a win-win situation.

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

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Chairman, I thank my colleague and my friend from Connecticut for yielding me this time. I want to say that we have both worked long and hard on a number of issues concerning children. I did want to come here today because I have been a pioneer on child support issues, having served on the national commission that really gave us a comprehensive interstate child support enforcement system. Recently issues and concerns have been raised not about the body of your bill but how it is paid for and its relationship to child support.

I would like to have a colloquy with my colleague from Connecticut, the author of the bill, concerning the issues raised by the American Public Human Services Association and the fact that the bill does eliminate the State hold harmless provision in the present child support program.

It is my understanding that there have been concerns raised that the moneys will be reduced severely for at least 23 States in terms of their levels of reimbursement, I guess, by $300 million over 5 years, and there are other numbers that are being used here, $230 million. If the gentlewoman would please help us understand these.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentlewoman yield?

Mrs. ROUKEMA. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. I thank the gentlewoman for her question. I do regret that that letter is fairly inaccurate. Many States get no money at all under the hold harmless provisions. And, in fact, the money that States get under the hold harmless provisions varies widely. In 1997, only seven States received hold harmless funds. In 1998, 21 States received hold harmless funds. There is a great variation in this provision in the law and its impact on the States.

Overall, it is absolutely true that the States make a profit on child support and the Federal Government loses money. I do want to point out that in repealing the hold harmless, which I think is good policy, we do protect up to 50 percent of their loss, those States that actually pass those funds through to women coming off welfare and do not allow it to interfere with their eligibility for benefits or the level of those benefits.

There is not time to go in on the floor here to the fact that at the time we made these changes, we gave the States the right to retain a 50 percent pass-through and save $1.2 billion for themselves.

This is, in my estimation, good policy and we have moderated its impact on those States that had a just cause.

Mrs. ROUKEMA. Will my colleague then state categorically that this is not undermining the collection system for interstate child support?

Mrs. JOHNSON of Connecticut. It absolutely does not undermine the collection system for interstate child support.

Mr. CARDIN. Mr. Chairman, I yield myself 4 minutes.

Just to follow up on that colloquy, the hold harmless was put in in 1995. It was put in to protect States on child support collections. It was based upon the collections then which already reimburse some States more than the actual cost of child support collections. But as my colleagues know, the number of people on welfare has diminished dramatically since that time and, therefore, there have been significant reductions in the burdens to the various States. But Members are going to have a chance in the manager's amendment to vote on a modification of that, that allows for a good policy with the hold harmless, if the States want to pass through those funds to the families so the families actually get the advantage of the funds and we maintain a family unit. So we are going to have a chance to modify that in the manager's amendment.

The gentleman from Wisconsin (Mr. KLECZKA) had recommended that in our committee and it is incorporated in the manager's amendment.

Mrs. ROUKEMA. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I yield to the gentlewoman from New Jersey.

Mrs. ROUKEMA. I really appreciate that statement. I see the gentleman from Wisconsin has arrived. He and I have worked on a number of issues over time. I appreciate that. It sounds as though he has looked realistically at this question and hopefully we will not have unintended consequences here and we will pledge to continue to work together to assure that the enforcement system is in place and not damaged by the lack of funding that may be out there.

Mr. KLECZKA. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. I thank the gentleman from Maryland for yielding.

First, Mr. Chairman, let me rise and indicate my strong support for the bill. It did come before the committee I serve on, the Committee on Ways and Means. I think to provide this continuum of care to foster children is so important. However, one of the pitfalls of doing so was to find a funding source which had a direct impact not only on my State but on other States who pass through their child support payments. I had made note of that at the committee and I should indicate that the gentlewoman from Connecticut was aware of the problem, did indicate at the committee that she would work with me and the gentleman from Maryland to try to find a resolve and as the days went by, it was looking bleaker and bleaker because we could not find the necessary financial resources to pay for continuance of the hold harmless. Thanks to her efforts and her diligence, a day ago I was informed that a funding source has been found and that the manager's amendment as it does today will contain a continuance of paying States this hold harmless which is policy that I think this Congress should encourage not only for Wisconsin, Vermont but for all the States. If in fact you have a court-ordered child support payment, that should not be revenue for the State, that should be income for the family. With this incentive in the manager's amendment to continue it, even though at a lesser degree, States will be encouraged to continue the hold harmless and to advantage the families and not the State coffers.

Mr. Chairman, I want to publicly thank the gentlewoman from Connecticut for the hard work she did on helping us retain this in part, and also I want to thank publicly the gentleman from Maryland who also felt that this is good Federal policy.

Mr. Chairman, I am pleased to support the Johnson amendment to the Foster Care Independence Act.

Earlier, during the consideration of this legislation, I voiced my serious concerns about the impact this legislation would have on the child support system. Specifically, I was very concerned about the elimination of the hold harmless provision for the state share of distribution of collected child support. The outright elimination of the hold harmless would penalize states—like Wisconsin—who make giving child support payments to families a priority over state revenues.

I believe that when a state collects the child support payments that the courts have decided a family needs, the family—and not the state—should get that money. This is money families need to buy clothes and food.

When this bill was considered in the Ways and Means Committee, I introduced an amendment which would have encouraged states to give families the child support to which they are entitled. Although my amendment was not in the final bill reported out of Committee, Representatives JOHNSON and CARDIN expressed strong support for the proposal.

Since the committee consideration of the Foster Care Independence Act, Representatives JOHNSON and CARDIN have worked diligently to ensure that states would retain the financial flexibility to adopt this policy. I am pleased that their efforts were successful.

The manager's amendment includes a provision to retain funding for those states that value child support payments to families over state revenues. I would like to thank Representatives JOHNSON and CARDIN for ensuring that states like Wisconsin can continue to provide families with the full child support payment they deserve.

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

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH. Mr. Chairman, I rise in strong support of H.R. 1802, the Foster Care Independence Act. This is bipartisan legislation that is aimed at one of the most vulnerable populations in our society, children who age out of foster care.

This legislation is vital because it provides States with increased funding and gives them greater flexibility to help these children who are faced with decisions about their future, whether it is finding a job or continuing their education.

It is important that we help these young adults make the transition from foster care to self-sufficiency. Many of these children when they reach the age of 18 will be balancing a checkbook, paying bills and working for the first time. Under this legislation, States can provide guidance and training to help these children with their newfound responsibilities.

In addition, it encourages personal savings by these clients by increasing the savings threshold from $1,000 to $10,000. This amount is assets or savings that foster care children can have while maintaining their benefits. We should encourage them to save to build for their future.

H.R. 1802 also encourages States to provide Medicaid coverage to 18- through 20-year-olds who have aged out of the foster care system.

This legislation, in a nutshell, is a common sense and compassionate approach to helping these young adults make the transition to adulthood and self-sufficiency. I urge my colleagues strongly to support it.

I thank the gentlewoman and I commend her for bringing this legislation as a bipartisan product to the floor of the House so promptly, and I commend the gentleman from Maryland for his seminal role in developing this legislation.

Mr. CARDIN. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN) who has been very helpful to us in putting this legislation together.

Ms. LOFGREN. Mr. Chairman, I rise in support of this very fine piece of legislation, this good, solid, bipartisan bill. There is much good in the bill. I join with my colleague in noting the great difficulty of young people, at age 18, all of a sudden at immediately assuming all adult responsibility. Those of us who have teenagers know that when the child becomes 18, they still need the guidance, the support, the direction of parents. I think this will help considerably in putting structure into young lives and we will have a wonderful result from this.

I also, however, wanted to rise in particular praise of a provision in the gentlewoman from Connecticut's amendment to be heard soon, and that is the provision that will finally provide some assistance to the Filipino war veterans.

□ 1045

This group fought side by side with my father's generation in World War II. The sad story of the disappointments and false promises made over decades is not worth going through here today, but I do look forward with great appreciation to the adoption of the provision that will allow some assistance to these men who fought so bravely and are now old and broken and deserve the thanks of our Nation and also the honoring of the commitments made at the time of when my father was a young man.

So I thank the gentlewoman from Connecticut (Mrs. JOHNSON). I look forward to supporting her amendment and thank her greatly for her attention to this matter.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2½ minutes to the gentleman from Oklahoma (Mr. WATKINS). He and his wife have also been foster parents over many years, and his experience has been of great value to the subcommittee.

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

Mr. WATKINS. Mr. Chairman, I rise in support of the Foster Care Independence Act, and I ask the gentlewoman from Connecticut (Mrs. JOHNSON) for a question.

Under the training activities of the foster parents in this bill will there be an emphasis on encouraging foster children to continue their education and to seek higher education or skill training to better their employment and career opportunities.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. The whole focus of this bill is to help kids look early at preparing themselves for work or education or both after they turn 18. From the time they were 14 the bill encourages career exploration opportunities, it requires coordination with work study programs and high school. These kids are often the last to have any access to the work study program when they should frankly be at the top of the list.

So the whole goal of this is to help kids have an opportunity to work, develop a resume, develop recommendations, prepare for when they turn 18 to either go into the work force full time as a skilled, developed worker, or go on to college or a combination of the two. That is our goal, and that is going to be the main measure of these programs as we hold oversight hearings on them in the future.

Mr. WATKINS. The gentlewoman has indicated my wife Lou and I are foster parents. There are some great rewards in being foster parents. I would like to say to my colleagues and the American people. We had our homes licensed for homeless girls. We ended up adopting one of those young ladies, Sally. Sally is our daughter who become a professional person after receiving a college education. We put every dollar into an educational fund. It is rewarding from foster care experience, and our daughter Sally now has made us very proud grandparents of a granddaughter named Rena Cheyenne.

Let me say also to my colleagues, the parents and to the foster children out there that education, is the quickest way to lift themselves up out of the poverty and out of the conditions they have. I want to encourage them, and I want to encourage parents to be able to bring children in their homes and let them be an uplifting experience and a role model hopefully for that child. That is the best way we can lift them out of the problem.

Mrs. JOHNSON of Connecticut. I thank the gentleman. I know from talking to him and his wife that his wife helped these kids learn how to be smart shoppers, how to clean, how to do laundry, how to stretch money, how to do all those things about budgeting and managing that will make them successful adults, and I thank him and his wife for their contribution to their lives.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HERGER).

Mr. HERGER. Mr. Chairman, I want to take just a moment and recognize both the gentleman from Texas (Mr. ARCHER) and the gentlewoman from Connecticut (Mrs. JOHNSON) for including a provision I have been working on, the Criminal Welfare Prevention Act, part three. As section 204 of the legislation before us today, this commonsense provision, which I first introduced last Congress and have reintroduced this year, would require the Social Security Administration to share its prisoner data base with other Federal departments and agencies, such as the Department of Agriculture, Education, Labor and Veterans' Affairs, to help prevent the continued payment of fraudulent benefits to prisoners.

Since the enactment of my original Criminal Welfare Prevention Act as part of the welfare reform of 1996, the Social Security Administration's prisoner database has become an extremely effective tool in detecting and cutting off fraudulent SSI and Social Security benefits that would otherwise go to prisoners. In fact, according to Social Security Administration's inspector general, that provision will help save taxpayers $3.46 billion through the year 2001. It not only makes sense to require SSA to share this improved prisoner database with other agencies to help prevent further inmate fraud; after all, taxpayers already foot the bill for prisoners' food, clothing and shelter. The last thing we need to do is send in monthly bonus checks as well.

I look forward to seeing this provision enacted into law, and I urge all of my colleagues on both sides of the aisle to support this worthy legislation.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Connecticut, the chairwoman of the subcommittee, for the time.

I salute Members on both sides of the aisle who have brought forth this common-sense, bipartisan legislation, and I would simply direct the committee's attention to the special needs reflected in the Sixth Congressional District of Arizona and indeed throughout a portion of our Nation that has come to be called Indian country. As the Representative of the Sixth Congressional District of Arizona, one in every four of my constituents is Native American, and during consideration of this bill, our committee adopted a tribal welfare amendment that would aid tribal communities in fulfilling their duty to serve Indian foster children and the underprivileged.

In the initial language of H.R. 1802, a requirement was that States inform

tribes of the services available, and that is an improvement over current law that remains silent with reference to the role of tribal governments, but our amendment strengthens the provision by requiring States to consult with tribes about the development of independent living services rather than simply informing tribes of such services. It also requires that the States make an effort to coordinate with tribes in providing these services.

This reaffirms something that we have come to acknowledge as basic truth here in the last part of the 20th century, that those closest to the problem can help identify it and help solve it. Tribes are in the best position to know the needs of Indian children and of possible local resources available for assistance, and this amendment is a first step in recognizing the level of communication and coordination that is necessary for the provision of independent living services.

One other point. Under current welfare law, States have unlimited authority to carry over unobligated funds under the heading of temporary assistance to needy families, the acronym known as TANF, and the second provision in my amendment would allow tribes likewise to carry over unobligated tribal TANF moneys, and this would allow tribes greater flexibility and is very important that the foster children of the first Americans not remain forgotten, and I salute the committee and those on both sides of the aisle who have taken that step.

Again I ask for passage of this important piece of legislation.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, I am greatly encouraged to see this bill, and I want to thank the gentlewoman from Connecticut (Mrs. JOHNSON). H.R. 1802 helps our children in need to make a smooth transition from foster home to independence. The investment we make in these young adults will have long-term positive results. I have three children of my own. I cannot imagine just because they turn 18, it does not mean that a child is ready for independence.

We in the Congress have a responsibility to equip foster children who stay in foster care until they are 18, so I think the gentlewoman's bill is excellent. By helping these young people to have a more successful transition to independent adulthood, we lessen the likelihood that they will drop out of school, become unemployed, turn to crime and/or, more importantly, face homelessness again.

School completion, gainful and lawful employment and safe and stable housing should not be out of the reach to young people for whom the government has taken the responsibility to raise after their family is found unable to do so. We need to treat these children as we would treat our own, for indeed, my colleagues, these are our own. These children have been through some tough situations that most of us could never understand, and for us to close a door of assistance at 18, I think, is not correct. I encourage my colleagues to support this bill and provide the necessary help to these needy young adults.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentlewoman for yielding this time to me.

Sixteen years ago a young man showed up on my doorstep of myself and my then wife, and he had been in long-term foster care. I had met him in a high school while I was visiting there. He literally had no place to turn at that point. The foster care system dumped him out, he just turned 18, he had no place to go. We were able to help him, to take him in, to help provide an education, to get him started with a job, and, as a result, he has gone on to be an enormously successful executive today.

But I think of his experience and how many young people did not have someplace to turn and the problems that they have, because surely when a young person turns 18, a young man, a young woman turns 18, they are not ready completely to be independent. They need some assistance, they need some help, and this legislation, and I commend the gentlewoman for bringing this legislation to us, is exactly what we need to help these young people get on their own feet and to be able to go forward.

This is the kind of legislation that we must have if we are going to provide these young people with the opportunity to go forward with their lives. For many of them, it is the lack of an education, it is the lack of job training, and they suddenly find themselves turned out by the system. It is a cold day when they turn 18 and the system says we no longer have any responsibility and we no longer have any legal ability to help them. This changes that. This makes it possible for us to help these young people get started, and I believe with this legislation we will be able to assist young people to get a start in the world, to become productive tax-paying citizens and citizens that we can all be very proud of.

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

Mr. Chairman, I urge my colleagues to support H.R. 1802.

Mr. Chairman, I yield my remaining 1½ minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), and I yield back the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman and the gentleman for yielding the time, and, Mr. Chairman, I rise in very strong support of the Foster Care Independence Act.

I want to thank my good friend and colleague, the gentlewoman from Connecticut (Mrs. JOHNSON), for introducing it and my good friend from the great State of Maryland, with whom I have served for many years in the Maryland Legislature as well as here in Congress (Mr. CARDIN), for initiating such important changes in our foster care system.

We know that there are approximately 20,000 young people who leave foster care each year, and this legislation is going to enable more foster care youth to make a successful transition to independent adulthood, and without these improvements foster care children, many of them, may continue to suffer from disproportionately low rates of school completion, employment, poor medical care, high rates of victimization, and homelessness.

□ 1100

I know that in looking at the record, the Committee on Ways and Means Subcommittee on Human Resources found evidence in Wisconsin that in the 12 to 18 months after leaving the foster care system, 37 percent had not completed high school, 50 percent were not employed, 44 percent had problems obtaining the proper medical care, and 37 percent had been victimized sexually, incarcerated, or homeless during that period.

So this act is going to provide, for the first time, the continued attention and support to the young people who are truly our responsibility and who need our support. They will be able to gain education, vocational or career development training, as well as mentoring programs that they need to succeed.

Mr. Chairman, the transition into adulthood is not easy for any child, and those children who do not have the benefit of family should be shown that they are not alone. I urge that we look to our Nation's children and support this bill. I also think the manager's amendment adds a great deal more to the bill.

I am also pleased that recognition is given to Filipino veterans of WWII who served with the U.S. Armed Forces by expanding the provision to allow them to receive SSI benefits at a reduced rate if they moved back to the Phillipines.

It also enhances the bill to require states to certify they train prospective foster parents before a child is placed with them.

Let's give our nation's children a better chance at success and pass the Foster Care Independence Act.

Mr. BLILEY. Mr. Chairman, I rise in strong support of H.R. 1802, the Foster Care Independence Act of 1999. This bill will provide a needed leg-up for foster children who face many barriers trying to get ahead in their young lives.

The legislation gives the States greater flexibility and additional funding for operating the Foster Care Independent Living Program, and in so doing will help foster children in their transition out of the foster care system.

This bill meets a real need. Foster children often face great challenges overcoming the

fact that their birth parents were unwilling or unable to care for them. Statistics show that this can lead to costly mental health and substance abuse problems. The available studies on foster children indicate that they have health care costs that may be two to five times higher than other children on Medicaid, primarily due to a greater need for mental health services.

I think this small but significant measure will also provide additional financial security and peace of mind for the parents of foster kids who are concerned about their welfare. We should do what we can to ease the burden of parents who want to provide a loving home for these children in need.

Mr. Chairman, I believe providing temporary Medicaid assistance to these young adults as they try to establish their independence and become productive members of society addresses a growing need. The Congressional Budget Office estimates that in 1998, there were 65,000 former foster kids between the ages of 18 and 21. CBO expects this number to increase to 80,000 by the year 2004. While many of these young adults are still eligible for Medicaid based on other eligibility criteria, about 40 percent are not.

This bill does not require states to expand their Medicaid programs to former foster kids. But this bill provides added incentive for states to target former foster kids for assistance. In fact, the CBO estimates that H.R. 1802 will increase enrollment for Medicaid health coverage to at least 24,000 former foster kids ages 18, 19 and 20.

Mr. Chairman, H.R. 1802 was referred to the Commerce Committee because of the Medicaid provisions. The Committee discharged this popular, bipartisan bill without formal consideration in order to expedite the process and bring this bill to the floor. I did so with the understanding that the Commerce Committee will have a seat at the table during future conference negotiations with the other body on this legislation.

Again, I'm pleased to support this measure today. Foster children are dealt a difficult hand in life and should have every opportunity to succeed as they move into adulthood. For those who need our help, I believe we are doing the right thing by providing this temporary assistance. I urge all my colleagues to support the passage of this important measure.

Ms. ROYBAL-ALLARD. Mr. Chairman, I am delighted to support H.R. 1802, which will allow World War II Filipino veterans who receive Supplemental Security Income (SSI) to move back to the Philippines and take a portion of these benefits with them.

This long overdue and humanitarian gesture will allow many of these elderly and ailing Filipino veterans to return to their home country, reunite with their families and continue to receive the benefits they deserve.

Our Filipino veterans fought with the understanding that they had earned the right to receive the same compensation and benefits given to other men and women who served our country during World War II. To the shame of our nation, this promise was never honored. Today's vote is a small step to correct this injustice and recognize these men as true heroes.

In the South Pacific, Filipino soldiers fought alongside American soldiers in some of the bloodiest battles of the war. For almost four years, during the most intense and strategically important phases of World War II, more than 200,000 Filipinos fought side-by-side with Allied forces.

It is my hope that the Senate will follow the House's lead so that we can sign this bill into law as soon as possible. But we still have much more to do—we need to once and for all restore full benefits for the Filipino veterans residing in this country in the same manner as furnished to our other U.S. veterans. I look forward to working with my colleagues in the House and Senate to erase this black mark on our country's history.

Mr. BILIRAKIS. Mr. Chairman, I rise today in support of H.R. 1802, the Foster Care Independence Act. I would first like to thank my colleagues, the gentlelady from Connecticut, Mrs. JOHNSON, and the gentleman from Maryland, Mr. CARDIN, for championing this bill and bringing it so swiftly to the floor of the House.

Mr. Chairman, each year the foster care system emancipates approximately 20,000 youth—with expectations of self-sufficiency. Unfortunately, the woefully inadequate Independent Living Program has not equipped many of these individuals with necessary life skills. The consequences of this inadequate program have meant that many young adults leave the foster care system with serious lifelong problems such as: alcoholism, homelessness, lack of employment stability, incarceration, and pregnancy at early age.

The Foster Care Independence Act increases flexibility for States to structure their programs to meet the unique needs of their foster care population. In addition to increased flexibility, the bill doubles the funding available for Independent Living Programs. The bill also assures that participants in the Independent Living Programs receive job and vocational training, education assistance, and other valuable services by requiring States to demonstrate the success of these programs.

In addition, this bill extends health services to foster care youth by allowing States to expand their Medicaid programs to foster care youth ages 18–20. Currently, many young people leaving foster care at age 18 lose their health care coverage, at a time in which they may need this coverage the most. Studies have indicated that health care costs for foster care children are two to five times greater than other children on Medicaid. This is primarily due to a greater need for mental health services. H.R. 1802 provides added incentives for States to expand their coverage to emancipated foster care youth, giving them access to needed health care services.

I thank my colleagues for their swift action on this bill and strongly support its passage.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in support of H.R. 1802 the Foster Care Independence Act of 1999.

An estimated 20,000 young people leave foster care at age 18 each year with no formal connections to family; they have not been returned to their birth families or adopted. Federal and state financial support for these young people ends just as they are making the critical transition to independence.

Without the emotional, social, and financial support that families provide, many of these youth are not adequately prepared for life on their own.

The federal Independent Living Program currently provides $70 million a year to states for services for youths ages 16 and older in foster care, including help obtaining a high school diploma, GED, or vocational training, and providing life skills training, counseling and other social services. Funding must end when they reach 18, or 19 if they are expected to graduate from high school by then. In some states, these activities are supplemented by investments from other public entities and/or the private sector. In Texas, for example, the state college system provides free tuition for youths aging out of foster care. In other communities, businesses offer mentoring and jobs for youths preparing to leave care. The Bridges for Independence Program, a public private partnership in Los Angeles County, offers a full array of housing, education, employment and life skills support for youths who have exited from foster care. Young people who have spent time in foster care also are extremely effective advocates for independent living in a number of states.

This bipartisan bill will increase the likelihood that many of the 20,000 children who leave foster care at age 18 or 19 each year with no formal connection to families will find the stability and supports they need to succeed. While the 1997 Adoption and Safe Families Act will offer all young people in foster care permanent homes more quickly in the future, we must not ignore the needs of young people who are currently being discharged from care and left to fend for themselves.

Without the emotional, social, and financial support that families provide, many of these youths are not adequately prepared for life on their own. Evidence from a careful study in Wisconsin of a group of young people leaving foster care found that: 12 to 18 months after leaving care, 37% had not yet completed high school, 50% were not employed, 44% had a problem obtaining medical care, despite their mental health needs, and 37% of the group had been seriously physically victimized, sexually assaulted, raped, incarcerated of homeless during that period.

H.R. 1802 increases funds to states to assist youths to make the transition from foster care to independent living.

Federal funding for the Independent Living Program is doubled from $70 million to $140 million a year. Funds can be used to help youths make the transition from foster care to self-sufficiency by offering them the education, vocational and employment training necessary to obtain employment and/or prepare for post secondary education, training in daily living skills, substance abuse prevention, pregnancy prevention, and preventive health activities, and connections to dedicated adults.

States must contribute a 20 percent state match for Independent Living Program funds.

States must use federal training funds (authorized by Title IV–E of the Social Security Act) to help foster parents, group home workers, and case managers address issues confronting adolescents preparing for independent living.

H.R. 1802 recognizes the need for special help for youths ages 18 to 21 who have left foster care.

States must use some portion of their funds for assistance and services for older youths who have left foster care but have not reached age 21.

States can use up to 30 percent of their Independent Living Program funds for room and board for youths ages 18 to 21 who have left foster care.

H.R. 1802 helps older youths transitioning from foster care have access to needed health and mental health services.

States may extend Medicaid coverage to youths transitioning from foster care who have attained age 18 but not 21, or to a subset of this population.

H.R. 1802 offers states greater flexibility in designing their independent living programs.

H.R. 1802 establishes accountability for states in implementing the independent living programs.

The Secretary of Health and Human Services, in consultation with state and local officials, child welfare advocates, members of Congress, researchers, and others must develop outcome measures to assess state performance and data elements necessary to track how many children are receiving services, what they are receiving, and state performance on outcomes.

States should coordinate the independent living funds with other funding sources for similar services.

States are subject to penalty if they misuse funds or fail to submit required data on state performance.

$2.1 million is set aside for a national evaluation and for technical assistance to states in assisting youth's transitioning from foster care.

Mr. Chairman, I ask my colleagues to vote yes for H.R. 1802 so that these foster children will have the opportunity to become productive citizens of this country.

Mr. CAMP. Mr. Chairman, I rise in strong support of what our bill today seeks to accomplish.

I want to thank Chairman NANCY JOHNSON for her leadership on this very important bill. I was very proud to be a part of our efforts to revamp the Foster Care system when this House passed the Adoption and Safe Families Act two years ago. And our efforts are paying off—preliminary numbers show that adoptions of foster children have increased 40 percent since 1995.

But this bill takes the next step—it recognizes that no matter how hard we work, some kids will turn 18 in foster care. They'll ''age out'' of the foster care system without a network of family and loved ones to turn to. And the evidence our Subcommittee has heard suggests these kids often have a very tough time. Up to two-thirds of the 18-year olds don't even complete high school or get a GED.

The bill's provisions to help our young people who age out of foster care are very strong. Our Subcommittee has worked very hard to get bipartisan and widespread agreement on the best ways to do this.

I believe it's important, however, to raise some concerns about how we pay for this bill today. I firmly believe that increases in one human services program should not come at the expense of another critical program. The bill repeals the ''hold harmless'' provision that was a part of the welfare reform law.

In a nutshell, the ''hold harmless'' provision in current law ensures that if, in a given year, the states do not reach their 1995 level of child support collections, the federal government will hold them harmless and provide funds to make up for the state shortfalls.

But repeal of ''hold harmless'' points to a bigger issue—the commitments that we have made to the states as a part of the welfare reform effort. Welfare reform is a partnership, between the Federal Government and all 50 states. Two issues are central to that commitment:

First, this was a promise, I fear that this sets a bad precedent, and other promises that this Congress has made to the states in welfare will erode. We've seen it already, with the issue of administrative expenses for TANF funding. We're seeing it again today, and if we're not careful, we'll see it again tomorrow on another issue.

Second, the states have made budget decisions for their entire human services budgets based on the promises they've been made—it's an interlocking and complex web, and pulling back from our financial commitment in one area is going to require the sates to make up that shortfall in other ways.

I applaud our Subcommittee Chairman for her efforts to help these 20,000 children coming out of the foster care system each year. I also applaud her for the important efforts she's made in her Manager's Amendment, to allow at least a partial ''hold harmless'' payment to states that share more of their child support collections with families.

Today I will support this bill, for the important ways it helps our nation's foster care children. But I would strongly urge the Chairman and others to continue to seek other ways to pay for the provisions in our bill, as the process moves forward.

Mrs. MINK of Hawaii. Mr. Chairman, I rise to express my support for H.R. 1802, the Foster Care Independence Act of 1999. I commend you for bringing this legislation to the Floor.

I am particularly pleased that this bill will allow all U.S. Veterans who decide to move out of the country, to continue receiving a portion of their SSI benefits. Although when H.R. 1802 passed out of committee, this section was intended to provide special recognition to certain World War II Filipino Veterans who served under the U.S. flag and were abandoned by the U.S. government soon after the war ended, I certainly do support expanding this provision to include all U.S. Veterans.

Nonetheless, I still think the United States must uphold the promises it made to Filipino Veterans who served under the U.S. flag while the Republic of the Philippines was a possession of the United States. The Philippines was a United States possession from 1898, when it was ceded from Spain following the Spanish-American War, until Independence in 1946.

With the impending threat of World War II, on July 26, 1941, President Roosevelt, by executive order brought the Philippine Commonwealth Army into the service of the U.S. Army Forces of the Far East. Subsequently, the U.S. Army took over responsibility for supply and pay of the Philippine Commonwealth Army. Five months later on December 7, 1941, the Japanese attacked Pearl Harbor in Hawaii and Clark Airfield in the Philippines. Despite the fall of the Philippines to Japan in 1942, resistance efforts by organized Filipino soldier and guerrilla groups led by the United States Commanders, continued throughout the Japanese occupation of the Philippines. These brave resistance efforts slowed the Japanese advance and bought the U.S. the precious time it needed to rebuild the Pacific Fleet.

There are four groups of Filipino nationals who are entitled to all or some of the benefits to which U.S. veterans are entitled: 1. Filipinos who served in the regular components of the U.S. Armed Forces; 2. Those who enlisted in the Filipino-manned units of the U.S. Army prior to October 6, 1945, known as Old Scouts; 3. Those who enlisted in the U.S. Armed Forces between October 6, 1945, and June 30, 1947, known as New Scouts; and Members of the Philippine Commonwealth Army who on July 26, 1941, were called into the service of the U.S. Armed Forces. This group also includes guerrilla resistance units that were recognized by the U.S. Army.

Filipinos residing in the U.S. who were in the first two groups mentioned, the regular components of U.S. Armed Forces and in the Old Scouts, are eligible for outpatient care, hospital care, and nursing home care for their service-connected disabilities and nonservice-connected disabilities, on the same basis as any U.S. veteran. Contract care for these services is also authorized for these groups. They are also entitled to: service-connected compensation and dependents' education benefits; nonservice-connected pension; and both service-connected and nonservice-connected burial benefits, life insurance and the home loan program.

Filipinos residing in the U.S. who were however in the second two groups, the New Scouts and the Philippine Commonwealth Army, are only eligible for outpatient, hospital, and nursing home care for service-connected disabilities and within the limits of the DVA facilities. They are not eligible for contract care for these services. Both groups are also eligible for service-connected compensation and dependents' education benefits at half the rate provided to other U.S. veterans. Both groups are eligible for both service and nonservice connected life insurance but only members of the Commonwealth Army are eligible for service-connected burial benefits and neither are eligible for nonservice-connected burial benefits.

Despite the Old Scouts, New Scouts, Commonwealth Army and U.S. Armed Forces fighting side by side all under U.S. command and while the Philippines was a U.S. possession, their benefits and recognition by the U.S. Government vary significantly. It is time that we provide all of these veterans the recognition they deserve.

Historical records show that many U.S. Government officials, in their official capabilities, publicly conveyed that these Filipino Veterans should be entitled to full U.S. Veterans' benefits. General MacArthur broadcast numerous radio messages recommending that members of the Philippine Commonwealth Army be paid the same as members of the U.S. Army. The War Department reported to General MacArthur that the New Filipino Scouts were entitled to all benefits, including the G.I. Bill of Rights and VA benefits. General Omar Bradley, as Director of the VA, advised the Senate Appropriations Committee that the term ''veterans'' included Philippine Commonwealth Army veterans. Finally President Truman ''took exception'' to the provision in Public Law 79–301 which limited benefits for Commonwealth Army veterans and initiated an intergovernmental committee to examine opportunities for restoring benefits to these veterans. These documented statements provide sound evidence that Filipino soldiers were led to believe they would be entitled to full U.S. Veterans benefits after their service.

Despite the heroism and sacrifices of these valiant soldiers who served under the U.S. flag, the U.S. turned its back on them denying

them the benefits and more importantly, the honor, that they had fought for, deserved and earned. It is time the United States make good on its promises. H.R. 1802 is a step in the right direction as it will enable all U.S. Veterans, including many of these WWII Filipino Veterans who are now living in or near poverty in the U.S., to keep part of their SSI benefits if they choose to live in another country.

I am pleased to support H.R. 1802 and I am delighted that we are extending these additional benefits to our veterans, but we must not rest until those WWII Filipino Veterans, whom the U.S. has neglected for so many years, receive the benefits and honor they deserve.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute recommended by the Committee on Ways and Means is considered as an original bill for the purpose of amendment under the 5-minute rule and is considered read.

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

H.R. 1802

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 ''Foster Care Independence Act of 1999''.

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

TITLE I—IMPROVED INDEPENDENT LIVING PROGRAM

Subtitle A—Improved Independent Living Program

SEC. 101. IMPROVED INDEPENDENT LIVING PROGRAM.

(a) FINDINGS.—The Congress finds the following:

(1) States are required to make reasonable efforts to find adoptive families for all children, including older children, for whom reunification with their biological family is not in the best interests of the child. However, some older children will continue to live in foster care. These children should be enrolled in an Independent Living program designed and conducted by State and local government to help prepare them for employment, postsecondary education, and successful management of adult responsibilities.

(2) About 20,000 adolescents leave the Nation's foster care system each year because they have reached 18 years of age and are expected to support themselves.

(3) Congress has received extensive information that adolescents leaving foster care have significant difficulty making a successful transition to adulthood; this information shows that children aging out of foster care show high rates of homelessness, non-marital childbearing, poverty, and delinquent or criminal behavior; they are also frequently the target of crime and physical assaults.

(4) The Nation's State and local governments, with financial support from the Federal Government, should offer an extensive program of education, training, employment, and financial support for young adults leaving foster care, with participation in such program beginning several years before high school graduation and continuing, as needed, until the young adults emancipated from foster care establish independence or reach 21 years of age.

(b) IMPROVED INDEPENDENT LIVING PROGRAM.—Section 477 of the Social Security Act (42 U.S.C. 677) is amended to read as follows:

''SEC. 477. INDEPENDENT LIVING PROGRAM.

''(a) PURPOSE.—The purpose of this section is to provide States with flexible funding that will enable programs to be designed and conducted—

''(1) to identify children who are likely to remain in foster care until 18 years of age and to design programs that help these children make the transition to self-sufficiency by providing services such as assistance in obtaining a high school diploma, career exploration, vocational training, job placement and retention, training in daily living skills, training in budgeting and financial management skills, and substance abuse prevention;

''(2) to help children who are likely to remain in foster care until 18 years of age receive the education, training, and services necessary to obtain employment;

''(3) to help children who are likely to remain in foster care until 18 years of age prepare for and enter postsecondary training and education institutions;

''(4) to provide personal and emotional support to children aging out of foster care, through mentors and the promotion of interactions with dedicated adults; and

''(5) to provide financial, housing, counseling, employment, education, and other appropriate support and services to former foster care recipients between 18 and 21 years of age to complement their own efforts to achieve self-sufficiency.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—A State may apply for funds from its allotment under subsection (c) for a period of 5 consecutive fiscal years by submitting to the Secretary, in writing, a plan that meets the requirements of paragraph (2) and the certifications required by paragraph (3) with respect to the plan.

''(2) STATE PLAN.—A plan meets the requirements of this paragraph if the plan specifies which State agency or agencies will administer, supervise, or oversee the programs carried out under the plan, and describes how the State intends to do the following:

''(A) Design and deliver programs to achieve the purposes of this section.

''(B) Ensure that all political subdivisions in the State are served by the program, though not necessarily in a uniform manner.

''(C) Ensure that the programs serve children of various ages and at various stages of achieving independence.

''(D) Involve the public and private sectors in helping adolescents in foster care achieve independence.

''(E) Use objective criteria for determining eligibility for benefits and services under the programs, and for ensuring fair and equitable treatment of benefit recipients.

''(F) Cooperate in national evaluations of the effects of the programs in achieving the purposes of this section.

''(3) CERTIFICATIONS.—The certifications required by this paragraph with respect to a plan are the following:

''(A) A certification by the chief executive officer of the State that the State will provide assistance and services to children who have left foster care but have not attained 21 years of age.

''(B) A certification by the chief executive officer of the State that not more than 30 percent of the amounts paid to the State from its allotment under subsection (c) for a fiscal year will be expended for room or board for children who have left foster care and have attained 18 years of age but not 21 years of age.

''(C) A certification by the chief executive officer of the State that none of the amounts paid to the State from its allotment under subsection (c) will be expended for room or board for any child who has not attained 18 years of age.

''(D) A certification by the chief executive officer of the State that the State has consulted widely with public and private organizations in developing the plan and that the State has given all interested members of

the public at least 30 days to submit comments on the plan.

''(E) A certification by the chief executive officer of the State that the State will make every effort to coordinate the State programs receiving funds provided from an allotment made to the State under subsection (c) with other Federal and State programs for youth, especially transitional living youth projects funded under part B of title III of the Juvenile Justice and Delinquency Prevention Act of 1974.

''(F) A certification by the chief executive officer of the State that each Indian tribe in the State has been informed about the programs to be carried out under the plan; that each such tribe has been given an opportunity to comment on the plan before submission to the Secretary; and that benefits and services under the programs will be made available to Indian children in the State on the same basis as to other children in the State.

''(G) A certification by the chief executive officer of the State that the State has established and will enforce standards and procedures to prevent fraud and abuse in the programs carried out under the plan.

''(4) APPROVAL.—The Secretary shall approve an application submitted by a State pursuant to paragraph (1) for a period if—

''(A) the application is submitted on or before June 30 of the calendar year in which such period begins;

''(B) the Secretary finds that the application contains the material required by paragraph (1); and

''(C) all children in the State who have left foster care and have attained 18 years of age but not 21 years of age are eligible for medical assistance under the State plan approved under title XIX.

''(5) AUTHORITY TO IMPLEMENT CERTAIN AMENDMENTS; NOTIFICATION.—A State with an application approved under paragraph (4) may implement any amendment to the plan contained in the application if the application, incorporating the amendment, would be approvable under paragraph (4). Within 30 days after a State implements any such amendment, the State shall notify the Secretary of the amendment.

''(6) AVAILABILITY.—The State shall make available to the public any application submitted by the State pursuant to paragraph (1), and a brief summary of the plan contained in the application.

''(c) ALLOTMENTS TO STATES.—

''(1) IN GENERAL.—From the amount specified in subsection (h) that remains after applying subsection (g)(2) for a fiscal year, the Secretary shall allot to each State with an application approved under subsection (b) for the fiscal year the amount which bears the same ratio to such remaining amount as the number of children in foster care under a program of the State in the most recent fiscal year for which such information is available bears to the total number of children in foster care in all States for such most recent fiscal year.

''(2) HOLD HARMLESS PROVISION.—The Secretary shall ratably reduce the allotments made to States pursuant to paragraph (1) for a fiscal year to the extent necessary to ensure that the amount allotted to each State under paragraph (1) and this paragraph for the fiscal year is not less than the amount payable to the State under this section (as in effect before the enactment of the Foster Care Independence Act of 1999) for fiscal year 1998.

''(3) REALLOTMENT OF UNUSED FUNDS.—The Secretary shall use the formula provided in paragraph (1) of this subsection to reallot among the States with applications approved under subsection (b) for a fiscal year any amount allotted to a State under this subsection for the preceding year that is not payable to the State for the preceding year.

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—A State to which an amount is paid from its allotment under subsection (c) may use the amount in any manner that is reasonably calculated to accomplish the purposes of this section.

''(2) NO SUPPLANTATION OF OTHER FUNDS AVAILABLE FOR SAME GENERAL PURPOSES.—The amounts paid to a State from its allotment under subsection (c) shall be used to supplement and not supplant any other funds which are available for the same general purposes in the State.

''(e) PENALTIES.—

''(1) USE OF GRANT IN VIOLATION OF THIS PART.—If the Secretary is made aware, by an audit conducted under chapter 75 of title 31, United States Code, or by any other means, that a program receiving funds from an allotment made to a State under subsection (c) has been operated in a manner that is inconsistent with, or not disclosed in the State application approved under subsection (b), the Secretary shall assess a penalty against the State in an amount equal to not less than 1 percent and not more than 5 percent of the amount of the allotment.

''(2) FAILURE TO COMPLY WITH DATA REPORTING REQUIREMENT.—The Secretary shall assess a penalty against a State that fails during a fiscal year to comply with an information collection plan implemented under subsection (f) in an amount equal to not less than 1 percent and not more than 5 percent of the amount allotted to the State for the fiscal year.

''(3) PENALTIES BASED ON DEGREE OF NONCOMPLIANCE.—The Secretary shall assess penalties under this subsection based on the degree of noncompliance.

''(f) DATA COLLECTION AND PERFORMANCE MEASUREMENT.—

''(1) IN GENERAL.—The Secretary, in consultation with State and local public officials responsible for administering independent living and other child welfare programs, child welfare advocates, members of Congress, youth service providers, and researchers, shall—

''(A) develop outcome measures (including measures of educational attainment, employment, avoidance of dependency, homelessness, nonmarital childbirth, and high-risk behaviors) that can be used to assess the performance of States in operating independent living programs;

''(B) identify data elements needed to track—

''(i) the number and characteristics of children receiving services under this section;

''(ii) the type and quantity of services being provided; and

''(iii) State performance on the outcome measures; and

''(C) develop and implement a plan to collect the needed information beginning with the 2nd fiscal year beginning after the date of the enactment of this section.

''(2) REPORT TO THE CONGRESS.—Within 12 months after the date of the enactment of this section, 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 report detailing the plans and timetable for collecting from the States the information described in paragraph (1).

''(g) EVALUATIONS.—

''(1) IN GENERAL.—The Secretary shall conduct evaluations of such State programs funded under this section as the Secretary deems to be innovative or of potential national significance. The evaluation of any such program shall include information on the effects of the program on education, employment, and personal development. To the maximum extent practicable, the evaluations shall be based on rigorous scientific standards including random assignment to treatment and control groups. The Secretary is encouraged to work directly with State and local governments to design methods for conducting the evaluations, directly or by grant, contract, or cooperative agreement.

''(2) FUNDING OF EVALUATIONS.—The Secretary shall reserve 1.5 percent of the amount specified in subsection (h) for a fiscal year to carry out, during the fiscal year, evaluation, technical assistance, performance measurement, and data collection activities related to this section, directly or through grants, contracts, or cooperative agreements with appropriate entities.

''(h) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated to the Secretary $140,000,000 for each fiscal year.''.

(c) PAYMENTS TO STATES.—Section 474(a)(4) of such Act (42 U.S.C. 674(a)(4)) is amended to read as follows:

''(4) the lesser of—

''(A) 80 percent of the amount (if any) by which—

''(i) the total amount expended by the State during the fiscal year in which the quarter occurs to carry out programs in accordance with the State application approved under section 477(b) for the period in which the quarter occurs (including any amendment that meets the requirements of section 477(b)(5)); exceeds

''(ii) the total amount of any penalties assessed against the State under section 477(e) during the fiscal year in which the quarter occurs; or

''(B) the amount allotted to the State under section 477 for the fiscal year in which the quarter occurs, reduced by the total of the amounts payable to the State under this paragraph for all prior quarters in the fiscal year.''.

(d) REGULATIONS.—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue such regulations as may be necessary to carry out the amendments made by this section.

Subtitle B—Related Foster Care Provision

SEC. 111. INCREASE IN AMOUNT OF ASSETS ALLOWABLE FOR CHILDREN IN FOSTER CARE.

Section 472(a) of the Social Security Act (42 U.S.C. 672(a)) is amended by adding at the end the following: ''In determining whether a child would have received aid under a State plan approved under section 402 (as in effect on July 16, 1996), a child whose resources (determined pursuant to section 402(a)(7)(B), as so in effect) have a combined value of not more than $10,000 shall be considered to be a child whose resources have a combined value of not more than $1,000 (or such lower amount as the State may determine for purposes of such section 402(a)(7)(B)).''.

Subtitle C—Medicaid Amendments

SEC. 121. STATE OPTION OF MEDICAID COVERAGE FOR ADOLESCENTS LEAVING FOSTER CARE.

(a) IN GENERAL.—Title XIX of the Social Security Act is amended—

(1) in section 1902(a)(10)(A)(ii) (42 U.S.C. 1396a(a)(10)(A)(ii))—

(A) by striking ''or'' at the end of subclause (XIII);

(B) by adding ''or'' at the end of subclause (XIV); and

(C) by adding at the end the following new subclause:

''(XV) who are independent foster care adolescents (as defined in (section 1905(v)(1)), or who are within any reasonable categories of such adolescents specified by the State;''; and

(2) by adding at the end of section 1905 (42 U.S.C. 1396d) the following new subsection:

''(v)(1) For purposes of this title, the term 'independent foster care adolescent' means an individual—

''(A) who is under 21 years of age;

''(B) who, on the individual's 18th birthday, was in foster care under the responsibility of a State; and

''(C) whose assets, resources, and income do not exceed such levels (if any) as the State may establish consistent with paragraph (2).

''(2) The levels established by a State under paragraph (1)(C) may not be less than the corresponding levels applied by the State under section 1931(b).

''(3) A State may limit the eligibility of independent foster care adolescents under section 1902(a)(10)(A)(ii)(XV) to those individuals with respect to whom foster care maintenance payments or independent living services were furnished under a program funded under part E of title IV before the date the individuals attained 18 years of age.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to medical assistance for items and services furnished on or after October 1, 1999.

TITLE II—SSI FRAUD PREVENTION

Subtitle A—Fraud Prevention and Related Provisions

SEC. 201. LIABILITY OF REPRESENTATIVE PAYEES FOR OVERPAYMENTS TO DECEASED RECIPIENTS.

(a) AMENDMENT TO TITLE II.—Section 204(a)(2) of the Social Security Act (42 U.S.C. 404(a)(2)) is amended by adding at the end the following new sentence: ''If any payment of more than the correct amount is made to a representative payee on behalf of an individual after the individual's death, the representative payee shall be liable for the repayment of the overpayment, and the Commissioner of Social Security shall establish an overpayment control record under the social security account number of the representative payee.''.

(b) AMENDMENT TO TITLE XVI.—Section 1631(b)(2) of such Act (42 U.S.C. 1383(b)(2)) is amended by adding at the end the following new sentence: ''If any payment of more than the correct amount is made to a representative payee on behalf of an individual after the individual's death, the representative payee shall be liable for the repayment of the overpayment, and the Commissioner of Social Security shall establish an overpayment control record under the social security account number of the representative payee.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to overpayments made 12 months or more after the date of the enactment of this Act.

SEC. 202. RECOVERY OF OVERPAYMENTS OF SSI BENEFITS FROM LUMP SUM SSI BENEFIT PAYMENTS.

(a) IN GENERAL.—Section 1631(b)(1)(B)(ii) of the Social Security Act (42 U.S.C. 1383(b)(1)(B)(ii)) is amended—

(1) by inserting ''monthly'' before ''benefit payments''; and

(2) by inserting ''and in the case of an individual or eligible spouse to whom a lump sum is payable under this title (including under section 1616(a) of this Act or under an agreement entered into under section 212(a) of Public Law 93–66) shall, as at least one means of recovering such overpayment, make the adjustment or recovery from the lump sum payment in an amount equal to not less than the lesser of the amount of the overpayment or 50 percent of the lump sum payment,'' before ''unless fraud''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 12 months after the date of the enactment of this Act and shall apply to amounts incorrectly paid which remain outstanding on or after such date.

SEC. 203. ADDITIONAL DEBT COLLECTION PRACTICES.

(a) IN GENERAL.—Section 1631(b) of the Social Security Act (42 U.S.C. 1383(b)) is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(2) by inserting after paragraph (3) the following:

''(4)(A) With respect to any delinquent amount, the Commissioner of Social Security may use the collection practices described in sections 3711(f), 3716, 3717, and 3718 of title 31, United States Code, and in section 5514 of title 5, United States Code, all as in effect immediately after the enactment of the Debt Collection Improvement Act of 1996.

''(B) For purposes of subparagraph (A), the term 'delinquent amount' means an amount—

''(i) in excess of the correct amount of payment under this title;

''(ii) paid to a person after such person has attained 18 years of age; and

''(iii) determined by the Commissioner of Social Security, under regulations, to be otherwise unrecoverable under this section after such person ceases to be a beneficiary under this title.''.

(b) CONFORMING AMENDMENTS.—Section 3701(d)(2) of title 31, United States Code, is amended by striking ''section 204(f)'' and inserting ''sections 204(f) and 1631(b)(4)''.

(c) TECHNICAL AMENDMENTS.—Section 204(f) of the Social Security Act (42 U.S.C. 404(f)) is amended—

(1) by striking ''3711(e)'' and inserting ''3711(f)''; and

(2) by inserting ''all'' before ''as in effect''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to debt outstanding on or after the date of the enactment of this Act.

SEC. 204. REQUIREMENT TO PROVIDE STATE PRISONER INFORMATION TO FEDERAL AND FEDERALLY ASSISTED BENEFIT PROGRAMS.

Section 1611(e)(1)(I)(ii)(II) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(ii)(II)) is amended by striking ''is authorized to'' and inserting ''shall''.

SEC. 205. RULES RELATING TO COLLECTION OF OVERPAYMENTS FROM INDIVIDUALS CONVICTED OF CRIMES.

(a) WAIVERS INAPPLICABLE TO OVERPAYMENTS BY REASON OF PAYMENT IN MONTHS IN WHICH BENEFICIARY IS A PRISONER OR A FUGITIVE.—

(1) AMENDMENT TO TITLE II.—Section 204(b) of the Social Security Act (42 U.S.C. 404(b)) is amended—

(A) by inserting ''(1)'' after ''(b)''; and

(B) by adding at the end the following:

''(2) Paragraph (1) shall not apply with respect to any payment to any person made during a month in which such benefit was not payable under section 202(x).''.

(2) AMENDMENT TO TITLE XVI.—Section 1631(b)(1)(B)(i) of such Act (42 U.S.C. 1383(b)(1)(B)(i)) is amended by inserting ''unless (I) section 1611(e)(1) prohibits payment to the person of a benefit under this title for the month by reason of confinement of a type described in clause (i) or (ii) of section 202(x)(1)(A), or (II) section 1611(e)(5) prohibits payment to the person of a benefit under this title for the month,'' after ''administration of this title''.

(b) 10-YEAR PERIOD OF INELIGIBILITY FOR PERSONS FAILING TO NOTIFY COMMISSIONER OF OVERPAYMENTS IN MONTHS IN WHICH BENEFICIARY IS A PRISONER OR A FUGITIVE OR FAILING TO COMPLY WITH REPAYMENT SCHEDULE FOR SUCH OVERPAYMENTS.—

(1) AMENDMENT TO TITLE II.—Section 202(x) of such Act (42 U.S.C. 402(x)) is amended by adding at the end the following:

''(4)(A) No person shall be considered entitled to monthly insurance benefits under this section based on the person's disability or to disability insurance benefits under section 223 otherwise payable during the 10-year period that begins on the date the person—

''(i) knowingly fails to timely notify the Commissioner of Social Security, in connection with any application for benefits under this title, of any prior receipt by such person of any benefit under this title or title XVI in any month in which such benefit was not payable under the preceding provisions of this subsection, or

''(ii) knowingly fails to comply with any schedule imposed by the Commissioner which is for repayment of overpayments comprised of payments described in subparagraph (A) and which is in compliance with section 204.

''(B) The Commissioner of Social Security shall, in addition to any other relevant factors, take into account any mental or linguistic limitations of a person (including any lack of facility with the English language) in determining whether the person has knowingly failed to comply with a requirement of clause (i) or (ii) of subparagraph (A).''.

(2) AMENDMENT TO TITLE XVI.—Section 1611(e)(1) of such Act (42 U.S.C. 1382(e)(1)) is amended by adding at the end the following:

''(J)(i) A person shall not be considered an eligible individual or eligible spouse for purposes of benefits under this title by reason of disability, during the 10-year period that begins on the date the person—

''(I) knowingly fails to timely notify the Commissioner of Social Security, in an application for benefits under this title, of any prior receipt by the person of a benefit under this title or title II in a month in which payment to the person of a benefit under this title was prohibited by—

''(aa) the preceding provisions of this paragraph by reason of confinement of a type described in clause (i) or (ii) of section 202(x)(1)(A); or

''(bb) section 1611(e)(4); or

''(II) knowingly fails to comply with any schedule imposed by the Commissioner which is for repayment of overpayments comprised of payments described in clause (i) of this subparagraph and which is in compliance with section 1631(b).

''(ii) The Commissioner of Social Security shall, in addition to any other relevant factors, take into account any mental or linguistic limitations of a person (including any lack of facility with the English language) in determining whether the person has knowingly failed to comply with a requirement of subclause (I) or (II) of clause (i).''.

(c) CONTINUED COLLECTION EFFORTS AGAINST PRISONERS.—

(1) AMENDMENT TO TITLE II.—Section 204(b) of such Act (42 U.S.C. 404(b)), as amended by subsection (a)(1) of this section, is amended further by adding at the end the following new paragraph:

''(3) The Commissioner shall not refrain from recovering overpayments from resources currently available to any overpaid person or to such person's estate solely because such individual is confined as described in clause (i) or (ii) of section 202(x)(1)(A).''.

(2) AMENDMENT TO TITLE XVI.—Section 1631(b)(1)(A) of such Act (42 U.S.C. 1383(b)(1)(A)) is amended by adding after and below clause (ii) the following flush left sentence:

''The Commissioner shall not refrain from recovering overpayments from resources currently available to any individual solely because the individual is confined as described in clause (i) or (ii) of section 202(x)(1)(A).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to overpayments made in, and to benefits payable for, months beginning 24 months or more after the date of the enactment of this Act.

SEC. 206. TREATMENT OF ASSETS HELD IN TRUST UNDER THE SSI PROGRAM.

(a) TREATMENT AS RESOURCE.—Section 1613 of the Social Security Act (42 U.S.C. 1382b) is amended by adding at the end the following:

''Trusts

''(e)(1) In determining the resources of an individual, paragraph (3) shall apply to a trust (other than a trust described in paragraph (5)) established by the individual.

''(2)(A) For purposes of this subsection, an individual shall be considered to have established a trust if any assets of the individual (or of the individual's spouse) are transferred to the trust other than by will.

''(B) In the case of an irrevocable trust to which are transferred the assets of an individual (or of the individual's spouse) and the assets of any other person, this subsection shall apply to the portion of the trust attributable to the assets of the individual (or of the individual's spouse).

''(C) This subsection shall apply to a trust without regard to—

''(i) the purposes for which the trust is established;

''(ii) whether the trustees have or exercise any discretion under the trust;

''(iii) any restrictions on when or whether distributions may be made from the trust; or

''(iv) any restrictions on the use of distributions from the trust.

''(3)(A) In the case of a revocable trust established by an individual, the corpus of the trust shall be considered a resource available to the individual.

''(B) In the case of an irrevocable trust established by an individual, if there are any circumstances under which payment from the trust could be made to or for the benefit of the individual or the individual's spouse, the portion of the corpus from which payment to or for the benefit of the individual or the individual's spouse could be made shall be considered a resource available to the individual.

''(4) The Commissioner of Social Security may waive the application of this subsection with respect to an individual if the Commissioner determines that such application would work an undue hardship (as determined on the basis of criteria established by the Commissioner) on the individual.

''(5) This subsection shall not apply to a trust described in subparagraph (A) or (C) of section 1917(d)(4).

''(6) For purposes of this subsection—

''(A) the term 'trust' includes any legal instrument or device that is similar to a trust;

''(B) the term 'corpus' means, with respect to a trust, all property and other interests held by the trust, including accumulated earnings and any other addition to the trust after its establishment (except that such term does not include any such earnings or addition in the month in which the earnings or addition is credited or otherwise transferred to the trust); and

''(C) the term 'asset' includes any income or resource of the individual or of the individual's spouse, including—

''(i) any income excluded by section 1612(b);

''(ii) any resource otherwise excluded by this section; and

''(iii) any other payment or property to which the individual or the individual's spouse is entitled but does not receive or have access to because of action by—

''(I) the individual or spouse;

''(II) a person or entity (including a court) with legal authority to act in place of, or on behalf of, the individual or spouse; or

''(III) a person or entity (including a court) acting at the direction of, or on the request of, the individual or spouse.''.

(b) TREATMENT AS INCOME.—Section 1612(a)(2) of such Act (42 U.S.C. 1382a(a)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by adding at the end the following:

''(G) any earnings of, and additions to, the corpus of a trust established by an individual (within the meaning of section 1613(e)), of which the individual is a beneficiary, to which section 1613(e) applies, and, in the case of an irrevocable trust, with respect to which circumstances exist under which a payment from the earnings or additions could be made to or for the benefit of the individual.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2000, and shall apply to trusts established on or after such date.

SEC. 207. DISPOSAL OF RESOURCES FOR LESS THAN FAIR MARKET VALUE UNDER THE SSI PROGRAM.

(a) IN GENERAL.—Section 1613(c) of the Social Security Act (42 U.S.C. 1382b(c)) is amended—

(1) in the caption, by striking ''Notification of Medicaid Policy Restricting Eligibility of Institutionalized Individuals for Benefits Based on'';

(2) in paragraph (1)—

(A) in subparagraph (A)—

(i) by inserting ''paragraph (1) and'' after ''provisions of'';

(ii) by striking ''title XIX'' the first place it appears and inserting ''this title and title XIX, respectively,'';

(iii) by striking ''subparagraph (B)'' and inserting ''clause (ii)'';

(iv) by striking ''paragraph (2)'' and inserting ''subparagraph (B)'';

(B) in subparagraph (B)—

(i) by striking ''by the State agency''; and

(ii) by striking ''section 1917(c)'' and all that follows and inserting ''paragraph (1) or section 1917(c).''; and

(C) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(3) in paragraph (2)—

(A) by striking ''(2)'' and inserting ''(B)''; and

(B) by striking ''paragraph (1)(B)'' and inserting ''subparagraph (A)(ii)'';

(4) by striking ''(c)(1)'' and inserting ''(2)(A)''; and

(5) by inserting before paragraph (2) (as so redesignated by paragraph (4) of this subsection) the following:

''(c)(1)(A)(i) If an individual or the spouse of an individual disposes of resources for less than fair market value on or after the look-back date described in clause (ii)(I), the individual is ineligible for benefits under this title for months during the period beginning on the date described in clause (iii) and equal to the number of months calculated as provided in clause (iv).

''(ii)(I) The look-back date described in this subclause is a date that is 36 months before the date described in subclause (II).

''(II) The date described in this subclause is the date on which the individual applies for benefits under this title or, if later, the date on which the individual (or the spouse of the individual) disposes of resources for less than fair market value.

''(iii) The date described in this clause is the first day of the first month in or after which resources were disposed of for less than fair market value and which does not occur in any other period of ineligibility under this paragraph.

''(iv) The number of months calculated under this clause shall be equal to—

''(I) the total, cumulative uncompensated value of all resources so disposed of by the individual (or the spouse of the individual) on or after the look-back date described in clause (ii)(I); divided by

''(II) the amount of the maximum monthly benefit payable under section 1611(b), plus the amount (if any) of the maximum State supplementary payment corresponding to the State's payment level applicable to the individual's living arrangement and eligibility category that would otherwise be payable to the individual by the Commissioner pursuant to an agreement under section 1616(a) of this Act or section 212(b) of Public Law 93–66, for the month in which occurs the date described in clause (ii)(II),

rounded, in the case of any fraction, to the nearest whole number, but shall not in any case exceed 36 months.

''(B)(i) Notwithstanding subparagraph (A), this subsection shall not apply to a transfer of a resource to a trust if the portion of the trust attributable to the resource is considered a resource available to the individual pursuant to subsection (e)(3) (or would be so considered but for the application of subsection (e)(4)).

''(ii) In the case of a trust established by an individual or an individual's spouse (within the meaning of subsection (e)), if from such portion of the trust, if any, that is considered a resource available to the individual pursuant to subsection (e)(3) (or would be so considered but for the application of subsection (e)(4)) or the residue of the portion on the termination of the trust—

''(I) there is made a payment other than to or for the benefit of the individual; or

''(II) no payment could under any circumstance be made to the individual,

then, for purposes of this subsection, the payment described in clause (I) or the foreclosure of payment described in clause (II) shall be considered a transfer of resources by the individual or the individual's spouse as of the date of the payment or foreclosure, as the case may be.

''(C) An individual shall not be ineligible for benefits under this title by reason of the application of this paragraph to a disposal of resources by the individual or the spouse of the individual, to the extent that—

''(i) the resources are a home and title to the home was transferred to—

''(I) the spouse of the transferor;

''(II) a child of the transferor who has not attained 21 years of age, or is blind or disabled;

''(III) a sibling of the transferor who has an equity interest in such home and who was residing in the transferor's home for a period of at least 1 year immediately before the date the transferor becomes an institutionalized individual; or

''(IV) a son or daughter of the transferor (other than a child described in subclause (II)) who was residing in the transferor's home for a period of at least 2 years immediately before the date the transferor becomes an institutionalized individual, and who provided care to the transferor which permitted the transferor to reside at home rather than in such an institution or facility;

''(ii) the resources—

''(I) were transferred to the transferor's spouse or to another for the sole benefit of the transferor's spouse;

''(II) were transferred from the transferor's spouse to another for the sole benefit of the transferor's spouse;

''(III) were transferred to, or to a trust (including a trust described in section

1917(d)(4)) established solely for the benefit of, the transferor's child who is blind or disabled; or

''(IV) were transferred to a trust (including a trust described in section 1917(d)(4)) established solely for the benefit of an individual who has not attained 65 years of age and who is disabled;

''(iii) a satisfactory showing is made to the Commissioner of Social Security (in accordance with regulations promulgated by the Commissioner) that—

''(I) the individual who disposed of the resources intended to dispose of the resources either at fair market value, or for other valuable consideration;

''(II) the resources were transferred exclusively for a purpose other than to qualify for benefits under this title; or

''(III) all resources transferred for less than fair market value have been returned to the transferor; or

''(iv) the Commissioner determines, under procedures established by the Commissioner, that the denial of eligibility would work an undue hardship as determined on the basis of criteria established by the Commissioner.

''(D) For purposes of this subsection, in the case of a resource held by an individual in common with another person or persons in a joint tenancy, tenancy in common, or similar arrangement, the resource (or the affected portion of such resource) shall be considered to be disposed of by the individual when any action is taken, either by the individual or by any other person, that reduces or eliminates the individual's ownership or control of such resource.

''(E) In the case of a transfer by the spouse of an individual that results in a period of ineligibility for the individual under this subsection, the Commissioner shall apportion the period (or any portion of the period) among the individual and the individual's spouse if the spouse becomes eligible for benefits under this title.

''(F) For purposes of this paragraph—

''(i) the term 'benefits under this title' includes payments of the type described in section 1616(a) of this Act and of the type described in section 212(b) of Public Law 93–66;

''(ii) the term 'institutionalized individual' has the meaning given such term in section 1917(e)(3); and

''(iii) the term 'trust' has the meaning given such term in subsection (e)(6)(A) of this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to disposals made on or after the date of enactment of this Act.

SEC. 208. ADMINISTRATIVE PROCEDURE FOR IMPOSING PENALTIES FOR FALSE OR MISLEADING STATEMENTS.

(a) IN GENERAL.—Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1129 the following:

''SEC. 1129A. ADMINISTRATIVE PROCEDURE FOR IMPOSING PENALTIES FOR FALSE OR MISLEADING STATEMENTS.

''(a) IN GENERAL.—Any person who makes, or causes to be made, a statement or representation of a material fact for use in determining any initial or continuing right to or the amount of—

''(1) monthly insurance benefits under title II; or

''(2) benefits or payments under title XVI,

that the person knows or should know is false or misleading or knows or should know omits a material fact or makes such a statement with knowing disregard for the truth shall be subject to, in addition to any other penalties that may be prescribed by law, a penalty described in subsection (b) to be imposed by the Commissioner of Social Security.

''(b) PENALTY.—The penalty described in this subsection is—

''(1) nonpayment of benefits under title II that would otherwise be payable to the person; and

''(2) ineligibility for cash benefits under title XVI,

for each month that begins during the applicable period described in subsection (c).

''(c) DURATION OF PENALTY.—The duration of the applicable period, with respect to a determination by the Commissioner under subsection (a) that a person has engaged in conduct described in subsection (a), shall be—

''(1) 6 consecutive months, in the case of a first such determination with respect to the person;

''(2) 12 consecutive months, in the case of a second such determination with respect to the person; and

''(3) 24 consecutive months, in the case of a third or subsequent such determination with respect to the person.

''(d) EFFECT ON OTHER ASSISTANCE.—A person subject to a period of nonpayment of benefits under title II or ineligibility for title XVI benefits by reason of this section nevertheless shall be considered to be eligible for and receiving such benefits, to the extent that the person would be receiving or eligible for such benefits but for the imposition of the penalty, for purposes of—

''(1) determination of the eligibility of the person for benefits under titles XVIII and XIX; and

''(2) determination of the eligibility or amount of benefits payable under title II or XVI to another person.

''(e) DEFINITION.—In this section, the term 'benefits under title XVI' includes State supplementary payments made by the Commissioner pursuant to an agreement under section 1616(a) of this Act or section 212(b) of Public Law 93–66.

''(f) CONSULTATIONS.—The Commissioner of Social Security shall consult with the Inspector General of the Social Security Administration regarding initiating actions under this section.''.

(b) CONFORMING AMENDMENT PRECLUDING DELAYED RETIREMENT CREDIT FOR ANY MONTH TO WHICH A NONPAYMENT OF BENEFITS PENALTY APPLIES.—Section 202(w)(2)(B) of such Act (42 U.S.C. 402(w)(2)(B)) is amended—

(1) by striking ''and'' at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting '', and''; and

(3) by adding at the end the following:

''(iii) such individual was not subject to a penalty imposed under section 1129A.''.

(c) ELIMINATION OF REDUNDANT PROVISION.—Section 1611(e) of such Act (42 U.S.C. 1382(e)) is amended—

(1) by striking paragraph (4);

(2) in paragraph (6)(A)(i), by striking ''(5)'' and inserting ''(4)''; and

(3) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

(d) REGULATIONS.—Within 6 months after the date of the enactment of this Act, the Commissioner of Social Security shall develop regulations that prescribe the administrative process for making determinations under section 1129A of the Social Security Act (including when the applicable period in subsection (c) of such section shall commence), and shall provide guidance on the exercise of discretion as to whether the penalty should be imposed in particular cases.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to statements and representations made on or after the date of the enactment of this Act.

SEC. 209. EXCLUSION OF REPRESENTATIVES AND HEALTH CARE PROVIDERS CONVICTED OF VIOLATIONS FROM PARTICIPATION IN SOCIAL SECURITY PROGRAMS.

(a) IN GENERAL.—Part A of title XI of the Social Security Act (42 U.S.C. 1301–1320b–17) is amended by adding at the end the following:

''EXCLUSION OF REPRESENTATIVES AND HEALTH CARE PROVIDERS CONVICTED OF VIOLATIONS FROM PARTICIPATION IN SOCIAL SECURITY PROGRAMS

''SEC. 1148. (a) IN GENERAL.—The Commissioner of Social Security shall exclude from participation in the social security programs any representative or health care provider—

''(1) who is convicted of a violation of section 208 or 1632 of this Act,

''(2) who is convicted of any violation under title 18, United States Code, relating to an initial application for or continuing entitlement to, or amount of, benefits under title II of this Act, or an initial application for or continuing eligibility for, or amount of, benefits under title XVI of this Act, or

''(3) who the Commissioner determines has committed an offense described in section 1129(a)(1) of this Act.

''(b) NOTICE, EFFECTIVE DATE, AND PERIOD OF EXCLUSION.—(1) An exclusion under this section shall be effective at such time, for such period, and upon such reasonable notice to the public and to the individual excluded as may be specified in regulations consistent with paragraph (2).

''(2) Such an exclusion shall be effective with respect to services furnished to any individual on or after the effective date of the exclusion. Nothing in this section may be construed to preclude, in determining disability under title II or title XVI, consideration of any medical evidence derived from services provided by a health care provider before the effective date of the exclusion of the health care provider under this section.

''(3)(A) The Commissioner shall specify, in the notice of exclusion under paragraph (1), the period of the exclusion.

''(B) Subject to subparagraph (C), in the case of an exclusion under subsection (a), the minimum period of exclusion shall be five years, except that the Commissioner may waive the exclusion in the case of an individual who is the sole source of essential services in a community. The Commissioner's decision whether to waive the exclusion shall not be reviewable.

''(C) In the case of an exclusion of an individual under subsection (a) based on a conviction or a determination described in subsection (a)(3) occurring on or after the date of the enactment of this section, if the individual has (before, on, or after such date of enactment) been convicted, or if such a determination has been made with respect to the individual—

''(i) on one previous occasion of one or more offenses for which an exclusion may be effected under such subsection, the period of the exclusion shall be not less than 10 years, or

''(ii) on 2 or more previous occasions of one or more offenses for which an exclusion may be effected under such subsection, the period of the exclusion shall be permanent.

''(c) NOTICE TO STATE AGENCIES.—The Commissioner shall promptly notify each appropriate State agency employed for the purpose of making disability determinations under section 221 or 1633(a)—

''(1) of the fact and circumstances of each exclusion effected against an individual under this section, and

''(2) of the period (described in subsection (b)(3)) for which the State agency is directed to exclude the individual from participation in the activities of the State agency in the course of its employment.

''(d) NOTICE TO STATE LICENSING AGENCIES.—The Commissioner shall—

''(1) promptly notify the appropriate State or local agency or authority having responsibility for the licensing or certification of an individual excluded from participation under this section of the fact and circumstances of the exclusion,

''(2) request that appropriate investigations be made and sanctions invoked in accordance with applicable State law and policy, and

''(3) request that the State or local agency or authority keep the Commissioner and the Inspector General of the Social Security Administration fully and currently informed with respect to any actions taken in response to the request.

''(e) NOTICE, HEARING, AND JUDICIAL REVIEW.—(1) Any individual who is excluded (or directed to be excluded) from participation under this section is entitled to reasonable notice and opportunity for a hearing thereon by the Commissioner to the same extent as is provided in section 205(b), and to judicial review of the Commissioner's final decision after such hearing as is provided in section 205(g).

''(2) The provisions of section 205(h) shall apply with respect to this section to the same extent as it is applicable with respect to title II.

''(f) APPLICATION FOR TERMINATION OF EXCLUSION.—(1) An individual excluded from participation under this section may apply to the Commissioner, in the manner specified by the Commissioner in regulations and at the end of the minimum period of exclusion provided under subsection (b)(3) and at such other times as the Commissioner may provide, for termination of the exclusion effected under this section.

''(2) The Commissioner may terminate the exclusion if the Commissioner determines, on the basis of the conduct of the applicant which occurred after the date of the notice of exclusion or which was unknown to the Commissioner at the time of the exclusion, that—

''(A) there is no basis under subsection (a) for a continuation of the exclusion, and

''(B) there are reasonable assurances that the types of actions which formed the basis for the original exclusion have not recurred and will not recur.

''(3) The Commissioner shall promptly notify each State agency employed for the purpose of making disability determinations under section 221 or 1633(a) of the fact and circumstances of each termination of exclusion made under this subsection.

''(g) AVAILABILITY OF RECORDS OF EXCLUDED REPRESENTATIVES AND HEALTH CARE PROVIDERS.—Nothing in this section shall be construed to have the effect of limiting access by any applicant or beneficiary under title II or XVI, any State agency acting under section 221 or 1633(a), or the Commissioner to records maintained by any representative or health care provider in connection with services provided to the applicant or beneficiary prior to the exclusion of such representative or health care provider under this section.

''(h) REPORTING REQUIREMENT.—Any representative or health care provider participating in, or seeking to participate in, a social security program shall inform the Commissioner, in such form and manner as the Commissioner shall prescribe by regulation, whether such representative or health care provider has been convicted of a violation described in subsection (a).

''(i) DELEGATION OF AUTHORITY.—The Commissioner may delegate authority granted by this section to the Inspector General.

''(j) DEFINITIONS.—For purposes of this section:

''(1) EXCLUDE.—The term 'exclude' from participation means—

''(A) in connection with a representative, to prohibit from engaging in representation of an applicant for, or recipient of, benefits, as a representative payee under section 205(j) or 1631(a)(2)(A)(ii), or otherwise as a representative, in any hearing or other proceeding relating to entitlement to benefits, and

''(B) in connection with a health care provider, to prohibit from providing items or services to an applicant for, or recipient of, benefits for the purpose of assisting such applicant or recipient in demonstrating disability.

''(2) SOCIAL SECURITY PROGRAM.—The term 'social security programs' means the program providing for monthly insurance benefits under title II, and the program providing for monthly supplemental security income benefits to individuals under title XVI (including State supplementary payments made by the Commissioner pursuant to an agreement under section 1616(a) of this Act or section 212(b) of Public Law 93–66).

''(3) CONVICTED.—An individual is considered to have been 'convicted' of a violation—

''(A) when a judgment of conviction has been entered against the individual by a Federal, State, or local court, except if the judgment of conviction has been set aside or expunged;

''(B) when there has been a finding of guilt against the individual by a Federal, State, or local court;

''(C) when a plea of guilty or nolo contendere by the individual has been accepted by a Federal, State, or local court; or

''(D) when the individual has entered into participation in a first offender, deferred adjudication, or other arrangement or program where judgment of conviction has been withheld.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to convictions of violations described in paragraphs (1) and (2) of section 1148(a) of the Social Security Act and determinations described in paragraph (3) of such section occurring on or after the date of the enactment of this Act.

SEC. 210. STATE DATA EXCHANGES.

Whenever the Commissioner of Social Security requests information from a State for the purpose of ascertaining an individual's eligibility for benefits (or the correct amount of such benefits) under title II or XVI of the Social Security Act, the standards of the Commissioner promulgated pursuant to section 1106 of such Act or any other Federal law for the use, safeguarding, and disclosure of information are deemed to meet any standards of the State that would otherwise apply to the disclosure of information by the State to the Commissioner.

SEC. 211. STUDY ON POSSIBLE MEASURES TO IMPROVE FRAUD PREVENTION AND ADMINISTRATIVE PROCESSING.

(a) STUDY.—As soon as practicable after the date of the enactment of this Act, the Commissioner of Social Security, in consultation with the Inspector General of the Social Security Administration and the Attorney General, shall conduct a study of possible measures to improve—

(1) prevention of fraud on the part of individuals entitled to disability benefits under section 223 of the Social Security Act or benefits under section 202 of such Act based on the beneficiary's disability, individuals eligible for supplemental security income benefits under title XVI of such Act, and applicants for any such benefits; and

(2) timely processing of reported income changes by individuals receiving such benefits.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commissioner shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a written report that contains the results of the Commissioner's study under subsection (a). The report shall contain such recommendations for legislative and administrative changes as the Commissioner considers appropriate.

SEC. 212. ANNUAL REPORT ON AMOUNTS NECESSARY TO COMBAT FRAUD.

(a) IN GENERAL.—Section 704(b)(1) of the Social Security Act (42 U.S.C. 904(b)(1)) is amended—

(1) by inserting ''(A)'' after ''(b)(1)''; and

(2) by adding at the end the following new subparagraph:

''(B) The Commissioner shall include in the annual budget prepared pursuant to subparagraph (A) an itemization of the amount of funds required by the Social Security Administration for the fiscal year covered by the budget to support efforts to combat fraud committed by applicants and beneficiaries.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to annual budgets prepared for fiscal years after fiscal year 1999.

SEC. 213. COMPUTER MATCHES WITH MEDICARE AND MEDICAID INSTITUTIONALIZATION DATA.

(a) IN GENERAL.—Section 1611(e)(1) of the Social Security Act (42 U.S.C. 1382(e)(1)), as amended by section 205(b)(2) of this Act, is further amended by adding at the end the following:

''(K) For the purpose of carrying out this paragraph, the Commissioner of Social Security shall conduct periodic computer matches with data maintained by the Secretary of Health and Human Services under title XVIII or XIX. The Secretary shall furnish to the Commissioner, in such form and manner and under such terms as the Commissioner and the Secretary shall mutually agree, such information as the Commissioner may request for this purpose. Information obtained pursuant to such a match may be substituted for the physician's certification otherwise required under subparagraph (G)(i).''.

(b) CONFORMING AMENDMENT.—Section 1611(e)(1)(G) of such Act (42 U.S.C. 1382(e)(1)(G)) is amended by striking ''subparagraph (H)'' and inserting ''subparagraph (H) or (K)''.

SEC. 214. ACCESS TO INFORMATION HELD BY FINANCIAL INSTITUTIONS.

Section 1631(e)(1)(B) of the Social Security Act (42 U.S.C. 1383(e)(1)(B)) is amended—

(1) by striking ''(B) The'' and inserting ''(B)(i) The''; and

(2) by adding at the end the following new clause:

''(ii)(I) The Commissioner of Social Security may require each applicant for, or recipient of, benefits under this title to provide authorization by the applicant or recipient (or by any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient for such benefits) for the Commissioner to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to the applicant or recipient (or any such other person) whenever the Commissioner determines the record is needed in connection with a determination with respect to such eligibility or the amount of such benefits.

''(II) Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided by an applicant or recipient (or any other person whose income or resources are material to the determination of the eligibility of the applicant or recipient) pursuant to subclause (I) of this clause shall remain effective until the earliest of—

''(aa) the rendering of a final adverse decision on the applicant's application for eligibility for benefits under this title;

''(bb) the cessation of the recipient's eligibility for benefits under this title; or

''(cc) the express revocation by the applicant or recipient (or such other person referred to in subclause (I)) of the authorization, in a written notification to the Commissioner.

''(III)(aa) An authorization obtained by the Commissioner of Social Security pursuant to this clause shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

''(bb) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the Commissioner of Social Security pursuant to an authorization provided under this clause.

''(cc) A request by the Commissioner pursuant to an authorization provided under this clause is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and the flush language of section 1102 of such Act.

''(IV) The Commissioner shall inform any person who provides authorization pursuant to this clause of the duration and scope of the authorization.

''(V) If an applicant for, or recipient of, benefits under this title (or any such other person referred to in subclause (I)) refuses to provide, or revokes, any authorization made by the applicant or recipient for the Commissioner of Social Security to obtain from any financial institution any financial record, the Commissioner may, on that basis, determine that the applicant or recipient is ineligible for benefits under this title.''.

Subtitle B—Benefits for Filipino Veterans of World War II

SEC. 251. PROVISION OF REDUCED SSI BENEFIT TO CERTAIN INDIVIDUALS WHO PROVIDED SERVICE TO THE ARMED FORCES OF THE UNITED STATES IN THE PHILIPPINES DURING WORLD WAR II AFTER THEY MOVE BACK TO THE PHILIPPINES.

(a) IN GENERAL.—Notwithstanding sections 1611(f)(1) and 1614(a)(1)(B)(i) of the Social Security Act and sections 401 and 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the eligibility of a qualified individual for benefits under the supplemental security income program under title XVI of the Social Security Act shall not terminate by reason of a change in the place of residence of the individual to the Philippines.

(b) BENEFIT AMOUNT.—Notwithstanding subsections (a) and (b) of section 1611 of the Social Security Act, the benefit payable under the supplemental security income program to a qualified individual for any month throughout which the individual resides in the Philippines shall be in an amount equal to 75 percent of the Federal benefit rate under title XVI of such Act for the month, reduced (after disregard of the amount specified in section 1612(b)(2)(A) of such Act) by the amount of the qualified individual's benefit income for the month.

(c) DEFINITIONS.—In this section:

(1) QUALIFIED INDIVIDUAL.—The term ''qualified individual'' means an individual who—

(A) as of the date of the enactment of this Act, is eligible for benefits under the supplemental security income program under title XVI of the Social Security Act on the basis of an application filed before such date;

(B) before August 15, 1945, served in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent military authority in the Army of the United States; and

(C) has not been removed from the United States pursuant to section 237(a) of the Immigration and Nationality Act.

(2) FEDERAL BENEFIT RATE.—The term ''Federal benefit rate'' means, with respect to a month, the amount of the cash benefit (not including any State supplementary payment which is paid by the Commissioner of Social Security pursuant to an agreement under section 1616(a) of the Social Security Act or section 212(b) of Public Law 93–66) payable for the month to an eligible individual with no income.

(3) BENEFIT INCOME.—The term ''benefit income'' means any recurring payment received by a qualified individual as an annuity, pension, retirement, or disability benefit (including any veterans' compensation or pension, workmen's compensation payment, old-age, survivors, or disability insurance benefit, railroad retirement annuity or pension, and unemployment insurance benefit), but only if a similar payment was received by the individual from the same (or a related) source during the 12-month period preceding the month in which the individual changes his place of residence from the United States to the Philippines.

(d) EFFECTIVE DATE.—This section shall be effective with respect to supplemental security income benefits payable for months beginning after the date that is 1 year after the date of the enactment of this Act, or such earlier date that the Commissioner of Social Security determines is administratively feasible.

TITLE III—CHILD SUPPORT

SEC. 301. ELIMINATION OF ENHANCED MATCHING FOR LABORATORY COSTS FOR PATERNITY ESTABLISHMENT.

(a) IN GENERAL.—Section 455(a)(1) of the Social Security Act (42 U.S.C. 655(a)(1)) is amended by striking subparagraph (C) and redesignating subparagraph (D) as subparagraph (C).

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1999.

SEC. 302. ELIMINATION OF HOLD HARMLESS PROVISION FOR STATE SHARE OF DISTRIBUTION OF COLLECTED CHILD SUPPORT.

(a) IN GENERAL.—Section 457 of the Social Security Act (42 U.S.C. 657) is amended—

(1) in subsection (a), by striking ''subsections (e) and (f)'' and inserting ''subsections (d) and (e)'';

(2) by striking subsection (d);

(3) in subsection (e), by striking the 2nd sentence; and

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1999.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 401. TECHNICAL CORRECTIONS RELATING TO AMENDMENTS MADE BY THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) Section 402(a)(1)(B)(iv) of the Social Security Act (42 U.S.C. 602(a)(1)(B)(iv)) is amended by striking ''Act'' and inserting ''section''.

(b) Section 409(a)(7)(B)(i)(II) of the Social Security Act (42 U.S.C. 609(a)(7)(B)(i)(II)) is amended by striking ''part'' and inserting ''section''.

(c) Section 413(g)(1) of the Social Security Act (42 U.S.C. 613(g)(1)) is amended by striking ''Act'' and inserting ''section''.

(d) Section 413(i)(1) of the Social Security Act (42 U.S.C. 613(i)(1)) is amended by striking ''part'' and inserting ''section''.

(e) Section 416 of the Social Security Act (42 U.S.C. 616) is amended by striking ''Opportunity Act'' and inserting ''Opportunity Reconciliation Act'' each place such term appears.

(f) Section 431(a)(6) of the Social Security Act (42 U.S.C. 629a(a)(6))) is amended—

(1) by inserting '', as in effect before August 22, 1986'' after ''482(i)(5)''; and

(2) by inserting '', as so in effect'' after ''482(i)(7)(A)''.

(g) Sections 452(a)(7) and 466(c)(2)(A)(i) of the Social Security Act (42 U.S.C. 652(a)(7) and 666(c)(2)(A)(i)) are each amended by striking ''Social Security'' and inserting ''social security''.

(h) Section 454 of the Social Security Act (42 U.S.C. 654) is amended—

(1) by striking '', or'' at the end of each of paragraphs (6)(E)(i) and (19)(B)(i) and inserting ''; or'';

(2) in paragraph (9), by striking the comma at the end of each of subparagraphs (A), (B), (C) and inserting a semicolon; and

(3) by striking '', and'' at the end of each of paragraphs (19)(A) and (24)(A) and inserting ''; and''.

(i) Section 454(24)(B) of the Social Security Act (42 U.S.C. 654(24)(B)) is amended by striking ''Opportunity Act'' and inserting ''Opportunity Reconciliation Act''.

(j) Section 344(b)(1)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (110 Stat. 2236) is amended to read as follows:

''(A) in paragraph (1), by striking subparagraph (B) and inserting the following:

'(B) equal to the percent specified in paragraph (3) of the sums expended during such quarter that are attributable to the planning, design, development, installation or enhancement of an automatic data processing and information retrieval system (including in such sums the full cost of the hardware components of such system); and'; and''.

(k) Section 457(a)(2)(B)(i)(I) of the Social Security Act (42 U.S.C. 657(a)(2)(B)(i)(I)) is amended by striking ''Act Reconciliation'' and inserting ''Reconciliation Act''.

(l) Section 457 of the Social Security Act (42 U.S.C. 657) is amended by striking ''Opportunity Act'' each place it appears and inserting ''Opportunity Reconciliation Act''.

(m) Section 466(a)(7) of the Social Security Act (42 U.S.C. 666(a)(7)) is amended by striking ''1681a(f))'' and inserting ''1681a(f)))''.

(n) Section 466(b)(6)(A) of the Social Security Act (42 U.S.C. 666(b)(6)(A)) is amended by striking ''state'' and inserting ''State''.

(o) Section 471(a)(8) of the Social Security Act (42 U.S.C. 671(a)(8)) is amended by striking ''(including activities under part F)''.

(p) Section 1137(a)(3) of the Social Security Act (42 U.S.C. 1320b-7(a)(3)) is amended by striking ''453A(a)(2)(B)(iii))'' and inserting ''453A(a)(2)(B)(ii)))''.

(q) The amendments made by this section shall take effect as if included in the enactment of the Personal Responsibility and

Work Opportunity Reconciliation Act of 1996.

The CHAIRMAN. No amendment shall be in order except those printed in House Report 106–199. Each amendment may be offered only in the order printed in the Report, may be offered only by a Member designated in the RECORD, shall be considered 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 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 the time for voting on the first question shall be a minimum of 15 minutes.

It is now in order to consider amendment No. 1 printed in House Report 106–199.

AMENDMENT NO. 1 OFFERED BY MRS. JOHNSON OF CONNECTICUT

Mrs. JOHNSON of Connecticut. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mrs. JOHNSON of Connecticut:

In section 1(b) of the bill, in the table of contents, after the item relating to section 121, insert the following:

Subtitle D—Adoption Incentive Payments

Sec. 131. Increased funding for adoption incentive payments.

In section 1(b) of the bill, in the table of contents, strike the item relating to subtitle B of title II and the item relating to section 251, and insert the following:

Subtitle B—Special Benefits For Certain World War II Veterans

Sec. 251. Establishment of program of special benefits for certain World War II veterans.

In section 1(b) of the bill, in the table of contents, strike the item relating to section 301 and insert the following:

Sec. 301. Narrowing of hold harmless provision for state share of distribution of collected child support.

In section 477(a)(1) of the Social Security Act, as proposed to be added by section 101(b) of the bill, strike ''design programs that''.

In section 477(b)(3)(A) of the Social Security Act, as proposed to be added by section 101(b) of the bill, strike ''but'' and insert ''because they have attained 18 years of age, and who''.

In section 477(b)(3)(A) of the Social Security Act, as proposed to be added by section 101(b) of the bill, strike ''and have attained 18 years of age but not'' and insert ''because they have attained 18 years of age, and who have not attained''.

In section 477(c)(1) of the Social Security Act, as proposed to be added by section 101(b) of the bill, insert '', as adjusted in accordance with paragraph (2)'' before the period.

In section 477(c) of the Social Security Act, as proposed to be added by section 101(b) of the bill, strike paragraph (2) and insert the following:

''(2) HOLD HARMLESS PROVISION.—

''(A) IN GENERAL.—The Secretary shall allot to each State whose allotment for a fiscal year under paragraph (1) is less than the amount payable to the State under this section for fiscal year 1998 an additional amount equal to the difference.''.

''(B) RATABLE REDUCTION OF CERTAIN ALLOTMENTS.—In the case of a State not described in subparagraph (A) for a fiscal year, the Secretary shall reduce the amount allotted to the State for the fiscal year under paragraph (1) by the amount that bears the same ratio to the sum of the differences determined under subparagraph (A) for the fiscal year as the amount so alloted bears to the sum of the amounts allotted to all States not so described.

In section 477(c) of the Social Security Act, as proposed to be added by section 101(b) of the bill, strike paragraph (3).

At the end of section 477(d) of the Social Security Act, as proposed to be added by section 101(b) of the bill, add the following:

''(3) 2-YEAR AVAILABILITY OF FUNDS.—Payments made to a State under this section for a fiscal year shall be expended by the State in the fiscal year or in the succeeding fiscal year.''.

At the end of title I of the bill, insert the following:

Subtitle D—Adoption Incentive Payments

SEC. 131. INCREASED FUNDING FOR ADOPTION INCENTIVE PAYMENTS.

(a) SUPPLEMENTAL GRANTS.—Section 473A of the Social Security Act (42 U.S.C. 673b) is amended by adding at the end the following:

''(j) SUPPLEMENTAL GRANTS.—

''(1) IN GENERAL.—Subject to the availability of such amounts as may be provided in advance in appropriations Acts, in addition to any amount otherwise payable under this section to any State that is an incentive-eligible State for fiscal year 1998, the Secretary shall make a grant to the State in an amount equal to the lesser of—

''(A) the amount by which—

''(i) the amount that would have been payable to the State under this section during fiscal year 1999 (on the basis of adoptions in fiscal year 1998) in the absence of subsection (d)(2) if sufficient funds had been available for the payment; exceeds

''(ii) the amount that, before the enactment of this subsection, was payable to the State under this section during fiscal year 1999 (on such basis); or

''(B) the amount that bears the same ratio to the dollar amount specified in paragraph (2) as the amount described by subparagraph (A) for the State bears to the aggregate of the amounts described by subparagraph (A) for all States that are incentive-eligible States for fiscal year 1998.

''(2) FUNDING.—$23,000,000 of the amounts appropriated under subsection (h)(1) for fiscal year 2000 may be used for grants under paragraph (1) of this subsection.''.

(b) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.—Section 473A(h)(1) of the Social Security Act (42 U.S.C. 673b(h)(1)) is amended to read as follows:

''(1) IN GENERAL.—For grants under subsection (a), there are authorized to be appropriated to the Secretary—

''(A) $20,000,000 for fiscal year 1999;

''(B) $43,000,000 for fiscal year 2000; and

''(C) $20,000,000 for each of fiscal years 2001 through 2003.''.

In section 206 of the bill, redesignate subsection (c) as subsection (d) and insert after subsection (b) the following:

(c) CONFORMING AMENDMENTS.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by adding ''and'' at the end of subparagraph (F); and

(3) by inserting after subparagraph (F) the following:

''(G) that, in applying eligibility criteria of the supplemental security income program under title XVI for purposes of determining eligibility for medical assistance under the State plan of an individual who is not receiving supplemental security income, the State will disregard the provisions of section 1613(e);''.

In section 207 of the bill, redesignate subsection (b) as subsection (c) and insert after subsection (a) the following:

(b) CONFORMING AMENDMENT.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as amended by section 206(c) of this Act, is amended by striking ''section 1613(e)'' and inserting ''subsections (c) and (e) of section 1613''.

Strike subtitle B of title II of the bill and insert the following:

Subtitle B—Special Benefits For Certain World War II Veterans

SEC. 251. ESTABLISHMENT OF PROGRAM OF SPECIAL BENEFITS FOR CERTAIN WORLD WAR II VETERANS.

(a) IN GENERAL.—The Social Security Act is amended by inserting after title VII the following:

''TITLE VIII—SPECIAL BENEFITS FOR CERTAIN WORLD WAR II VETERANS

''TABLE OF CONTENTS

''SEC. 801. BASIC ENTITLEMENT TO BENEFITS.

''Every individual who is a qualified individual under section 802 shall, in accordance with and subject to the provisions of this title, be entitled to a monthly benefit paid by the Commissioner of Social Security for each month after September 2000 (or such earlier month, if the Commissioner determines is administratively feasible) the individual resides outside the United States.

''SEC. 802. QUALIFIED INDIVIDUALS.

''Except as otherwise provided in this title, an individual—

''(1) who has attained the age of 65 on or before the date of the the enactment of this title;

''(2) who is a World War II veteran;

''(3) who is eligible for a supplemental security income benefit under title XVI for—

''(A) the month in which this title is enacted, and

''(B) the month in which the individual files an application for benefits under this title;

''(4) whose total benefit income is less than 75 percent of the Federal benefit rate under title XVI;

''(5) who has filed an application for benefits under this title; and

''(6) who is in compliance with all requirements imposed by the Commissioner of Social Security under this title,

shall be a qualified individual for purposes of this title.

''SEC. 803. RESIDENCE OUTSIDE THE UNITED STATES.

For purposes of section 801, with respect to any month, an individual shall be regarded

as residing outside the United States if, on the first day of the month, the individual so resides outside the United States.

"SEC. 804. DISQUALIFICATIONS.

''Notwithstanding section 802, an individual may not be a qualified individual for any month—

''(1) that begins after the month in which the Commissioner of Social Security is notified by the Attorney General that the individual has been removed from the United States pursuant to section 237(a) of the Immigration and Nationality Act and before the month in which the Commissioner of Social Security is notified by the Attorney General that the individual is lawfully admitted to the United States for permanent residence;

''(2) during any part of which the individual is outside the United States due to flight to avoid prosecution, or custody or confinement after conviction, under the laws of the United States or the jurisdiction within the United States from which the person has fled, for a crime, or an attempt to commit a crime, that is a felony under the laws of the place from which the individual has fled, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State;

''(3) during any part of which which the individual violates a condition of probation or parole imposed under Federal or State law; or

''(4) during any part of which the individual is confined in a jail, prison, or other penal institution or correctional facility pursuant to a conviction of an offense.

"SEC. 805. BENEFIT AMOUNT.

''The benefit under this title payable to a qualified individual for any month shall be in an amount equal to 75 percent of the Federal benefit rate under title XVI for the month, reduced by the amount of the qualified individual's benefit income for the month.

"SEC. 806. APPLICATIONS AND FURNISHING OF INFORMATION.

''(a) IN GENERAL.—The Commissioner of Social Security shall, subject to subsection (b), prescribe such requirements with respect to the filing of applications, the furnishing of information and other material, and the reporting of events and changes in circumstances, as may be necessary for the effective and efficient administration of this title.

''(b) VERIFICATION REQUIREMENT.—The requirements prescribed by the Commissioner of Social Security under subsection (a) shall preclude any determination of entitlement to benefits under this title solely on the basis of declarations by the individual concerning qualifications or other material facts, and shall provide for verification of material information from independent or collateral sources, and the procurement of additional information as necessary in order to ensure that the benefits are provided only to qualified individuals (or their representative payees) in correct amounts.

"SEC. 807. REPRESENTATIVE PAYEES.

''(a) IN GENERAL.—If the Commissioner of Social Security determines that the interest of any qualified individual under this title would be served thereby, payment of the qualified individual's benefit under this title may be made, regardless of the legal competency or incompetency of the qualified individual, either directly to the qualified individual, or for his or her benefit, to another person (the meaning of which term, for purposes of this section, includes an organization) with respect to whom the requirements of subsection (b) have been met (in this section referred to as the qualified individual's 'representative payee'). If the Commissioner of Social Security determines that a representative payee has misused any benefit paid to the representative payee pursuant to this section, section 205(j), or section 1631(a)(2), the Commissioner of Social Security shall promptly revoke the person's designation as the qualified individual's representative payee under this subsection, and shall make payment to an alternative representative payee or, if the interest of the qualified individual under this title would be served thereby, to the qualified individual.

''(b) EXAMINATION OF FITNESS OF PROSPECTIVE REPRESENTATIVE PAYEE.—

''(1) Any determination under subsection (a) to pay the benefits of a qualified individual to a representative payee shall be made on the basis of—

''(A) an investigation by the Commissioner of Social Security of the person to serve as representative payee, which shall be conducted in advance of the determination and shall, to the extent practicable, include a face-to-face interview with the person (or, in the case of an organization, a representative of the organization); and

''(B) adequate evidence that the arrangement is in the interest of the qualified individual.

''(2) As part of the investigation referred to in paragraph (1), the Commissioner of Social Security shall—

''(A) require the person being investigated to submit documented proof of the identity of the person;

''(B) in the case of a person who has a social security account number issued for purposes of the program under title II or an employer identification number issued for purposes of the Internal Revenue Code of 1986, verify the number;

''(C) determine whether the person has been convicted of a violation of section 208, 811, or 1632; and

''(D) determine whether payment of benefits to the person in the capacity as representative payee has been revoked or terminated pursuant to this section, section 205(j), or section 1631(a)(2)(A)(iii) by reason of misuse of funds paid as benefits under this title, title II, or title XVI, respectively.

''(c) REQUIREMENT FOR CENTRALIZED FILE.—The Commissioner of Social Security shall establish and maintain a centralized file, which shall be updated periodically and which shall be in a form that renders it readily retrievable by each servicing office of the Social Security Administration. The file shall consist of—

''(1) a list of the names and social security account numbers or employer identification numbers (if issued) of all persons with respect to whom, in the capacity of representative payee, the payment of benefits has been revoked or terminated under this section, section 205(j), or section 1631(a)(2)(A)(iii) by reason of misuse of funds paid as benefits under this title, title II, or title XVI, respectively; and

''(2) a list of the names and social security account numbers or employer identification numbers (if issued) of all persons who have been convicted of a violation of section 208, 811, or 1632.

''(d) PERSONS INELIGIBLE TO SERVE AS REPRESENTATIVE PAYEES.—

''(1) IN GENERAL.—The benefits of a qualified individual may not be paid to any other person pursuant to this section if—

''(A) the person has been convicted of a violation of section 208, 811, or 1632;

''(B) except as provided in paragraph (2), payment of benefits to the person in the capacity of representative payee has been revoked or terminated under this section, section 205(j), or section 1631(a)(2)(A)(ii) by reason of misuse of funds paid as benefits under this title, title II, or title XVI, respectively; or

''(C) except as provided in paragraph (2)(B), the person is a creditor of the qualified individual and provides the qualified individual with goods or services for consideration.

''(2) EXEMPTIONS.—

''(A) The Commissioner of Social Security may prescribe circumstances under which the Commissioner of Social Security may grant an exemption from paragraph (1) to any person on a case-by-case basis if the exemption is in the best interest of the qualified individual whose benefits would be paid to the person pursuant to this section.

''(B) Paragraph (1)(C) shall not apply with respect to any person who is a creditor referred to in such paragraph if the creditor is—

''(i) a relative of the qualified individual and the relative resides in the same household as the qualified individual;

''(ii) a legal guardian or legal representative of the individual;

''(iii) a facility that is licensed or certified as a care facility under the law of the political jurisdiction in which the qualified individual resides;

''(iv) a person who is an administrator, owner, or employee of a facility referred to in clause (iii), if the qualified individual resides in the facility, and the payment to the facility or the person is made only after the Commissioner of Social Security has made a good faith effort to locate an alternative representative payee to whom payment would serve the best interests of the qualified individual; or

''(v) a person who is determined by the Commissioner of Social Security, on the basis of written findings and pursuant to procedures prescribed by the Commissioner of Social Security, to be acceptable to serve as a representative payee.

''(C) The procedures referred to in subparagraph (B)(v) shall require the person who will serve as representative payee to establish, to the satisfaction of the Commissioner of Social Security, that—

''(i) the person poses no risk to the qualified individual;

''(ii) the financial relationship of the person to the qualified individual poses no substantial conflict of interest; and

''(iii) no other more suitable representative payee can be found.

''(e) DEFERRAL OF PAYMENT PENDING APPOINTMENT OF REPRESENTATIVE PAYEE.—

''(1) IN GENERAL.—Subject to paragraph (2), if the Commissioner of Social Security makes a determination described in the first sentence of subsection (a) with respect to any qualified individual's benefit and determines that direct payment of the benefit to the qualified individual would cause substantial harm to the qualified individual, the Commissioner of Social Security may defer (in the case of initial entitlement) or suspend (in the case of existing entitlement) direct payment of the benefit to the qualified individual, until such time as the selection of a representative payee is made pursuant to this section.

''(2) TIME LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), any deferral or suspension of direct payment of a benefit pursuant to paragraph (1) shall be for a period of not more than 1 month.

''(B) EXCEPTION IN THE CASE OF INCOMPETENCY.—Subparagraph (A) shall not apply in any case in which the qualified individual is, as of the date of the Commissioner of Social Security's determination, legally incompetent under the laws of the jurisdiction in which the individual resides.

''(3) PAYMENT OF RETROACTIVE BENEFITS.—Payment of any benefits which are deferred

or suspended pending the selection of a representative payee shall be made to the qualified individual or the representative payee as a single sum or over such period of time as the Commissioner of Social Security determines is in the best interest of the qualified individual.

''(f) HEARING.—Any qualified individual who is dissatisfied with a determination by the Commissioner of Social Security to make payment of the qualified individual's benefit to a representative payee under subsection (a) of this section or with the designation of a particular person to serve as representative payee shall be entitled to a hearing by the Commissioner of Social Security to the same extent as is provided in section 809(a), and to judicial review of the Commissioner of Social Security's final decision as is provided in section 809(b).

''(g) NOTICE REQUIREMENTS.—

''(1) IN GENERAL.—In advance of the payment of a qualified individual's benefit to a representative payee under subsection (a), the Commissioner of Social Security shall provide written notice of the Commissioner's initial determination to so make the payment. The notice shall be provided to the qualified individual, except that, if the qualified individual is legally incompetent, then the notice shall be provided solely to the legal guardian or legal representative of the qualified individual.

''(2) SPECIFIC REQUIREMENTS.—Any notice required by paragraph (1) shall be clearly written in language that is easily understandable to the reader, shall identify the person to be designated as the qualified individual's representative payee, and shall explain to the reader the right under subsection (f) of the qualified individual or of the qualified individual's legal guardian or legal representative—

''(A) to appeal a determination that a representative payee is necessary for the qualified individual;

''(B) to appeal the designation of a particular person to serve as the representative payee of qualified individual; and

''(C) to review the evidence upon which the designation is based and to submit additional evidence.

''(h) ACCOUNTABILITY MONITORING.—

''(1) In any case where payment under this title is made to a person other than the qualified individual entitled to the payment, the Commissioner of Social Security shall establish a system of accountability monitoring under which the person shall report not less often than annually with respect to the use of the payments. The Commissioner of Social Security shall establish and implement statistically valid procedures for reviewing the reports in order to identify instances in which persons are not properly using the payments.

''(2) SPECIAL REPORTS.—Notwithstanding paragraph (1), the Commissioner of Social Security may require a report at any time from any person receiving payments on behalf of a qualified individual, if the Commissioner of Social Security has reason to believe that the person receiving the payments is misusing the payments.

''(3) CENTRALIZED FILE.—The Commissioner of Social Security shall maintain a centralized file, which shall be updated periodically and which shall be in a form that is readily retrievable, of—

''(A) the name, address, and (if issued) the social security account number or employer identification number of each representative payee who is receiving benefit payments pursuant to this section, section 205(j), or section 1631(a)(2); and

''(B) the name, address, and social security account number of each individual for whom each representative payee is reported to be providing services as representative payee pursuant to this section, section 205(j), or section 1631(a)(2).

''(4) The Commissioner of Social Security shall maintain a list, which shall be updated periodically, of public agencies and community-based nonprofit social service agencies which are qualified to serve as representative payees pursuant to this section and which are located in the jurisdiction in which any qualified individual resides.

''(i) RESTITUTION.—In any case where the negligent failure of the Commissioner of Social Security to investigate or monitor a representative payee results in misuse of benefits by the representative payee, the Commissioner of Social Security shall make payment to the qualified individual or the individual's alternative representative payee of an amount equal to the misused benefits. The Commissioner of Social Security shall make a good faith effort to obtain restitution from the terminated representative payee.

''SEC. 808. OVERPAYMENTS AND UNDERPAYMENTS.

''(a) IN GENERAL.—Whenever the Commissioner of Social Security finds that more or less than the correct amount of payment has been made to any person under this title, proper adjustment or recovery shall be made, as follows:

''(1) With respect to payment to a person of more than the correct amount, the Commissioner of Social Security shall decrease any payment under this title to which the overpaid person (if a qualified individual) is entitled, or shall require the overpaid person or his or her estate to refund the amount in excess of the correct amount, or, if recovery is not obtained under these two methods, shall seek or pursue recovery by means of reduction in tax refunds based on notice to the Secretary of the Treasury, as authorized under section 3720A of title 31, United States Code.

''(2) With respect to payment of less than the correct amount to a qualified individual who, at the time the Commissioner of Social Security is prepared to take action with respect to the underpayment—

''(A) is living, the Commissioner of Social Security shall make payment to the qualified individual (or the qualified individual's representative payee designated under section 807) of the balance of the amount due the underpaid qualified individual; or

''(B) is deceased, the balance of the amount due shall revert to the general fund of the Treasury.

''(b) WAIVER OF RECOVERY OF OVERPAYMENT.—In any case in which more than the correct amount of payment has been made, there shall be no adjustment of payments to, or recovery by the United States from, any person who is without fault if the Commissioner of Social Security determines that the adjustment or recovery would defeat the purpose of this title or would be against equity and good conscience.

''(c) LIMITED IMMUNITY FOR DISBURSING OFFICERS.—A disbursing officer may not be held liable for any amount paid by the officer if the adjustment or recovery of the amount is waived under subsection (b), or adjustment under subsection (a) is not completed before the death of the qualified individual against whose benefits deductions are authorized.

''(d) AUTHORIZED COLLECTION PRACTICES.—

''(1) IN GENERAL.—With respect to any delinquent amount, the Commissioner of Social Security may use the collection practices described in sections 3711(e), 3716, and 3718 of title 31, United States Code, as in effect on October 1, 1994.

''(2) DEFINITION.—For purposes of paragraph (1), the term 'delinquent amount' means an amount—

''(A) in excess of the correct amount of the payment under this title; and

''(B) determined by the Commissioner of Social Security to be otherwise unrecoverable under this section from a person who is not a qualified individual under this title.

''SEC. 809. HEARINGS AND REVIEW.

''(a) HEARINGS.—

''(1) IN GENERAL.—The Commissioner of Social Security shall make findings of fact and decisions as to the rights of any individual applying for payment under this title. The Commissioner of Social Security shall provide reasonable notice and opportunity for a hearing to any individual who is or claims to be a qualified individual and is in disagreement with any determination under this title with respect to entitlement to, or the amount of, benefits under this title, if the individual requests a hearing on the matter in disagreement within 60 days after notice of the determination is received, and, if a hearing is held, shall, on the basis of evidence adduced at the hearing affirm, modify, or reverse the Commissioner of Social Security's findings of fact and the decision. The Commissioner of Social Security may, on the Commissioner of Social Security's own motion, hold such hearings and to conduct such investigations and other proceedings as the Commissioner of Social Security deems necessary or proper for the administration of this title. In the course of any hearing, investigation, or other proceeding, the Commissioner may administer oaths and affirmations, examine witnesses, and receive evidence. Evidence may be received at any hearing before the Commissioner of Social Security even though inadmissible under the rules of evidence applicable to court procedure. The Commissioner of Social Security shall specifically take into account any physical, mental, educational, or linguistic limitation of the individual (including any lack of facility with the English language) in determining, with respect to the entitlement of the individual for benefits under this title, whether the individual acted in good faith or was at fault, and in determining fraud, deception, or intent.

''(2) EFFECT OF FAILURE TO TIMELY REQUEST REVIEW.—A failure to timely request review of an initial adverse determination with respect to an application for any payment under this title or an adverse determination on reconsideration of such an initial determination shall not serve as a basis for denial of a subsequent application for any payment under this title if the applicant demonstrates that the applicant failed to so request such a review acting in good faith reliance upon incorrect, incomplete, or misleading information, relating to the consequences of reapplying for payments in lieu of seeking review of an adverse determination, provided by any officer or employee of the Social Security Administration.

''(3) NOTICE REQUIREMENTS.—In any notice of an adverse determination with respect to which a review may be requested under paragraph (1), the Commissioner of Social Security shall describe in clear and specific language the effect on possible entitlement to benefits under this title of choosing to reapply in lieu of requesting review of the determination.

''(b) JUDICIAL REVIEW.—The final determination of the Commissioner of Social Security after a hearing under subsection (a)(1) shall be subject to judicial review as provided in section 205(g) to the same extent as the Commissioner of Social Security's final determinations under section 205.

''SEC. 810. OTHER ADMINISTRATIVE PROVISIONS.

''(a) REGULATIONS AND ADMINISTRATIVE ARRANGEMENTS.—The Commissioner of Social Security may prescribe such regulations, and

make such administrative and other arrangements, as may be necessary or appropriate to carry out this title.

''(b) PAYMENT OF BENEFITS.—Benefits under this title shall be paid at such time or times and in such installments as the Commissioner of Social Security determines are in the interests of economy and efficiency.

''(c) ENTITLEMENT REDETERMINATIONS.—An individual's entitlement to benefits under this title, and the amount of the benefits, may be redetermined at such time or times as the Commissioner of Social Security determines to be appropriate.

''(d) SUSPENSION OF BENEFITS.—Regulations prescribed by the Commissioner of Social Security under subsection (a) may provide for the temporary suspension of entitlement to benefits under this title as the Commissioner determines is appropriate.

''SEC. 811. PENALTIES FOR FRAUD.

''(a) IN GENERAL.—Whoever—

''(1) knowingly and willfully makes or causes to be made any false statement or representation of a material fact in an application for benefits under this title;

''(2) at any time knowingly and willfully makes or causes to be made any false statement or representation of a material fact for use in determining any right to the benefits;

''(3) having knowledge of the occurrence of any event affecting—

''(A) his or her initial or continued right to the benefits; or

''(B) the initial or continued right to the benefits of any other individual in whose behalf he or she has applied for or is receiving the benefit,

conceals or fails to disclose the event with an intent fraudulently to secure the benefit either in a greater amount or quantity than is due or when no such benefit is authorized; or

''(4) having made application to receive any such benefit for the use and benefit of another and having received it, knowingly and willfully converts the benefit or any part thereof to a use other than for the use and benefit of the other individual,

shall be fined under title 18, United States Code, imprisoned not more than 5 years, or both.

''(b) RESTITUTION BY REPRESENTATIVE PAYEE.—If a person or organization violates subsection (a) in the person's or organization's role as, or in applying to become, a representative payee under section 807 on behalf of a qualified individual, and the violation includes a willful misuse of funds by the person or entity, the court may also require that full or partial restitution of funds be made to the qualified individual.

''SEC. 812. DEFINITIONS.

''In this title:

''(1) WORLD WAR II VETERAN.—The term 'World War II veteran' means a person who served during World War II—

''(A) in the active military, naval, or air service of the United States during World War II, and who was discharged or released therefrom under conditions other than dishonorable after service of 90 days or more; or

''(B) in the organized military forces of the Government of the Commonwealth of the Philippines, while the forces were in the service of the Armed Forces of the United States pursuant to the military order of the President dated July 26, 1941, including among the military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the Commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, in any case in which the service was rendered before December 31, 1946.

''(2) WORLD WAR II.—The term 'World War II' means the period beginning on September 16, 1940, and ending on July 24, 1947.

''(3) SUPPLEMENTAL SECURITY INCOME BENEFIT UNDER TITLE XVI.—The term 'supplemental security income benefit under title XVI', except as otherwise provided, includes State supplementary payments which are paid by the Commissioner of Social Security pursuant to an agreement under section 1616(a) of this Act or section 212(b) of Public Law 93-66.

''(4) FEDERAL BENEFIT RATE UNDER TITLE XVI.—The term 'Federal benefit rate under title XVI' means, with respect to any month, the amount of the supplemental security income cash benefit (not including any State supplementary payment which is paid by the Commissioner of Social Security pursuant to an agreement under section 1616(a) of this Act or section 212(b) of Public Law 93-66) payable under title XVI for the month to an eligible individual with no income.

''(5) UNITED STATES.—The term 'United States' means, notwithstanding section 1101(a)(1), only the 50 States, the District of Columbia, and the Commonwealth of the Northern Mariana Islands.

''(6) BENEFIT INCOME.—The term 'benefit income' means any recurring payment received by a qualified individual as an annuity, pension, retirement, or disability benefit (including any veterans' compensation or pension, workmen's compensation payment, old-age, survivors, or disability insurance benefit, railroad retirement annuity or pension, and unemployment insurance benefit), but only if a similar payment was received by the individual from the same (or a related) source during the 12-month period preceding the month in which the individual files an application for benefits under this title.

''SEC. 813. APPROPRIATIONS.

''There are hereby appropriated for fiscal year 2001 and subsequent fiscal years such sums as may be necessary to carry out this title.''.

(b) CONFORMING AMENDMENTS.—

(1) SOCIAL SECURITY TRUST FUNDS LAE ACCOUNT.—Section 201(g) of such Act (42 U.S.C. 401(g)) is amended—

(A) in the 4th sentence of paragraph (1)(A), by inserting after ''this title,'' the following: ''title VIII,'';

(B) in paragraph (1)(B)(i)(I), by inserting after ''this title,'' the following: ''title VIII,''; and

(C) in paragraph (1)(C)(i), by inserting after ''this title,'' the following: ''title VIII,''.

(2) REPRESENTATIVE PAYEE PROVISIONS OF TITLE II.—Section 205(j) of such Act (42 U.S.C. 405(j)) is amended—

(A) in paragraph (1)(A), by inserting ''807 or'' before ''1631(a)(2)'';

(B) in paragraph (2)(B)(i)(I), by inserting '', title VIII,'' before ''or title XVI'';

(C) in paragraph (2)(B)(i)(III), by inserting '', 811,'' before ''or 1632'';

(D) in paragraph (2)(B)(i)(IV)—

(i) by inserting '', the designation of such person as a representative payee has been revoked pursuant to section 807(a),'' before ''or payment of benefits''; and

(ii) by inserting '', title VIII,'' before ''or title XVI'';

(E) in paragraph (2)(B)(ii)(I)—

(i) by inserting ''whose designation as a representative payee has been revoked pursuant to section 807(a),'' before ''or with respect to whom''; and

(ii) by inserting '', title VIII,'' before ''or title XVI'';

(F) in paragraph (2)(B)(i)(II), by inserting '', 811,'' before ''or 1632'';

(G) in paragraph (2)(C)(i)(II) by inserting '', the designation of such person as a representative payee has been revoked pursuant to section 807(a),'' before ''or payment of benefits'';

(H) in each of clauses (i) and (ii) of paragraph (3)(E), by inserting '', section 807,'' before ''or section 1631(a)(2)'';

(I) in paragraph (3)(F), by inserting ''807 or'' before ''1631(a)(2)''; and

(J) in paragraph (4)(B)(i), by inserting ''807 or'' before ''1631(a)(2)''.

(3) WITHHOLDING FOR CHILD SUPPORT AND ALIMONY OBLIGATIONS.—Section 459(h)(1)(A) of such Act (42 U.S.C. 659(h)(1)(A)) is amended—

(A) at the end of clause (iii), by striking ''and'';

(B) at the end of clause (iv), by striking ''but'' and inserting ''and''; and

(C) by adding at the end a new clause as follows:

''(v) special benefits for certain World War II veterans payable under title VIII; but''.

(4) SOCIAL SECURITY ADVISORY BOARD.—Section 703(b) of such Act (42 U.S.C. 903(b)) is amended by striking ''title II'' and inserting ''title II, the program of special benefits for certain World War II veterans under title VIII,''.

(5) DELIVERY OF CHECKS.—Section 708 of such Act (42 U.S.C. 908) is amended—

(A) in subsection (a), by striking ''title II'' and inserting ''title II, title VIII,''; and

(B) in subsection (b), by striking ''title II'' and inserting ''title II, title VIII,''.

(6) CIVIL MONETARY PENALTIES.—Section 1129 of such Act (42 U.S.C. 1320a–8) is amended—

(A) in the title, by striking ''II'' and inserting ''II, VIII'';

(B) in subsection (a)(1)—

(i) by striking ''or'' at the end of subparagraph (A);

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following:

''(B) benefits or payments under title VIII, or'';

(C) in subsection (a)(2), by inserting ''or title VIII,'' after ''title II'';

(D) in subsection (e)(1)(C)—

(i) by striking ''or'' at the end of clause (i);

(ii) by redesignating clause (ii) as clause (iii); and

(iii) by inserting after clause (i) the following:

''(ii) by decrease of any payment under title VIII to which the person is entitled, or'';

(E) in subsection (e)(2)(B), by striking ''title XVI'' and inserting ''title VIII or XVI''; and

(F) in subsection (l), by striking ''title XVI'' and inserting ''title VIII or XVI''.

(7) RECOVERY OF SSI OVERPAYMENTS.—Section 1147 of such Act (42 U.S.C. 1320b–17) is amended—

(A) in subsection (a)(1)—

(i) by inserting ''or VIII'' after ''title II'' the first place it appears; and

(ii) by striking ''title II'' the second place it appears and inserting ''such title''; and

(B) in the title, by striking ''SOCIAL SECURITY'' and inserting ''OTHER''.

(8) REPRESENTATIVE PAYEE PROVISIONS OF TITLE XVI.—Section 1631(a)(2) of such Act (42 U.S.C. 1383(a)(2)) is amended—

(A) in subparagraph (A)(iii), by inserting ''or 807'' after ''205(j)(1)'';

(B) in subparagraph (B)(ii)(I), by inserting '', title VIII,'' before ''or this title'';

(C) in subparagraph (B)(ii)(III), by inserting '', 811,'' before ''or 1632'';

(D) in subparagraph (B)(ii)(IV)—

(i) by inserting ''whether the designation of such person as a representative payee has been revoked pursuant to section 807(a),'' before ''and whether certification''; and

(ii) by inserting ", title VIII," before "or this title";

(E) in subparagraph (B)(iii)(II), by inserting "the designation of such person as a representative payee has been revoked pursuant to section 807(a)," before "or certification"; and

(F) in subparagraph (D)(ii)(II)(aa), by inserting "or 807" after "205(j)(4)".

(9) ADMINISTRATIVE OFFSET.—Section 3716(c)(3)(C) of title 31, United States Code, is amended—

(A) by striking "sections 205(b)(1)" and inserting "sections 205(b)(1), 809(a)(1),"; and

(B) by striking "either title II" and inserting "title II, VIII,".

Strike section 301 of the bill and insert the following:

SEC. 301. NARROWING OF HOLD HARMLESS PROVISION FOR STATE SHARE OF DISTRIBUTION OF COLLECTED CHILD SUPPORT.

(a) IN GENERAL.—Section 457(d) of the Social Security Act (42 U.S.C. 657(d)) is amended to read as follows:

"(d) HOLD HARMLESS PROVISION.—If—

"(1) the amounts collected which could be retained by the State in the fiscal year (to the extent necessary to reimburse the State for amounts paid to families as assistance by the State) are less than the State share of the amounts collected in fiscal year 1995 (determined in accordance with section 457 as in effect on the day before the date of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996); and

"(2)(A)(i) the State has not retained any of the current support so collected during the preceding fiscal year on behalf of any family that is a recipient of assistance under the State program funded under part A (except any such family in a control group required by a waiver granted to the State under section 1115); and

"(ii) at least the lesser of $150 or the total amount of current support paid to such a family in any month is disregarded in determining the amount or type of assistance to be provided to the family for the month under the State program funded under part A; or

"(B) the State has distributed to families not less than ½ of the child support arrearages collected pursuant to section 464 during the preceding fiscal year, that accrued after the families ceased to receive assistance from the State (as defined in subsection (c)(1)),

then the State share otherwise determined for the fiscal year shall be increased by an amount equal to ½ of the amount (if any) by which the State share in fiscal year 1995 exceeds the State share for the fiscal year (determined without regard to this subsection).".

(b) AUTHORITY OF STATE TO PASS THROUGH PORTION OF CHILD SUPPORT ARREARAGES COLLECTED THROUGH TAX INTERCEPT.—Section 457(a)(2)(B)(iv) of such Act (42 U.S.C. 657(a)(2)(B)(iv)) is amended in the first sentence by inserting after the 2nd sentence the following: "After making such payment, the State may distrbute to the family not more than ½ of the remaining amount so retained.".

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective with respect to calendar quarters beginning on or after October 1, 1998.

(d) REPEALER.—Effective October 1, 2001, section 457 of the Social Security Act (42 U.S.C. 657) is amended by striking subsection (d).

The CHAIRMAN. Pursuant to House Resolution 221, the gentlewoman from Connecticut (Mrs. JOHNSON) and a Member opposed each will control 5 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.

Let me briefly outline the contents of the manager's amendment. Most of the provisions are highly technical and are included simply to clarify meaning. Four provisions, however, require a brief explanation.

One of these changes our policy on redistributing funds not used by States. We change the policy so that States will have 2 years rather than 1 year to spend each year's appropriations. HHS informs us that with the 2 years to spend the money, there will be no need for redistribution of funds.

The second provision of the manager's amendment authorizes additional payments to States for increasing their rate of adoptions. The amount of bonus money we appropriated in previous legislation was inadequate because States have done such a remarkable job of increasing the number of adoptions of children in foster care.

A third amendment is added to ensure that recipients of supplemental security income who lose their eligibility because of assets they hold in trust will not automatically lose their Medicaid benefits.

A fourth provision broadens our provision on Filipino veterans of World War II that the committee bill allowed to return to the Philippines and still retain their SSI benefits. The new provision provides this option to all World War II veterans.

We think these provisions of the manager's amendment make a good bill even better, and I urge adoption of the amendment.

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

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

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

Mr. CARDIN. Mr. Chairman, I rise in support of this amendment, and I yield myself such time as I may consume.

I have already gone over the different provisions during the general debate that is in the manager's amendment. I want to compliment the gentlewoman from Connecticut (Mrs. JOHNSON) for putting together this manager's amendment to take care of some very technical points, to expand the provisions concerning the World War II veterans, to deal with some unintended consequences that deal with the hold harmless provision for pass-through to child support to the families.

Mr. Chairman, I want to quickly discuss three of the improvements to the Foster Care Independence Act in the amendment being offered by Mrs. JOHNSON and myself.

First, the amendment expands a provision that would allow U.S. World War II veterans to return to their homeland, including the Philippines, and still receive ¾ of their SSI benefit. This provision provides Members with a rare opportunity to vote for proposal that is supported by veterans and saves money.

Second, the amendment would ensure that the bill's restrictions on asset transfers and trusts under SSI do not have unintended impacts on Medicaid coverage. More specifically, the amendment would clarify that individuals who are not receiving SSI do not lose Medicaid coverage because of changes in SSI eligibility rules, which are sometimes used to determine Medicaid eligibility.

And third, the amendment would continue to provide half of the current child support hold harmless payments to States that pass-through child support payments to families on and leaving welfare. The bill generally repeals the hold-harmless provision, which has created an unintended windfall for States, but the amendment provides this limited extension to help more States that are passing through child support to low-income families, rather than keeping it to recoup past welfare costs.

I urge my colleagues to support this amendment and the underlying bill.

Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, I submit for the RECORD some additional information in regard to this portion of the amendment that alters the hold-harmless provisions in the child support enforcement bill.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS, SUBCOMMITTEE ON HUMAN RESOURCES,
Washington, DC, June 10, 1999.

Hon. TOMMY G. THOMPSON,
Hon. FRANK O'BANNON,
Co-Lead Governors on Welfare, National Governors Association, Washington, DC.

DEAR GOVERNORS THOMPSON & O'BANNON: Thanks for your letter expressing your opposition to our policy of ending the child support hold harmless provision. Bill Archer has asked me to respond to the letter because I negotiated the hold harmless provisions in 1995–96 and I now chair the Subcommittee with jurisdiction over child support enforcement. Here is my response to your arguments about why we should not end the hold harmless provision.

First, I think it is somewhat of a stretch to argue that governors accepted the mandates on child support in exchange for fixed child support funding. As someone who was directly involved in the negotiations, I can tell you that to my knowledge this point was never made by either side during the negotiations. Rather, the hold harmless agreement was developed because a specific provision of the Republican bill required States to share collections on arrearages with families after they left welfare. Our thinking was that federal policy should give families more child support money after they leave welfare and less while they remain on welfare. After all, the point of welfare reform was to get people off welfare. Thus, providing them with more child support money after they left the rolls would help them stay off welfare. In addition, ending the $50 passthrough provided states with significant compensation for sharing more post-welfare collections with families. In fact, according to CBO states saved in excess of $1.2 billion over 6 years (and lots of administrative hassle) by our policy of ending the $50 passthrough.

Despite this huge savings by states and the federal government, some states felt they were still financially at risk. So we agreed both to an arrangement in which the arrearages collections would be roughly split between states and families and to a provision requiring the federal government to make up the difference if the collections states could retain in any given year were less than retained collections in 1995. These provisions were negotiated between a small group of members of the Ways and Means and Financial Committees and one state IV–D director. The provisions were not part of the overall agreement between Congress and the governors on the TANF welfare reform law.

A broader issue raised in your letter is that the repeal of the hold harmless provision comes at a time when state collections in former welfare cases are declining because there are fewer welfare cases. But your letter does not mention that as welfare cases decline, states save considerable funds in their TANF block grant. In fact, on average across states, the 45 percent reduction in TANF caseloads since 1994 means that states have a very substantial surplus of TANF funds over which they have nearly complete control. Recently, the Congressional Budget Office estimated that by the end of 2003, States will have excess funds of over $24 billion. To raise the problems caused in child support financing because of the TANF caseload decline without mentioning the substantial savings in the TANF block grant is a one-sided presentation of state benefits.

Another important consideration in this discussion is that most states make a profit on their child support enforcement program. The enclosed table shows that in 1996, the last year for which we have complete data, 33 states made a profit on their child support program and that the total profit to states was a net of $407 million. While states were showing a positive net cash flow, the federal government had a negative cash flow of nearly $1.2 billion. The second enclosed table shows that the federal government has had a negative cash flow while states have enjoyed a positive cash flow every year since the program began. There is no doubt that the child support program is a good investment, but it is difficult to understand why the federal government should lose money on the program while states enjoy a profit.

It may well be the case that the child support financing arrangements that have been adequate for a quarter of a century are now outdated, primarily because of the dramatic changes in the TANF program. We are certainly open to suggestions about new ways to efficiently and fairly fund this vital federal-state program. But in the meantime, we intend to more equitably share the financing burden between the federal government and the states.

Thanks for your thoughtful letter. I'm sorry that I am not in closer agreement with your perspectives on these child support financing issues. Nonetheless, in accord with the recommendation in your letter, we have agreed to drop the provision that would have ended federal 90 percent funding for blood testing and other expenses of establishing paternity.

Sincerely,

NANCY L. JOHNSON,
Chairman.

Enclosures.

TABLE 8–5.—FINANCING OF THE FEDERAL/STATE CHILD SUPPORT ENFORCEMENT PROGRAM, FISCAL YEAR 1996

[In thousands of dollars]

State	State income			State administrative expenditures (costs)	State net	Collections-to-costs ratio
	Federal administrative payments	State share of collections	Federal incentive payments			
Alabama	31,161	5,737	3,548	46,314	(5,868)	3.41
Alaska	11,517	8,085	2,973	17,439	5,136	3.31
Arizona	31,177	6,647	3,842	46,909	(5,244)	2.41
Arkansas	19,048	4,163	3,195	28,669	(2,263)	2.77
California	293,731	222,548	66,752	437,991	145,040	2.36
Colorado	25,399	15,001	5,590	38,361	7,628	2.82
Connecticut	29,035	12,645	7,086	43,027	5,740	2.91
Delaware	9,941	3,393	1,112	14,168	279	2.50
District of Columbia	7,731	2,526	1,103	11,696	(336)	2.38
Florida	86,999	30,216	13,501	131,363	(647)	3.13
Georgia	45,496	16,780	15,110	68,505	8,881	3.92
Guam	1,744	289	281	2,624	(310)	2.57
Hawaii	16,113	5,396	1,758	23,907	(640)	2.18
Idaho	12,535	2,942	1,961	18,928	(1,490)	2.32
Illinois	68,905	28,513	10,691	103,803	4,304	2.41
Indiana	21,416	14,186	7,658	30,091	13,170	6.54
Iowa	19,209	12,911	6,319	29,048	9,391	5.23
Kansas	12,296	10,704	5,265	18,489	9,776	5.82
Kentucky	27,927	9,646	5,514	42,210	877	3.43
Louisiana	23,058	6,266	4,270	34,495	(900)	4.16
Maine	10,224	9,459	4,907	15,435	9,155	4.05
Maryland	43,688	19,120	6,540	66,017	3,332	4.36
Massachusetts	40,626	30,494	9,828	61,286	19,662	4.05
Michigan	94,572	60,098	22,323	143,132	33,860	6.63
Minnesota	48,457	25,680	9,017	73,195	9,960	4.36
Mississippi	9,522	3,959	3,553	29,463	(2,430)	2.87
Missouri	52,173	22,161	9,635	74,419	9,549	3.75
Montana	8,038	2,122	1,326	12,120	(634)	2.42
Nebraska	20,007	3,964	1,750	30,179	(4,457)	3.16
Nevada	14,782	3,737	2,279	22,346	(1,548)	2.53
New Hampshire	9,377	4,518	1,539	14,091	1,343	3.42
New Jersey	73,147	39,238	12,698	110,735	14,348	4.52
New Mexico	15,914	1,344	975	21,129	(2,896)	1.43
New York	115,020	79,891	28,461	174,183	49,188	4.03
North Carolina	59,282	20,653	10,732	89,147	1,521	2.94
North Dakota	4,352	1,662	990	6,563	441	4.34
Ohio	106,594	41,141	17,008	161,618	3,125	6.07
Oklahoma	16,968	6,674	3,666	24,040	3,269	3.06
Oregon	21,129	10,544	5,480	31,874	5,278	5.60
Pennsylvania	82,784	49,576	18,619	123,808	27,171	7.74
Puerto Rico	19,504	291	372	28,569	(8,401)	4.44
Rhode Island	5,451	6,839	3,262	8,251	7,300	4.31
South Carolina	23,296	6,797	4,154	35,100	(853)	3.37
South Dakota	3,173	1,936	1,399	4,770	1,738	5.87
Tennessee	26,165	10,195	5,328	39,342	2,347	4.06
Texas	96,614	32,915	15,873	144,984	418	3.71
Utah	19,497	5,136	3,217	29,170	(1,321)	2.66
Vermont	4,467	2,602	1,346	6,701	1,714	3.79
Virgin Island	1,597	94	67	2,418	(660)	2.25
Virginia	40,844	18,475	5,988	61,507	3,800	4.18
Washington	76,319	49,348	16,449	115,322	26,795	3.53
West Virginia	15,578	3,230	2,065	23,358	(2,484)	3.61
Wisconsin	50,394	19,115	10,659	74,058	6,110	5.94
Wyoming	5,575	1,835	647	8,455	(398)	2.96
Nationwide	2,039,569	1,013,437	409,681	3,054,821	407,866	3.93

Note.—The ''State net'' column in this table is not the same as the comparable figure presented in annual reports of the Office of Child Support Enforcement (see for example, 1996, p. 78 and table 8–23 below) because estimated Federal incentive payments are used in the annual reports while final Federal incentive payments were used in this table.

Source: Office of Child Support Enforcement, U.S. Department of Health and Human Services.

TABLE 8–6.—FEDERAL AND STATE SHARE OF CHILD SUPPORT ''SAVINGS,'' FISCAL YEARS 1979–96

[In millions of dollars]

Fiscal year	Federal share of child support savings[1]	State share of child support savings	Net public savings[1]
1979	−43	244	201
1980	−103	230	127
1981	−128	261	133
1982	−148	307	159
1983	−138	312	174
1984	−105	366	260
1985	−231	317	86
1986	−264	274	9
1987	−337	342	5
1988	−355	381	26
1989	−480	403	−77
1990	−528	338	−190
1991	−586	385	−201
1992	−605	434	−170
1993	−740	462	−278
1994	−978	482	−496
1995	−1,274	421	−853
1996 (preliminary)	−1,152	407	−745

[1] Negative ''savings'' are costs.

Source: Office of Child Support Enforcement, Annual Reports to Congress, 1996 and various years.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, June 17, 1999.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, House Committee on Commerce, Washington, DC.

DEAR CHAIRMAN BLILEY: I write to confirm our mutual understanding with respect to further consideration of H.R. 1802, the ''Foster Care Independence Act of 1999.'' H.R. 1802, as introduced, was referred to the Committee on Ways and Means, and in addition, to the Committee on Commerce.

Specifically, Subtitle C of Title I would change the Medicaid statute to permit States to provide Medicaid coverage to those 18, 19, and 20 year olds who have left foster care. States would also be permitted to use means testing to provide Medicaid to former foster care youths if their income and resources are below certain specified levels.

I understand that, following advance consultations, you are in agreement with this provision. I further understand that, in order to expedite consideration of this legislation, the Committee on Commerce will not be marking up the bill. The Commerce Committee will take this action based on the understanding that it will be treated without prejudice as to its jurisdictional prerogatives on this measure or any other similar legislation. Further, I have no objection to your request for conferees with respect to matters in the Commerce Committee's jurisdiction if a House-Senate conference is convened on this or similar legislation.

Finally, I will include in the Record a copy of our exchange of letters on this matter during floor consideration. Thank you for your assistance and cooperation in this matter.

With best personal regards,
Sincerely,

BILL ARCHER,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, June 17, 1999.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN ARCHER: Thank you for your recent letter regarding H.R. 1802, the Foster Care Independence Act of 1999. As you noted in your letter, the Committee on Commerce is an additional committee of jurisdiction for H.R. 1802.

The Committee on Commerce will not exercise its right to act on the legislation and the Committee has no objections to the inclusion of those provisions within its jurisdiction. By agreeing to waive its consideration of the bill, however, the Commerce Committee does not waive its jurisdiction over H.R. 1802. In addition, the Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I appreciate your commitment to support a request by the Commerce Committee for conferees on H.R. 1802 or similar legislation.

I ask that you include a copy of your letter and this response in the Record during consideration of the bill on the House floor. Thank you for your consideration and assistance.

I remain,
Sincerely,

TOM BLILEY,
Chairman.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Mrs. JOHNSON).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 2 printed in House report 106–199.

AMENDMENT NO. 2 OFFERED BY MR. THOMPSON OF CALIFORNIA

Mr. THOMPSON of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. THOMPSON of California:

In section 1(b) of the bill, in the table of contents, after the item relating to section 111, insert the following:

Sec. 112. Preparation of foster parents to provide for the needs of children in State care.

At the end of subtitle B of title I, insert the following:

SEC. 112. PREPARATION OF FOSTER PARENTS TO PROVIDE FOR THE NEEDS OF CHILDREN IN STATE CARE.

(a) STATE PLAN REQUIREMENT.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) by striking ''and'' at the end of paragraph (22);

(2) by striking the period at the end of paragraph (23) and inserting ''; and''; and

(3) by adding at the end the following:

''(24) include a certification that, before a child in foster care under the responsibility of the State is placed with prospective foster parents, the prospective foster parents will be prepared adequately with the appropriate knowledge and skills to provide for the needs of the child, and that such preparation will be continued, as necessary, after the placement of the child.''.

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

The CHAIRMAN. Pursuant to House Resolution 221, the gentleman from California (Mr. THOMPSON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I yield myself as much time as I may consume.

First, I would like to commend the Committee on Ways and Means for bringing this measure to the floor. I would like to thank the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their good work on this issue.

Improving foster care is an important goal and providing transition assistance, as this bill does, is particularly important. Mr. Chairman, there is another way that we can improve foster care and that is to improve the training for prospective foster parents and to provide continuing training and education after the child is in that foster care parent's home.

States have a variety of training programs, but there is no standard. They vary in the number of hours in which the training occurs and in the curriculum as well. Particularly interesting is the fact that the training of foster care parents is not expressly required in the States' plan submitted in order for the States to receive Federal funding to support their foster care programs. My amendment addresses and rectifies this situation.

Working with a range of child advocacy groups, as well as the majority and the minority staff, this amendment before the committee focuses renewed attention on the need to improve foster care training and preparation. Such training is crucial.

According to many observers, one of the largest crises facing the child welfare system is the inability to recruit qualified foster care parents as well as the ability of the system to retain those parents once they are found. In addition, in too many cases, foster children are not fully integrated into the their foster families. They are not recognized as individuals in the same way and in the same manner emotionally, educationally and economic needs as birth children, and as such, are treated as temporary tenants without the opportunity to develop and grow into self-sufficient young adults. To the extent foster parents' ill-preparedness is the cause, it can be overcome by improving training, counseling, and aid.

To encourage the improvement of both preplacement training and training after a child's placement, this amendment requires States to expressly include in their State plan a certification that prospective parents are adequately prepared with the appropriate knowledge and the appropriate skills to provide for the needs of those children.

In addition, the amendment requires States to certify that such preparation will be continued as necessary after the placement of the youngster. Improving the training of prospective foster parents will encourage more individuals and couples to accept children in the State's care. More parents will be better prepared to recognize and respond to the problems associated with these children. By continuing and improving the training of parents after the placement is made, fewer parents will decline future foster care placements.

More important, children in foster care will be better cared for and better assisted in their transition to independent adulthood.

Mr. Chairman, I urge the support of this amendment, and I again would like to thank the gentlewoman from Connecticut and the gentleman from Maryland and their staffs for their help in crafting this amendment.

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

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

I rise not to oppose the amendment, but to point out that States do have an open-ended entitlement to Federal money for training, one of the real strengths of the underlying law. The match is only 25 percent in State money. But I accept the gentleman's amendment, because it does clarify and strengthen not only the underlying law, but the intent of this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. THOMPSON of California. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Chairman, I want to congratulate the gentleman from California (Mr. THOMPSON) for this amendment. I think it is a very important amendment, and it improves the bill that is before us. It makes it clear that foster parents need to be prepared adequately with appropriate knowledge and skills to provide for the needs of the child.

We are trying to give additional flexibility to States to help children aging out of foster care and into independent living, but part of that depends upon having foster parents that are adequately trained and have the right skills, and I think this amendment adds to that. I want to congratulate the gentleman, and we certainly accept it on our side.

Mr. THOMPSON of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of this amendment. I think it will make it an even stronger bill. I am so pleased about what is happening on this particular legislation.

The Foster Care Independence Act of 1999 is precisely what we need to deal with foster care problems in our country. I am particularly excited about the idea that we are finally going to do something to help transition 18-year-olds who come out of the foster care system and help them to become productive adults and not just dump them out on the streets.

So again, I commend my colleague from California (Mr. THOMPSON) and say that I believe that this is the way to go. This is the thing to do. I commend all of those who have worked on support of this amendment. I urge an ''aye'' vote on the bill.

Mr. THOMPSON of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California (Mr. THOMPSON).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 106–199.

AMENDMENT NO. 3 OFFERED BY MR. BUYER

Mr. BUYER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BUYER:

In section 1(b), in the table of contents, after the item relating to section 251, insert the following:

Subtitle C—Study

Sec. 261. Study of denial of SSI benefits for family farmers.

At the end of title II, insert the following:

Subtitle C—Study

SEC. 261. STUDY OF DENIAL OF SSI BENEFITS FOR FAMILY FARMERS.

(a) IN GENERAL.—The Commissioner of Social Security shall conduct a study of the reasons why family farmers with resources of less than $100,000 are denied supplemental security income benefits under title XVI of the Social Security Act, including whether the deeming process unduly burdens and discriminates against family farmers who do not institutionalize a disabled dependent, and shall determine the number of such farmers who have been denied such benefits during each of the preceding 10 years.

(b) REPORT TO THE CONGRESS.—Within 1 year after the date of the enactment of this Act, the Commissioner of Social Security shall prepare and submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that contains the results of the study, and the determination, required by subsection (a).

The CHAIRMAN. Pursuant to House Resolution 221, the gentleman from Indiana (Mr. BUYER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BUYER).

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

I congratulate the ranking member from Maryland for his work on the bill and the gentlewoman from Connecticut (Mrs. JOHNSON). This is Congress at its best. This is bipartisanship at its best. I have a compliment that comes from the leadership out of the subcommittee out of the Committee on Ways and Means, and both members are entitled to the compliment, from all members.

The inspiration for the amendment I have here before everyone comes from a constituent of mine named Tim Tanner. His son, Danny, is severely disabled and were if not for the loving sacrifice of his father, Danny would have been institutionalized.

Mr. Tanner is a single dad earning his living as a dairy farmer. Mr. Tanner repeatedly applied for the SSI benefits for Danny, and he was consistently denied, even though he would always go for the appeals. Although Danny qualified medically, and based on his father's income, the benefits were denied because of his father's resources, which were, at least on paper were too great to qualify. He was a minority shareholder of a sub S corporation.

I visited with Mr. Tanner, and I have also met Danny. Let me share Mr. Tanner's view of how the current law had been applied to him. Danny now is 18 and qualifies for SSI as an adult in his own right. But at a time when he needed the money the most, he did not qualify, but would have qualified had the father institutionalized him. But since the father chose to keep Danny at home and sacrificed everything for the son who has a mental capacity of about a 3-year-old, he was penalized. I think that is antifamily, and we should be doing everything we can to help build the family unit.

Mr. Tanner wrote me and he said, ''Social Security is wrong to deny my son benefits. But if they were right, then the people in Washington should hang their heads in shame. Mighty people in lofty positions of government deny the most helpless of all: the handicapped children. It is mean. It is cruel to deny my son, based on my attempt to be a father. It is a dastardly deed. Yes, Congress should be ashamed.''

Mr. Chairman, I have no interest in creating loopholes for welfare benefits, but here is a situation where a needy, handicapped child could not have received the assistance of SSI because of a father choosing the harder way and the more loving option of care at home and not to institutionalize his son. But because his assets were tied to this dairy farm, his means and his livelihood, the son was, I believe, discriminated against.

I would just like to know if this is a rare case or if there are other cases out there. My amendment would require the Social Security administration to do a study on the SSI benefit of denials for family farmers who choose to care for disabled dependents in the home rather than sending them off to an institution. I do not think it is a lot to ask the Social Security administration to give Congress some data on the application of the law.

☐ 1115

I am grateful to the gentlewoman from Connecticut (Mrs. JOHNSON) for her counsel on this amendment and appreciate her hard work in bringing this bill to the floor, along with the gentleman from Maryland (Mr. CARDIN).

Mr. Chairman, I urge the adoption of the amendment, and I reserve the balance of my time.

Mr. CARDIN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

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

Mr. Chairman, let me point out that I want to compliment the gentleman for his amendment, and for bringing to our attention a real problem, and dealing with it in a way that I think we can get the answers.

I certainly support it.

Mrs. JOHNSON of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. CARDIN. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me.

I, too, look forward to the report. It is the kind of problem that for many years passed us by. We must take the opportunity with this family to find a way to help. We will give that report every consideration.

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

Mr. BUYER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BUYER).

The amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Accordingly, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KOLBE) having assumed the chair, Mr. LAHOOD, Chairman 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. 1802) to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes, pursuant to House Resolution 221, 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 committee 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 the 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.

The SPEAKER pro tempore. 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, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 380, nays 6, not voting 48, as follows:

[Roll No. 256]

YEAS—380

Abercrombie	DeLauro	Jackson (IL)
Ackerman	DeLay	Jackson-Lee (TX)
Aderholt	DeMint	Jenkins
Allen	Deutsch	John
Andrews	Diaz-Balart	Johnson (CT)
Archer	Dickey	Johnson, E.B.
Armey	Dicks	Johnson, Sam
Bachus	Dingell	Jones (NC)
Baird	Dixon	Jones (OH)
Baker	Doggett	Kanjorski
Baldacci	Dooley	Kaptur
Baldwin	Doolittle	Kelly
Ballenger	Doyle	Kennedy
Barcia	Dreier	Kildee
Barr	Duncan	Kilpatrick
Barrett (NE)	Dunn	Kind (WI)
Barrett (WI)	Edwards	King (NY)
Bartlett	Ehlers	Kingston
Barton	Ehrlich	Kleczka
Bass	Emerson	Klink
Bateman	English	Knollenberg
Becerra	Eshoo	Kolbe
Bentsen	Etheridge	Kucinich
Bereuter	Evans	Kuykendall
Berkley	Ewing	LaFalce
Berry	Farr	LaHood
Biggert	Fattah	Lampson
Bilbray	Filner	Lantos
Bilirakis	Foley	Largent
Bishop	Ford	Larson
Blagojevich	Fossella	Latham
Bliley	Fowler	LaTourette
Blumenauer	Frank (MA)	Lazio
Blunt	Franks (NJ)	Leach
Boehner	Frelinghuysen	Lee
Bonilla	Frost	Levin
Bonior	Ganske	Lewis (CA)
Bono	Gejdenson	Lewis (GA)
Borski	Gekas	Lewis (KY)
Boswell	Gephardt	Linder
Boucher	Gibbons	LoBiondo
Boyd	Gillmor	Lofgren
Brady (PA)	Gilman	Lucas (KY)
Brady (TX)	Gonzalez	Lucas (OK)
Brown (FL)	Goode	Luther
Brown (OH)	Goodlatte	Maloney (CT)
Bryant	Goodling	Maloney (NY)
Burr	Gordon	Manzullo
Burton	Goss	Markey
Buyer	Graham	Martinez
Calvert	Green (TX)	Mascara
Camp	Green (WI)	Matsui
Campbell	Greenwood	McCarthy (MO)
Canady	Gutknecht	McCollum
Capps	Hall (OH)	McCrery
Cardin	Hansen	McDermott
Carson	Hastings (FL)	McGovern
Castle	Hastings (WA)	McHugh
Chabot	Hayes	McIntyre
Chambliss	Hayworth	McKinney
Clayton	Herger	McNulty
Clement	Hill (IN)	Meehan
Clyburn	Hill (MT)	Meek (FL)
Coble	Hilleary	Meeks (NY)
Collins	Hilliard	Metcalf
Combest	Hinchey	Mica
Condit	Hinojosa	Millender-McDonald
Cook	Hoeffel	Miller (FL)
Cooksey	Hoekstra	Miller, George
Cox	Holden	Minge
Coyne	Holt	Moakley
Cramer	Hooley	Moore
Crane	Horn	Moran (KS)
Crowley	Houghton	Moran (VA)
Cubin	Hoyer	Morella
Cummings	Hunter	Murtha
Davis (FL)	Hutchinson	Myrick
Davis (IL)	Hyde	Nadler
Davis (VA)	Inslee	Napolitano
Deal	Isakson	Neal
DeGette	Istook	Nethercutt
Ney	Roybal-Allard	Tancredo
Northup	Royce	Tanner
Norwood	Rush	Tauscher
Nussle	Ryan (WI)	Terry
Oberstar	Ryun (KS)	Thomas
Ortiz	Sabo	Thompson (CA)
Ose	Salmon	Thompson (MS)
Owens	Sanchez	Thornberry
Oxley	Sanders	Thune
Pallone	Sandlin	Thurman
Pascrell	Sawyer	Tiahrt
Pastor	Saxton	Tierney
Payne	Schaffer	Toomey
Pease	Schakowsky	Traficant
Pelosi	Scott	Turner
Peterson (MN)	Sensenbrenner	Udall (CO)
Peterson (PA)	Serrano	Udall (NM)
Petri	Sessions	Upton
Phelps	Shadegg	Velazquez
Pickering	Shaw	Vento
Pickett	Shays	Visclosky
Pitts	Sherman	Vitter
Pombo	Sherwood	Walden
Pomeroy	Shimkus	Walsh
Porter	Shows	Wamp
Portman	Shuster	Waters
Price (NC)	Simpson	Watkins
Pryce (OH)	Sisisky	Watt (NC)
Quinn	Skeen	Watts (OK)
Radanovich	Skelton	Waxman
Rahall	Smith (MI)	Weldon (FL)
Ramstad	Smith (NJ)	Weldon (PA)
Rangel	Smith (TX)	Weller
Regula	Snyder	Wexler
Reyes	Souder	Weygand
Reynolds	Spence	Whitfield
Riley	Spratt	Wicker
Rivers	Stabenow	Wilson
Rodriguez	Stark	Wise
Roemer	Stearns	Wolf
Rogers	Stenholm	Woolsey
Rohrabacher	Strickland	Wu
Ros-Lehtinen	Stump	Wynn
Rothman	Stupak	Young (AK)
Roukema	Sununu	Young (FL)
	Sweeney	
	Talent	

NAYS—6

Cannon	Coburn	Hostettler
Chenoweth	Hefley	Paul

NOT VOTING—48

Berman	Gallegly	Miller, Gary
Boehlert	Gilchrest	Mink
Brown (CA)	Granger	Mollohan
Callahan	Gutierrez	Obey
Capuano	Hall (TX)	Olver
Clay	Hobson	Packard
Conyers	Hulshof	Rogan
Costello	Jefferson	Sanford
Cunningham	Kasich	Scarborough
Danner	Lipinski	Slaughter
DeFazio	Lowey	Smith (WA)
Delahunt	McCarthy (NY)	Tauzin
Engel	McInnis	Taylor (MS)
Everett	McIntosh	Taylor (NC)
Fletcher	McKeon	Towns
Forbes	Menendez	Weiner

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Mr. DINGELL changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CAPUANO. Mr. Speaker, I was unavoidably detained on the morning of June 25, 1999 and was therefore unable to cast a vote on rollcall No. 256. Had I been present, I would have voted ''yea'' on rollcall No. 256.

Mr. PACKARD. Mr. Speaker, I was unavoidably detained for rollcall 256, which was final passage of H.R. 1802, the Foster Care Independence Act of 1999. Had I been present, I would have voted ''yea.''

GENERAL LEAVE

Ms. JOHNSON of Connecticut. Mr. Speaker, I ask unanimous consent that