citizens in Grand Forks, ND, wanted to know whether there was a sexual predator living nearby, they would have accessed the North Dakota sexual predator list and would not have found Mr. Rodriguez's name, despite the fact that he lived just a short distance from that Grand Forks shopping center, across the state line.

In my judgment, we have to do much, much better than that. A recent study found that 72 percent of the highest risk sexual offenders commit another sexual assault within 6 years of being released. And the Bureau of Justice statistics tell us that sex offenders released from prison are over 10 times more likely to be arrested for a sexual crime than individuals who have no record of sexual assault at all.

We just cannot continue to release sexual predators from prison with no supervision whatsoever and let them prey on an unsuspecting public. So I have offered legislation that I hope will deal with some of the breakdowns that have occurred in this case. The legislation I have offered is cosponsored by Senator COLEMAN and Senator DAYTON from Minnesota, and by my colleague, Senator CONRAD, from North Dakota.

I ask unanimous consent to add as a cosponsor Senator Johnston from South Dakota.

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

Mr. DORGAN. Mr. President, I will define what the bill does. First, it directs the Department of Justice to create a national registry of sex offenders, which would be accessible to the public. This isn't difficult. You just aggregate the State lists so you have a national list. All Americans who live near State borders will be able to access that list.

Second, this legislation will try to ensure that the highest risk sex offenders are not released at all. The bill requires that States provide automatic and timely notification to the States' attorneys of the planned release of any high-risk sex offender. Before the release, the State's attorney shall be formally notified. That will give them time to pursue civil commitment cases for those who are the most dangerous, in order to continue to keep them in prison. They are able to do that under current law. My bill doesn't change current State laws, but it requires notification of the States' attorneys when somebody who is a type 3 high-risk sexual predator is about to be released from prison.

Third, the bill provides that for those high-risk sexual predators who are released after serving their full sentences, there will be intensive State supervision for a period of not less than one year.

Mr. President, in developing this piece of legislation, we have worked with the National Center for Missing and Exploited Children, the Vanished Children's Alliance, the National Council of Cities, and many others. A companion bill to my legislation has been offered in the House by PAUL GILLMOR from Ohio and EARL POMEROY of North Dakota. That, too, is a bipartisan piece of legislation.

Dru Sjodin, was, by all accounts, a wonderful person. I visited with her family and with her roommate in college. It is a tragedy the likes of which we see very seldom in our part of the country. Dru Sjodin has been missing since December. They have had search parties, the National Guard has searched, and her family is still out searching even after the formal law enforcement search has discontinued.

This young woman walked out of a shopping center in the town of Grand Forks, ND, and was abducted by someone who had just been released after 23 years in prison as a sexual predator.

We have to do a lot better than that to protect the American people. This is a tragedy. It is heartbreaking just to talk about this, but in the name of Dru Sjodin and so many other victims of crime, this Congress needs to do better.

One way to do better is to create and require the creation of a national registry of sexual predators so that we know where they are and where they live, not just by State, but where they are across this country, so one can identify them by sorting ZIP Codes or any other definition one wants. That is important.

And when the highest risk sexual predators are about to be released from American prisons, I believe States' attorneys must be notified so they can properly take action for civil commitment in cases where they believe it is necessary. Mr. Rodriguez, in my judgment, should have been in prison, not walking the streets of Grand Forks, ND.

It is easy, perhaps, to suggest criticism of those who did not do their job. But that is not the point. The point is to try to protect others in the future. I hope in the future, whether it is in Grand Forks, ND, or along the streets of any other American city, that no one—no one—has to confront a sexual predator who was just released from prison, and who we knew was violent. We should anticipate such cases, and make use of civil commitment laws. I hope this legislation moves us in that direction.

Mr. President, I thank the bipartisan cosponsors of this legislation and hope we can take action on this legislation in the Congress soon.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

## PERSONAL RESPONSIBILITY AND INDIVIDUAL DEVELOPMENT FOR EVERYONE ACT—Continued

The ACTING PRESIDENT pro tempore. The Senate will continue consideration of H.R. 4.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today we begin debate on what the public at large would refer to as a welfare reform bill, a bill that would build upon very major changes that were made after 60 years of the previous welfare legislation that did not accomplish its goals to one now where we have had an opportunity since 1996 to move people from welfare to work.

The public at large and sometimes even I refer to this legislation as welfare reform, but our legislation is entitled ''The Personal Responsibility and Individual Development for Everyone Act.'' If you hear us use the acronym P-R-I-D-E, PRIDE, this is the legislation that is before the Senate. I am very happy that we are finally able to consider this legislation.

Going back to 1996, after years of debate and even after two vetoes by President Clinton, we finally had a Republican Congress pass, and a Democratic President sign, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. I emphasize that because the issue of welfare is highly charged politically. When you are going to make major changes, as we did in 1996, it takes bipartisanship to accomplish those changes. That bipartisanship was between Democratic President Clinton and a Republican-controlled Congress.

The enactment of welfare reform ended the entitlement aspect of welfare, the cash assistance part of it. The impetus for welfare reform was generated by a number of factors, including public sentiment that the welfare system needed overhauling. When campaigning for President, President Clinton promised, in his words, ''to end welfare as we know it.'' For the Republicans, during the campaign for Congress in 1994 when the Contract With America was the watch word of Republicans, welfare reform was a key part of that. So we had a President promising to end welfare as we know it, we had Republicans putting it in their Contract With America, and, finally, after 2 years, the legislation was passed at that time.

I would categorize the PRIDE legislation as moving on and fine-tuning that basic underlying legislation which has sunset. The sunset was in the 1996 legislation. When legislation sunsets, it must be reenacted by the Congress of the United States or that part of the code goes off the books.

Quite honestly, there are Americans who have needs. There is still need for

assistance, but the goal of that assistance is still as it has always been: to move people from welfare to work.

In the years leading up to the enactment of welfare reform in 1996, the AFDC roles soared and costs increased. From 1988 through 1992, welfare spending increased by billions of dollars. The welfare system was attributed by many to contributing to a culture of isolation and dependence, persisting from one generation to another. Despite dire predictions to the contrary, the reforms in the 1996 act have produced very positive results.

The welfare caseload has dropped dramatically. Between fiscal year 1997 and fiscal year 2002, the average monthly number of welfare recipients fell by 5.8 million or 53 percent of the previous high. Child poverty has also been reduced. Between 1996 and 2001, the national child poverty rate fell by 20 percent. This decline is even more marked for certain groups. We see the African-American children poverty rate dropping from nearly 40 percent to 30 percent, the lowest rate on record.

The Hispanic child poverty rate dropped from just slightly over 40 percent to 28 percent, the largest 5-year drop on record.

Employment rates of adult recipients has increased. In fiscal year 2001, 27 percent of the adult recipients were employed, rising to about 2.4 times the 1996 employment rate of 11 percent.

These reforms all stemmed from a work-first approach that emphasized an adult's attachment to the workforce. I believe we should continue and this legislation does build upon a work-first approach, and yet the need for reform continues.

There are key provisions in the 1996 act which have not yielded the desired results. Additionally, there are further reforms which should be enacted, things that we have learned from the 1996 act, and we are fine-tuning the present legislation through this legislation before us. As an example, the 1996 bill envisions a contingency fund which would provide additional matching grants to needy States during economic downturns.

However, during the recent recession, the first real test of the contingency fund, no State was able to access the contingency fund. This is because States must raise their own spending considerably during a recession to meet the contingency fund State spending requirements.

I am sure it was not the intent of the authors of the 1996 bill to make the contingency fund inaccessible. The PRIDE bill before the Senate includes provisions which would liberalize the contingency fund to make it more accessible to needy States and to help more citizens of their States who have the need.

Another example would be the work participation rate. The 1996 welfare reform bill envisioned a participation rate of 50 percent by 2002. However, because of the way the caseload reduction credit has worked, many States have a marginal or even nonexistent work participation requirement, meaning they are meeting the requirements of existing Federal law without putting one more person from the welfare rolls into the payrolls. The fact that the caseload reduction credit has effectively neutralized the work participation rate requirement is then a fundamental flaw in this 1996 law that PRIDE corrects.

The PRIDE bill does, in fact, correct this by replacing the caseload reduction credit with an employment credit. To ensure that the credit does not undermine the work participation rate, the credit would have a phased-in cap. Many have advocated that there needs to be a stronger message sent to States on the value of education as a means of getting out of poverty. Some have also indicated the need for increased child care funding, as well as needed improvements to child support and enforcement policies.

The PRIDE legislation before the Senate increases opportunities for education, opportunities for training, as well as support for the families by increased funding for child care. Additionally, the PRIDE bill provides child support enhancements with more child support going to families. These reforms are a critical means that help families get off and stay off of welfare.

Two of the four purposes of the 1996 welfare act dealt with strengthening two-parent families. So far, very few States have taken the opportunity to develop and to implement innovative programs and policies to address the issues of healthy two-parent marriages, even though the 1996 law is very flexible on how that is to be done—obviously too flexible from the standpoint of it being a requirement that the State ought to meet.

I strongly support marriage promotion activities as a means of improving child well-being. Let nobody in this body or outside this body say there is anything in this language that has anything to do with forcing people into the institution of marriage. Well short of that, this legislation does and should do things to emphasize the importance of people who are in a married relationship, that they are less apt to be on welfare than families who are single parent.

This legislation provides funding for healthy marriage promotion activities, as well as research, demonstrations and technical assistance to States in developing effective programs. Thus, while the 1996 act made significant reforms, there remains more that should be done to strengthen the current welfare delivery system. Those reforms are included in the PRIDE bill now before the Senate.

Recognizing the improvements that the 1996 reforms made, our Senate Finance Committee began deliberations by working off of current law and improving it with priorities identified by Senators on and off the Finance Committee, as well as ideas that are coming from President Bush's administration.

The Senate Finance Committee deliberations in many ways continued the work done in the 107th Congress on the issues of welfare reform. As Members know, the bill that then-Chairman BAUCUS produced in the second half of the 107th Congress, which went by the acronym WORK bill, was based on the so-called tripartisan agreement at that time. This tripartisan agreement was a series of policy agreements reached by Senators BREAUX, ROCKEFELLER, LINCOLN, and JEFFORDS from the Democratic caucus, and Senators HATCH and SNOWE from the Republican caucus. These Members, along with then-Chairman BAUCUS, continued to play strong and important leadership roles on the Finance Committee relative to welfare reform.

I had a chance to review the work of the last Congress, which was the tripartisan agreement, and I noted similarities between what the tripartisan group proposed, what the PRIDE Act before us has in it, and also the House-passed bill that passed early last year. That House-passed bill is largely based upon President Bush's proposal for welfare reform. I refer my colleagues to the various charts that I am going to put before them now, which highlight the many areas of common ground between last year's WORK bill and the House bill, and the PRIDE bill by which the present title is before the Senate. Admittedly, not all the details are exactly the same, but as my colleagues will see from these charts, there is a great deal of common ground between these three bills. I think it is important to emphasize the similarities because too often on the Senate floor we have emphasis upon disagreements.

This common ground is building upon the bipartisanship that took place in 1996 to move us to the present program.

There is common ground regarding keeping what works from the 1996 reform bill. Going down the chart from top to bottom, all three bills maintain the basic block grant, continue the policy of no individual entitlement to assistance, and retain the lifetime 5-year time limit.

Both the bill of Senator BAUCUS, of last session, and the legislation now before the Senate would maintain current sanction policy. The PRIDE bill continues to allow for 12 months of education and training, while the House bill scales that back to 4 months and the bill of Senator BAUCUS would have increased that to 24 months.

Additionally, both the WORK bill and the PRIDE bill would maintain the current list of core work and work readiness activities, although the WORK bill would allow 8 weeks to be spent in job research.

Now we have a chart that deals with improving State flexibility. Before I describe what is on this chart, we have had a great deal of emphasis upon letting States use this Federal legislation

with some degree of flexibility. Frankly, it is very difficult for us to pour a mold in Washington called welfare reform and have it fit all 50 States exactly the same way. What it might take for the State of Iowa to meet the needs of a welfare family in Waterloo, IA, might be entirely different than in New York City. If you try to solve it in exactly the same way, you are probably going to waste money in New York or Waterloo or you might not accomplish as much in one city for that money as opposed to another. So let Albany, as the capital of New York, or let Des Moines, IA, as the capital of my State—let the legislators there and administrators there fit this to meet their various needs.

I want to point, though, to the common ground in terms of improving State flexibility. Again, I am referring to the three proposals: The Senate bill from the last Congress, the Senate bill from this Congress, and the House-passed bill that is now in the Senate for our consideration. All three proposals would allow for adults on assistance, with barriers to work, to engage in activities designed to address those barriers and allow those barrier removal activities to count toward a State work requirement for 3 months, provide for increased access to emergency or contingency funds during an economic downturn, and allow States to use their unobligated balances or carryover funds for any welfare-related purpose. That would include child care, whereas currently States can only use these funds for cash assistance. We give States much more flexibility to meet their needs because they know their needs better than we do.

Both the Senate bill of the 107th Congress as well as the Senate bill of the 108th Congress would allow for an additional 3 months of barrier removal activities if combined with work. Both the WORK bill and the PRIDE bill include a provision allowing States to count longer duration postsecondary education towards their work requirement. This is a provision patterned after the State of Maine's Parents as Scholars Program.

We also have common ground between these three pieces of legislation on strengthening work requirements and leading people into the world of work. For 60 years we put welfare recipients out of sight, out of mind, out to the edges of society, guaranteeing a life of poverty. What we started doing in 1996, and we intend to continue to do through this legislation, is move people from the world of welfare to the world of work. The motivation behind that is you have to be in the world of work to have a chance to move up the economic ladder. You cannot move up the economic ladder in the world of welfare. But where there are 138 million Americans in the world of work, that is where we need to have as many welfare recipients as we can so they can move out of poverty.

No child should be sentenced to a life of poverty, and I think we are showing in the 1996 legislation, which we are now refining, that this helps people move up the economic ladder. At least there is opportunity to move up the economic ladder where there is no opportunity to do that if you are relying on a welfare check.

I want to again emphasize there is common ground relative to strengthening the work requirement. All three bills would increase a State's required participation rate, raise the time spent in core or priority activities, as well as assign partial credit for hours below the standard. The PRIDE bill and the House bill would raise the standard hour. The PRIDE bill and the WORK bill would replace the caseload reduction credit with an employment credit based on legislation introduced by the Senator from Arkansas, Mrs. LINCOLN.

There is common ground on promoting healthy families. All three bills would provide for universal engagement of improved child support provisions, healthy marriage grants, as well as for responsible fatherhood grants. Both the WORK and the PRIDE bills would extend transitional medical assistance for 5 years, with program simplification that was authored by Senator BREAUX of Louisiana.

It would allow for caregiving for a disabled child to count as work, and would require States to develop presanction review policies.

I have worked very hard to make sure that this is a bipartisan product. I have also been continually mindful of concerns raised by Democratic colleagues that they have about this provision. In areas where we differ, I am more than happy to let the Senate work its will, and there are outstanding issues. There are key differences between last year's Senate Finance Committee bill and this year's Senate Finance Committee bill. In my opinion, the most significant ones are the level of child care funding available for States, about which there is going to be an amendment that we are going to be dealing with shortly. Another one would be 24 months versus 12 months of allowable education and training. Another one would be eligibility for legal immigrants, for welfare, Medicaid, and the children's health insurance program. Another one would be continuation of the expired State aid to families of dependent children waiver; and, fifth, the standard hours for calculating a State's work participation rate.

I am also aware there are Members who may wish to consider provisions increasing the work requirement by broadening the family's account toward the participation rate as well as increasing the standard hour.

Additionally, I have had Members tell me they want to consider amendments requiring States to pose a full check sanction on adults who fail to comply with their self-sufficiency plans.

These are all things to which the Senate is entitled, guaranteed, to have a healthy debate on. These are things that will be settled on the floor of the Senate, if people want to pursue these differences of opinion.

However, at this point I want to spend some time discussing the issues surrounding the work requirement in PRIDE, specifically the issue of work hours for individuals receiving assistance. I want to clarify, first of all, something for the record. There is no Federal hour requirement on an adult receiving assistance.

I want to say that another way.

The Federal Government cannot make an individual welfare recipient work 40 hours or 30 hours or 1 hour. Just as there is no longer an individual entitlement to welfare, there is no individual requirement for work hours. As the great baseball leader Casey Stengel used to say, Look it up.

There is a Federal requirement on the States to engage welfare clients in a variety of meaningful activities in order to meet a Federal work participation rate, and there are severe penalties on States for failure to meet the Federal work participation rate.

Currently, in order for a State to count an adult recipient toward the calculation of that State's work requirement, that adult must be engaged in priority work or work-related activities for at least 30 hours.

As you know, the majority of families receiving welfare don't want to be on welfare. A recent study by the Mathematica Policy Research Institute of low-income families in my State revealed that many of those who ask for assistance ''felt that it sacrifices their independence and pride to do so.''

In hearings as well as in townhall meetings in my State of Iowa, adults receiving assistance told me they desire to work. I took at their word Iowans who spoke to me of their desire to work, and that is why I have worked so hard to bring a bill forward that would encourage States to redouble their efforts to engage adults receiving assistance in meaningful activities and better prepare them to enter the world of work.

Consider the hypothetical case of Sara, a mom with two kids, who finds herself in a crisis. A victim of domestic abuse, Sara is trying to make a better life for herself and her children. To that end, she moves out of her abuser's home and attempts to find a way to support her family. Lacking a number of basic skills as well as needing some counseling to deal with her history of abuse, Sara presents with a number of challenges and needs welfare to help support her family.

Under current law, States have a limited capacity to deal with Sara's issues and have those activities count toward a State work participation rate. Under current law, a State cannot count any domestic violence counseling that may be offered to Sara toward their work participation rate.

Sara knows she must work to support her family, so she begins immediately

looking for work. She spends 6 weeks looking for a job and finally finds a part-time job as a waitress working 6 hours a day for 4 days a week. She continues to look for a better paying job for an hour a day as well as spending another hour a day in counseling provided to her by her own State.

I think many of us would agree that Sara is doing everything she can to try to move toward self-sufficiency and that her State by engaging her in counseling is doing its part as well. However, under current law, because she is only part time and because a State cannot count her job search after 6 weeks, and under current law domestic violence counseling can never count, Sara does not count toward that State's participation rate, regardless of how hard she or the State make the effort for her to be in the work force. In other words, you either meet the 30-hour standard and count or you don't.

Currently, the States report that the majority of adults—57 percent—receiving assistance engage in 0 hours of activity. Clearly, it is more difficult for States to work with adults who are not doing anything than to work with an adult working 29 hours and get her engaged in meaningful activities for another 5 hours.

It can be argued as well that it is more meaningful to help an adult move from 0 to 20 hours of activity than to move an adult from 29 hours to 34 hours of activity; but under current law, a State has no incentive to work with that particular individual. It doesn't give them credit, to the Federal Government, for doing the State's part under the welfare-to-work law requirements

The administration's proposal for welfare reform reauthorization—last year's Senate bill called the WORK bill and this year's PRIDE bill—allows States to get partial credit for hours below that standard hour requirement.

As my colleagues know, the standard hour is when an eligible parent or parents count as ''one family'' for purposes of calculating a State's work participation rate. Partial credit for hours below the standard would give States a very strong incentive to work with adults who may not be ready for full-time employment. I think we can all agree it is better for these adults to be doing something rather than nothing, languishing on welfare rolls until the time limit kicks in and they have to go off assistance, having no skills to go get a job or skills to support their family.

I have another chart I would like to bring to your attention.

Our PRIDE bill is unique, however, insomuch as the legislation would establish a series of ''tiers'' where partial credit is assigned along with a band of hours.

For work or work-readiness activities in the 20–23 hour range, a State may claim credit for an adult with a child age 6 or older counting as .675 of an entire family. For hours of 24–29 range, a State may claim credit for an adult counting as .75 of a family. And for hours in the 30–33 range, a State may claim credit for an adult counting as .875 of a family.

The PRIDE bill, consistent with last year's tripartisan proposal, establishes a separate lower standard hour for parents with a child under the age of 6 because of the greater need for attention of that child. However, PRIDE sets a standard hour at 24, whereas the tripartisan proposal would have continued to set the standard hour for a parent with a child under age 6 at 20 hours. States can also capture a modest amount of extra credit for hours above this standard.

As a result of these provisions in the PRIDE Act, the Congressional Research Service has calculated that overall, the nationwide work participation rate for States increases from a national average of 29 percent—without waivers—to 41 percent under our PRIDE legislation.

There are some States that have very low participation rates. I have included a number of provisions specifically intended to help those States. Additionally, I am willing to work with Members representing those States on measures we can take to assist those States in making improvements in the way services are delivered and clients being engaged in those States.

When we talk about the work hours as they relate to the PRIDE bill, I think it is important to bear in mind that the significant hour is not whether it is 34 or 40 or 37, but the significant number of hours is 20 because that is where the partial credit begins.

Additionally, when we talk about the hours in the work requirement, the important hour again is not 30 or 40, but the important hour is 24 because that is the threshold for core work activities.

Once a client meets the 24-hour threshold for core work activities, States can count unlimited education, counseling, job search, or other barrier-removal activities toward the State's participation rate.

So then, we go back to Sara, the young mother to whom I previously referred, who, under current law—even though she was working 24 hours, and in counseling, and even looking for another job—did not count at all toward a State's participation rate and, consequently, would not get much attention from that State—the attention that is needed to improve people's economic growth.

Under the legislation before the Senate this year, as opposed to what current law has been since 1996, Sara would have up to 6 months allowed in barrier-removal activities, including domestic violence counseling and substance abuse counseling, that counts toward this State's participation rate, meeting the requirements of Federal law.

Once the 6 months are up, she has an additional 12 months that she can spend in education and training.

Once those 12 months are up, if she works for 24 hours a week, spends an hour a day, 5 days a week, in domestic-abuse counseling, and looks for a better job for an hour a day, 5 days a week, she then has reached the point where she counts as one family, where the State recognizes her as a very significant individual, where the State, by paying attention to her, is going to get some credit. In other words, under the legislation now before the Senate, Sara does count; whereas, under current law, Sara does not count.

During the past 3 years of debate on the issue of welfare reform, I have heard a number of different perspectives on the best approach to take for the next phase of welfare reform.

Some have argued the way to go is to increase the time that adults receiving assistance spend engaged in meaningful work activity. The correlation between full-time work and increased earnings is compelling.

Some have suggested that increasing the amount of time allowed for education and training is more important than increasing the time spent working. The correlation between increased education and increased earnings, of course, is compelling as well.

Others believe that encouraging marriage and reducing out-of-wedlock births would net the best result.

Still others have suggested that increasing State flexibility should be an integral part of any reform effort.

I firmly believe that when it comes to welfare reform, there is, in fact, no such thing as ''one size fits all.'' While education may be the best approach for some, it may not be for others. Encouraging healthy family formation may be just what one family needs, but perhaps that approach would not be in the best interest of another family under different circumstances.

The PRIDE bill takes a blended approach to welfare reform and strives to find balance among all these perspectives.

The legislation before the Senate increases the emphasis on work and work-readiness activities, as well as increasing the flexibility for States to engage adults in education and training activities. The PRIDE legislation also provides resources to encourage States to develop innovative family formation programs, while making it clear that participation in those programs must be voluntary, and the program must be developed with domestic violence professionals.

I have a chart speaking to the factors that influence poverty rates. This approach is consistent with the latest research; in other words, the approach of flexibility—''one size fits all'' not working.

We have a recent policy brief that was released by the Brookings Institution, and it was drafted by Ron Haskins and Isabel Sawhill. It is entitled ''Work and Marriage: The Way to End Poverty and Welfare.'' The authors, using Census data and simple modeling, simulate

the effects of various factors on the poverty rate for families with children.

The poverty rate for families with children, in 2001, was 13 percent. Now, surely, everyone agrees that a central purpose of welfare reform is the reduction of poverty. As this chart clearly shows, the least effective factor in reducing poverty was to double a family's welfare benefit. The most effective single way to reduce poverty was to work full time. Indeed, according to these authors of the Brookings Institute policy brief:

[F]ull-time work eliminates almost half of the poverty experienced by families with children.

However, the most effective approach to reducing poverty was a combination of work, marriage, education, and family-size reduction.

As colleagues can see from this chart, when the blended approach is adopted, poverty is reduced a staggering 9.3 percent, going from 13 percent down to 3.7 percent.

I find these numbers to be quite compelling. I am pleased that they reinforce the approach taken in this legislation before the Senate.

I know there are colleagues who have many thoughts on these pieces of legislation, and we are going to have a very lively debate.

AMENDMENT NO. 2937

Mr. President, I send an amendment to the desk for the Senator from Maine, Ms. SNOWE, and ask for its consideration.

The PRESIDING OFFICER (Mr. SUNUNU). The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY], for Ms. SNOWE, for herself, Mr. DODD, Mr. HATCH, Mr. ALEXANDER, Mr. CARPER, Mr. BINGAMAN, Mr. ROCKEFELLER, Ms. COLLINS, Ms. LANDRIEU, Mrs. MURRAY, Mr. JEFFORDS, Mrs. BOXER, Mr. CHAFEE, Mrs. LINCOLN, Mrs. CLINTON, Ms. MIKULSKI, Mr. COLEMAN, and Mr. SCHUMER, proposes an amendment numbered 2937.

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

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

The amendment is as follows:

(Purpose: To provide additional funding for child care)

Beginning on page 255, strike line 18 and all that follows through page 257, line 2, and insert the following:

**SEC. 116. FUNDING FOR CHILD CARE.**

(a) INCREASE IN MANDATORY FUNDING.—Section 418(a)(3) (42 U.S.C. 618(a)(3)), as amended by section 4 of the Welfare Reform Extension Act of 2003 (Public Law 108–040, 117 Stat. 837), 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) $2,917,000,000 for each of fiscal years 2005 through 2009.''.

(b) RESERVATION OF CHILD CARE FUNDS.—

(1) IN GENERAL.—Section 418(a)(4) (42 U.S.C. 618(a)(4)) is amended to read as follows:

''(4) AMOUNTS RESERVED.—

''(A) INDIAN TRIBES.—

''(i) IN GENERAL.—The Secretary shall reserve 2 percent of the aggregate amount appropriated to carry out this section for a fiscal year for payments to Indian tribes and tribal organizations for such fiscal year for the purpose of providing child care assistance.

''(ii) APPLICATION OF CCDBG REQUIREMENTS.—Payments made under this subparagraph shall be subject to the requirements that apply to payments made to Indian tribes and tribal organizations under the Child Care and Development Block Grant Act of 1990.

''(B) TERRITORIES.—

''(i) PUERTO RICO.—The Secretary shall reserve 1.5 percent of the amount appropriated under paragraph (5)(A)(i) for a fiscal year for payments to the Commonwealth of Puerto Rico for such fiscal year for the purpose of providing child care assistance.

''(ii) OTHER TERRITORIES.—The Secretary shall reserve 0.5 percent of the amount appropriated under paragraph (5)(A)(i) for a fiscal year for payments to Guam, American Samoa, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands in amounts which bear the same ratio to such amount as the amounts allotted to such territories under section 658O of the Child Care and Development Block Grant Act of 1990 for the fiscal year bear to the total amount reserved under such section for that fiscal year.

''(iii) APPLICATION OF CCDBG REQUIREMENTS.—Payments made under this subparagraph shall be subject to the requirements that apply to payments made to territories under the Child Care and Development Block Grant Act of 1990.''.

(2) CONFORMING AMENDMENT.—Section 1108(a)(2) (42 U.S.C. 1308(a)(2)), as amended by section 108(b)(3), is amended by striking ''or 413(f)'' and inserting ''413(f), or 418(a)(4)(B)''.

(c) SUPPLEMENTAL GRANTS.—Section 418(a) (42 U.S.C. 618(a)) is amended—

(1) by redesignating paragraph (5) as paragraph (7); and

(2) by inserting after paragraph (4), the following:

''(5) SUPPLEMENTAL GRANTS.—

''(A) APPROPRIATION.—

''(i) IN GENERAL.—For supplemental grants under this section, there are appropriated—

''(I) $700,000,000 for fiscal year 2005;

''(II) $1,000,000,000 for fiscal year 2006;

''(III) $1,200,000,000 for fiscal year 2007;

''(IV) $1,400,000,000 for fiscal year 2008; and

''(V) $1,700,000,000 for fiscal year 2009.

''(ii) AVAILABILITY.—Amounts appropriated under clause (i) for a fiscal year shall be in addition to amounts appropriated under paragraph (3) for such fiscal year and shall remain available without fiscal year limitation.

''(B) SUPPLEMENTAL GRANT.—In addition to the grants paid to a State under paragraphs (1) and (2) for each of fiscal years 2005 through 2009, the Secretary, after reserving the amounts described in subparagraphs (A) and (B) of paragraph (4) and subject to the requirements described in paragraph (6), shall pay each State an amount which bears the same ratio to the amount specified in subparagraph (A)(i) for the fiscal year (after such reservations), as the amount allotted to the State under paragraph (2)(B) for fiscal year 2003 bears to the amount allotted to all States under that paragraph for such fiscal year.

''(6) REQUIREMENTS.—

''(A) MAINTENANCE OF EFFORT.—A State may not be paid a supplemental grant under paragraph (5) for a fiscal year unless the State ensures that the level of State expenditures for child care for such fiscal year is not less than the sum of—

''(i) the level of State expenditures for child care that were matched under a grant made to the State under paragraph (2) for fiscal year 2003; and

''(ii) the level of State expenditures for child care that the State reported as maintenance of effort expenditures for purposes of paragraph (2) for fiscal year 2003.

''(B) MATCHING REQUIREMENT FOR FISCAL YEARS 2008 AND 2009.—With respect to the amount of the supplemental grant made to a State under paragraph (5) for each of fiscal years fiscal year 2008 and 2009 that is in excess of the amount of the grant made to the State under paragraph (5) for fiscal year 2007, subparagraph (C) of paragraph (2) shall apply to such excess amount in the same manner as such subparagraph applies to grants made under subparagraph (A) of paragraph (2) for each of fiscal years 2008 and 2009, respectively.

''(C) REDISTRIBUTION.—In the case of a State that fails to satisfy the requirement of subparagraph (A) for a fiscal year, the supplemental grant determined under paragraph (5) for the State for that fiscal year shall be redistributed in accordance with paragraph (2)(D).''.

(d) EXTENSION OF MERCHANDISE PROCESSING CUSTOMS USER FEES.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)), as amended by section 201 of the Military Family Tax Relief Act of 2003 (Public Law 108–121; 117 Stat. 1343), is amended—

(1) by striking ''Fees'' and inserting ''(A) Except as provided in subparagraph (B), fees''; and

(2) by adding at the end the following:

''(B) Fees may not be charged under paragraphs (9) and (10) of subsection (a) after September 30, 2009.''.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I begin by thanking the chairman of our committee, Senator GRASSLEY. He has worked very long and hard on this issue, and it has been very good to work with him. He has thought a lot about these issues. He has worked hard to try to find a middle ground. He wants to get things done, and I deeply appreciate that.

We are here today to reauthorize the 1996 welfare reform law. The 1996 law has actually worked pretty well. I think all commentators would agree with that statement. In fact, it has worked much better than people thought it would work. It is not broken. It is not broken at all. And I think we need to guard against ''fixing'' something that is not broken. You know the old saying: ''If it ain't broke, don't fix it.'' I think that applies to the 1996 welfare statute.

As we go forward, we might ask ourselves whether we might do better simply extending the existing 1996 law. Yes, we could make some modifications. We would increase, for example, funding for child care to help parents get to work. But as the Senate considers proposed changes, we might ask whether it would be better to stick with the 1996 act.

I will spend a little time today talking about the House bill. The House bill does not stick with the 1996 bill. The House of Representatives has

made, frankly, some pretty dramatic changes—''fixes'' to a program that many of us believe is not broken.

The Senate bill that Chairman GRASSLEY has crafted tries to chart a middle course. Thus, the bill before us presents an opportunity to reflect on the lessons we have learned since 1996, and to incorporate those lessons in the new bill.

We accomplished what we set out to do in 1996, and I am proud to have played a role in passing that law.

The 1996 welfare reform law was a landmark. The old system had failed.

We were spending billions, but we had little to show for it. So we tried something new. We tried, in the words of the introduction to the 1996 act ''to end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.''

At the same time, the 1996 act was very controversial. In retrospect, it is clear that by and large we were headed in the right direction. I call attention to the chart next to me. This chart essentially tells the story. It is entitled ''Welfare Recipients as a Percentage of Population.'' Hundreds of thousands of people have left welfare and left welfare for work. The number of folks on welfare, as you can tell, as a percentage of the American population, beginning in 1988, rose up to its peak in about 1994 and 1995. Then we passed the 1996 statute, and it has plummeted dramatically.

The next chart shows the changes in welfare recipient caseloads, from 1996 to 2001. It shows that all States have shared in the success. The caseload reduction has been highest for those States in red, that is greater than a 70-percent reduction. In States represented by orange, the reduction in welfare caseload has been between 50 and 70 percent. And States represented in yellow have a caseload reduction of less than 50 percent but very significant. My State of Montana is an orange State. Montana reduced its welfare caseload by 56 percent between 1996 and 2001.

The New York Times reported last week that even with the weak economy we have experienced lately, welfare rolls have declined in the past 3 years in most States. That is, caseloads have decreased even as unemployment, poverty, and the number of food stamp recipients have increased.

For example, in the State of Illinois, the number of families on welfare fell 45 percent since January 2001. In New York, the number of families on welfare declined about 40 percent since January of 2001. And in Texas, the number of families on welfare has declined 11 percent, again, in the last 3 years.

I would like now to show another chart. This is the child poverty rate. The child poverty rate has also declined since 1996, overall by about 23 percent. As you can see, the child poverty rate in 1988 was roughly 20 percent. It increased during the 1990s, through 1992, and peaked around 1993. It has declined very significantly since that peak in 1993. However, look at the end, 2000 to 2002. It looks as though it is starting to increase slightly.

But despite our success, there is still more to be done. We are not out of the woods. Too many troubled families remain on the rolls. Too many families struggle to raise children in poverty. In 2002, there were 34.6 million Americans below the official poverty level. For a family of two, poverty is $12,490. 34.6 million Americans below that level. Thirty-seven percent of families in poverty are working.

I have another chart. This is the poverty rate. As this chart shows, 1 in 10 Americans still live in poverty. That share has gone up in the last couple years with the recession, and close to 17 percent of our children live in poverty. In Montana, 19 percent of all children live in poverty. Nationwide, 1 in 10 Americans.

Those numbers are simply too high. We must provide better opportunities for poor families to move off welfare, into the workforce, and out of poverty for good. As successful as the 1996 bill has been, these figures show there is more we have to do.

In my view, doing more means focusing more attention on the hardest cases; that is, on families who face complicated and difficult challenges. For example, children with disabilities, adults with little or no education or work skills, people with mental health issues or substance abuse problems. Those are the hardest cases. We also need to focus on the single mother with an autistic son who cannot care for himself after school when she is at work.

We need to focus on families affected by mental health concerns that limit their ability to engage in continuous full-time employment, and families who have been hit by a health crisis and need help. Doing more means building on the partnership we established with the States back in 1996. It means letting States maintain the flexibility they have used to design their current successful welfare-to-work strategies. How does it best work for each State? All States are different, with different populations, different issues. It means giving States new options to address especially troubled families. And at the same time, it means maintaining and increasing help in building the work support system.

We learned, with the major reform in 1996, that getting a job is not always a ticket out of poverty. We helped to get people off the welfare rolls by a dramatic amount, an average of about 50 percent, but still people who leave are having a very tough time finding jobs. They are in very dire straits. People find that the jobs pay too little. In Montana, we have the highest number of people working more than one job just to make ends meet because we have low wages and a poor economy. Those families who are just off of welfare are struggling. They need access to education, to training. They need the opportunity to address many of the barriers that prevent them from getting a job and keeping a job, and they need access to benefits such as food stamps, health care, and child care.

Child care is a huge concern. If you want to make a lasting difference, we need to provide further help with child care, further help with health care, transportation, and other things that will help parents stay off welfare and thrive in the job market.

The success of the 1996 bill should have meant a quick and simple reauthorization, because we all, both sides, can agree that the law works. But some want to leave the successful 1996 law behind them and make dramatic changes. I call this a cut-and-run approach—leaving the States and, more importantly, low-income families behind. The House-passed welfare reauthorization bill embodies this cut-and-run attitude. The House bill would force States to use expensive workfare—or ''make work''—models of welfare reform, where welfare recipients would participate in large-scale, unpaid, make-work programs such as cleaning up trash.

The House bill work requirements would force States to put welfare recipients into make-work jobs. I mentioned trash pickup. There are many other examples. Cleaning the streets is good for the streets, but where does it leave the welfare recipient after the cleanup is over? At the end of a make-work job, welfare recipients have learned no new skills, and they are no closer to having a real job.

The House bill would push recipients into make-work programs instead of real private sector jobs that provide the meaningful work experience necessary to survive in the job market. States mostly rejected this one-size-fits-all workfare model years ago. States don't like it. They know it doesn't work. State and local administrators have told us they need, more than anything else, a full menu of strategies for the different needs of individual parents, families, and communities.

The House bill, however, makes it harder to design services and strategies that meet local needs. And it also fails to provide adequate funding. As welfare rolls have fallen, States have used freed-up TANF funds to support low-income working families—often those who have left welfare to work in recent years. This is common sense and a proven strategy for success. It works.

For a single mother, providing child care assistance can be the single most important factor for workplace success. But the lack of funding in the House-passed bill means States would have little choice but to shift funds away from programs that help keep low-income parents working to much more expensive make-work programs for those still on welfare.

This would be a mistake, as it would force working families to return to the

welfare rolls. It would mean cutting and running on those working families whose success we have been celebrating.

It doesn't make sense to abandon work supports to pay for make-work activities, but States report that the approach in the House bill would do just that: it would require States to cut funding for these successful work support services to pay for large, expensive, and unproven make-work programs for those remaining on the rolls.

Education and training clearly are critical factors in getting people into jobs that pay more. In a rural State such as Montana, access to education and training represents a clear path out of poverty. We need to ensure that America's needy families have access to such paths. And States need flexibility so they can provide these programs.

All States are different. In States such as mine, making welfare reform work means making it work for American Indians. More than a quarter of American Indians live in poverty—more than twice the national average. In Montana, American Indians make up a full one-half of our welfare caseload. We needed flexibility to address that.

I appreciate that the chairman has included provisions to help Native Americans. But to make a real difference for welfare reform in Indian country will require real resources.

Tribes need support to operate TANF for themselves and help with economic development. Our work is not done when there are still places in America where most adults don't have jobs. Flexibility must be maintained.

Back in 1996, we asked the States to design a welfare program to address their specific needs. Some States applied for waivers to do just that. Those waivers have been a vital aspect to welfare reform's success. It is important to allow States to continue with their waivers and to ensure States continue to have flexibility to make welfare reform work. Dictating prescriptive requirements and unfunded mandates to States is unnecessary, particularly when so many parents are already participating in work-related activities.

In sum, the House bill is sure to undermine the success of the 1996 law. It would effectively eliminate the ability of States to employ proven welfare-to-work strategies, and it would virtually wipe out the progress made in the last 6 years to use TANF and child care funds to ''make work pay.''

The House approach would force States to divert dollars to make-work programs. It would thus divert funds from child care, where funds are needed. Future funding for child care and other work supports would be harder than ever to secure.

It seems to me that the House program is designed to fail. The House approach is difficult for would-be recipients to access. And States will have a hard time making it work. In the prophetic words of one TANF administrator:

> [The House approach] is part of a larger effort . . . to set unattainable goals for States, so that Washington can generate budget savings and say that social programs don't work.

That would be irresponsible. That would be breaking something that is fixed. Whatever we do here, we need to ensure that TANF continues to work.

I applaud Chairman GRASSLEY for trying to do better. Compared with the House-passed bill, chairman's bill has fewer mandates and less need for States to adopt workfare programs, which I find so reprehensible in the House-passed bill.

Yet I remain concerned that the bill before us doesn't provide States with enough new flexibility in areas such as training and education, or in determining welfare-to-work strategies, particularly in States with specific needs like rural States. I am also concerned that it doesn't provide enough child care funding.

During this debate, Senators will offer amendments to address these shortcomings. An amendment will be offered to increase child care funding so that parents can go to work. Senators SNOWE and DODD will offer that amendment today. I believe the chairman already has offered that amendment on behalf of Senators SNOWE and DODD.

An amendment will be offered on this bill that will allow recipients to continue their education to gain job skills. Senators LEVIN and JEFFORDS will offer that amendment.

Amendments will be offered making TANF work for immigrants. Senators GRAHAM and CLINTON will focus their efforts on these initiatives. Also, an amendment will seek to preserve the flexibility that States had under the 1996 law. Senators BINGAMAN and WYDEN will be offering that one.

Of course, we should also protect the civil rights of workers and of children in this law. We should make sure to get the balance right between State incentives and accountability.

Welfare reform is working. Let's build on that success and build on our partnership with States. By continuing to work together, we can achieve a successful bill.

We can strengthen existing programs to address the needs of America's struggling families. We can give further support to those who have successfully moved from welfare to work.

Let us not cut and run. Let us not ''fix'' what is not broken. Rather, let us build on the success of the 1996 law.

I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I see the prime sponsor of the amendment, the Senator from Maine. I ask unanimous consent to follow her when she completes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, I rise today to talk about an amendment that I know has already been offered to the Senate on the pending legislation, the Personal Responsibility and Individual Development for Everyone Act, known as the PRIDE Act.

I am proud to have authored this amendment along with my friend and colleague, Senator DODD. Without question, Senator DODD has been a fearless and unyielding champion in increasing both the quality of and funding for child care in America. He has been a tremendous friend to families and children. I appreciate his dedication and advocacy to these causes.

It is regrettable that Senator DODD could not be here today in person to offer this amendment. As our colleagues know too well, disasters do occur from time to time in our States, and they understandably take precedent. He is in Connecticut today addressing issues related to a major highway accident that closed Interstate 95 last Thursday. This accident had an enormous impact on the people of Connecticut but also other States that rely on the interstate for travel or commerce. It is a loss of billions of dollars. Senator DODD is working with State and Federal officials to restore travel in this vital transportation artery, and today he is where he should be—working on behalf of the people in his State. I look forward to hearing from him tomorrow on this amendment.

I also want to recognize and thank Senators HATCH, ALEXANDER, and CARPER, who approached me sometime ago on this vital issue regarding child care in the welfare reauthorization and a strong desire to work together to ensure that this issue would be addressed and be given priority consideration in the Senate. I appreciate their efforts as well as the commitment and dedication of other cosponsors: Senators BINGAMAN, ROCKEFELLER, COLLINS, LANDRIEU, MURRAY, JEFFORDS, BOXER, CHAFEE, LINCOLN, CLINTON, and MIKULSKI. I appreciate the fact that they have made it a broad bipartisan amendment.

Before I explain the amendment before us and why it is such a critical component of this debate, I, too, want to recognize the work of the chairman of the Finance Committee, Senator GRASSLEY, who has been tireless in his perseverance, patience, and commitment to ensuring that the reauthorization of this legislation would be completed in this Congress. The fact that we have been able to report this legislation out of the Finance Committee is in no small part due to his efforts to make sure it became a reality. I thank the majority leader, as well, for his commitment to this issue so that we were able to bring up this bill, finally, for consideration.

Also, I want to recognize the Democratic leader, Senator DASCHLE, and the ranking member, Senator BAUCUS, for their work, along with the majority leader and Chairman GRASSLEY, who

scheduled this debate so that, hopefully, we can complete the work on this reauthorization.

It goes without saying that this day is long overdue regarding our actions for this reauthorization. We have had six extensions in 18 months after the original expiration of this law.

As we well recall, in 2002, the Finance Committee did pass this legislation, but, regrettably, it was not brought up on the floor for Senate consideration. So we have had to repeatedly extend this legislation, and the States and the caseloads were left without any kind of specific blueprint for action in the future.

Today, hopefully, we begin the last leg of this journey toward giving the States their plan of action for the next 5 years with respect to welfare reform and build upon the successes of the past, as well as addressing some of the remaining issues that certainly have manifest itself in the last 5 years with respect to what my amendment will be addressing.

The bill before us today is predicated on the administration's proposal which not only strengthens work requirements, but also allows States to concentrate on removing barriers to employment, giving TANF recipients up to 6 months during which time they can focus, without interruption, on becoming more employable, to remove those barriers that prevent them from being able to seek employment. So that means they can have the opportunities for adult literacy, substance abuse treatment, or taking advantage of other educational opportunities, such as vocational education or technical training.

Moreover, the bill rightly recognizes that some families have longer term barriers that they must also face and overcome. For example, this legislation includes provisions which ensure that under certain circumstances, caretakers for disabled dependents meet the requirements for obtaining support as well. I thank Senator GRASSLEY for working with me to include these provisions.

Another example of how this bill will improve the employability and likelihood of successful transition from welfare to work, the bill before us today includes provisions based on a widely praised program that happens to be located in my State of Maine, known as the Parents as Scholars Program.

We should be able to agree that increased education is another critical factor in whether a person will transition off welfare, be able to not only maintain a job, but to secure one that provides a decent income. That is why I have championed these provisions repeatedly which will allow a number of qualified, motivated welfare parents to take part in longer duration and post-secondary education while on the caseload.

Parents as Scholars has been extraordinarily successful in my State, with graduates averaging a 50-percent increase in salaries, and with 90 percent of working graduates leaving welfare behind permanently. It is because of this record of success that I am very pleased that during the Finance Committee markup, my amendment giving all TANF parents across the Nation the benefit of accessing this education program was accepted.

This program, as I said, has been not only successful, but I think it also ultimately will be widely available across the country because access to education should not be a question of geography.

This legislation also reflects our desire to afford the States flexibility by providing partial credit toward a State's work participation rate when there is partial compliance with hourly requirements by recipients. I believe this is a commonsense addition to current law that will fuel this program's success for years to come, while laying the groundwork for States to help clients become employed and stay employed, which, after all, was the original goal of the landmark 1996 reform act.

I thank Senator LINCOLN for offering this provision because I do think it goes a long way to addressing some of the issues that were raised in the last welfare reform act.

I am very pleased this legislation before us also builds upon the tripartisan legislation on which many of us on the Finance Committee worked in 2002. Senator HATCH, Senator BREAUX, Senator JEFFORDS, Senator LINCOLN, Senator ROCKEFELLER, and I included provisions that now have also been incorporated in this legislation concerning child support distribution, the employment credit, education and training requirements, and much of our universal engagement provisions and adjustments to the contingency fund.

At the same time, this bill also reflects a considerable good-faith effort to close some of the political and policy gaps that existed within the committee at the time of the markup. I know many of my Republican colleagues would have preferred additional workups similar to what the President had proposed—40 hours instead of the 34—but we were willing to compromise in order to advance this benchmark legislation.

It was in the spirit of that compromise that I supported the legislation in the Finance Committee, recognizing that, yes, I would have preferred a significantly greater funding for child care, but at the same time I know there has been some disagreement on this side of the aisle as to how much we can even afford or should do with respect to child care funding in the welfare reauthorization. I refrained from offering that amendment in the committee so that we could have the opportunity to bridge these gaps on the floor of the Senate and to move this legislation forward.

The amendment I am offering today will provide $6 billion in new mandatory child care funding which I think represents an attempt to guarantee that there will be no structural weaknesses in the PRIDE Act that may undermine its ultimate effectiveness or success.

I am very pleased that Chairman GRASSLEY gave me the opportunity to have priority recognition to offer this amendment today that was part of the agreement we reached in the Finance Committee because I hope it will set a bipartisan tone for the debate to come.

This reauthorization is critical to almost 5 million people who are on welfare today. I am convinced it is our duty and our obligation to do all that we can to clear the political barriers, the policy barriers, overcome all the obstacles that we ultimately engage in on the floor of the Senate, but, in the final analysis, we ought to be in a position to vote on the welfare reauthorization and extend this law.

This $6 billion increase in new mandatory child care certainly should move us in that direction. I am adding this today because I think this amount is commensurate with the real and current needs. To understand how these needs developed and why this amount of funding is essential is important to understand because as we set out to reauthorize the 1996 law, we have to reexamine some of the decisions and some of the choices that were made at the time that now has led us to this point that I think compels us to offer more money in terms of child care.

One of the decisions that Congress made back in 1996 was to ensure that we would have the necessary support systems to allow welfare recipients, as they transition into the workplace and access full-time employment, to have all of the support that is going to be absolutely vital to make that employment a success, as well as accessible.

These types of assistance to working parents who generally are employed at minimum-wage jobs allow them to make ends meet and to make a permanent transition from welfare to work. One of the most critical types of work support we can offer these families is quality child care. Without good child care, a parent is left with only two choices: to leave a child in an unsafe and often unsupervised situation, or not to work, both of which are lose-lose situations.

If the aim of welfare reform is to move people off the welfare rolls and on to the payrolls, providing support in the form of quality affordable child care is a prerequisite to realizing that goal. Of course, as with anything else, child care comes with a price. In some States, it can cost as much as a year's tuition in a public college. Factor in additional costs of infant care or odd-hour care, such as nights or weekends or care for children with special needs, and the challenge increases significantly. So for a parent working toward financial independence, typically earning minimum wage, it is not hard to see how child care can be the budget

buster that compels a family to retreat back into welfare.

This battle was also fought by families who are employed in full-time, lower wage jobs, families not receiving cash welfare assistance, but who only earn $15,000 to $20,000 per year.

Almost 2 years ago, a constituent of mine came to Washington to testify before Senator DODD's Subcommittee on Children and Families. Sheila Merkinson, a resident of Maine, testified her childcare costs absorbed almost 48 percent of her weekly income. Even though she is eligible for aid, she receives no childcare assistance because the need exceeds the income eligibility requirements in our State.

At that time, Sheila stated she had been on the waiting list for childcare subsidies 6 months, four of them while she was working, and sleeping on a couch during that entire time period because she could not afford to pay the rent on her $18,000 yearly income.

I also remember reading several years ago about a mother in Maine whose only choice for a steady job was working the night shift at the local mill. Because she lived in a rural area with no family nearby, she was forced to choose between losing her job or tucking her elementary schoolage children into bed at night, locking the doors behind her, and going to work. Affordable childcare was not a reality for her and so she did what she deemed was best, to go to work and earn the money she required to support her children. In the end, the courts made a third choice for this mother. They took her children away from her.

We have no rhyme or reason to put people who care about their own children in untenable situations where they are compelled to make these unpalatable choices. This amendment will help ensure we can prevent these types of circumstances so many families face in the real world today.

These are but two of the life stories that bring me to the point of offering this amendment and providing the mandatory childcare funds of more than $6 billion for the next 5 years. These are families who really are the essence of what this debate is all about.

Back in 1996, as this chart would illustrate, Congress recognized when we created the TANF program, the Temporary Assistance for Needy Families, formed the childcare and development block grant, because we had a myriad of programs that provided various funding streams for childcare, we had a commitment to serve the families on welfare. That is why we consolidated more than four programs into the childcare and development block grant, so that we had a commitment to serve not only those who are on welfare, those who are transitioning off welfare, those who were not on welfare but were at the risk of falling onto welfare caseloads.

Finally we decided we should coordinate and consolidate these programs to create this block grant with the intent of serving those low-income families that may be employed but still require some kind of assistance because of the high cost of childcare. We have this coordinated development block grant on childcare that is aimed at serving the needs of each of these populations.

While the Federal law sets the ceiling, the States are able to determine their own eligibility requirements. Yet according to most estimates, only one in seven eligible children receives this kind of assistance. It is not surprising when one considers that in 2003 alone, nearly every State reduced childcare spending and 16 States reduced eligibility levels so fewer children would qualify.

Even when our eligibility guidelines are high, most States are unable to attain them. In fact, according to the 2004–2005 State plans in at least five States, a family is not eligible for the childcare development block grant if the family earns more than $20,000 per year. So clearly there remains a pressing need.

While the focus of this debate is the TANF population, as well it should be, it cannot be to the exclusion of all of those lower income families who are not on welfare. I am convinced that access to this critical work support makes all the difference in a successful transition from welfare to work, and to help ensure these families do not retreat back into welfare, and at the same time that we allow them to achieve self-sufficiency. That is the goal of any welfare reform act and that is what it should be. According to a 2002 study, single mothers with young children who receive childcare assistance are 40 percent more likely to be employed after 2 years than mothers who did not receive such assistance.

The study goes on to say former welfare recipients who receive childcare are 82 percent more likely to be employed after 2 years than those who do not receive such support. These findings make sense, as far too often, for many single parents, unaffordable, unavailable, or unreliable childcare is the chief barrier to steady employment.

Over the past few years, States have been experiencing unprecedented fiscal crises which are resulting in cutbacks to crucial services for low-income families and children. Severely limited resources are driving States to make some difficult tradeoffs, when it comes to policies, among equally deserving groups of eligible families. It is not unreasonable for a State to conclude that TANF families subject to work requirements in a maximum 5-year time limit or families transitioning off TANF should get priority over families who have not received welfare.

However, as a result of these decisions many vulnerable low-income working families who require childcare assistance will not be able to support their families and remain off welfare. That is a reality.

The worst-case scenario would be one in which limits on childcare subsidies for lower income working families begin to act as a disincentive. Families transitioning off welfare or low-income families struggling to stay off welfare rolls could easily deduce the effort simply was not worth it.

In May of 2003, GAO issued a report that suggests this possibility may exist. It states that a change in priority status can result in families losing benefits.

For example, in two States, families who leave TANF lose all of their benefits. In seven States, when a family comes to the end of a State's transition period, this can result in their losing assistance altogether.

Considering that childcare for a single child can easily cost between $4,000 and $10,000 yearly, it is not difficult to understand why a family affected in this way might have no other choice but to remain on welfare.

Providing a firm foundation and the tools necessary to make a successful transition to independence was the promise we made and one we must honor. So the amendment we are offering to this pending legislation would fulfill our commitment to the States by increasing the amount of mandatory childcare funding that is authorized under this legislation. We can do that today by passing this bipartisan amendment.

I know some would say there is an abundance of funding and that the estimates of unmet needs are baseless. My response to those critics is this: Ask the more than 605,000 eligible children on waiting lists in 24 States and the District of Columbia if there is sufficient funding. Many have argued since there are waiting lists in only less than half the States, then the rest of the States do not have unmet needs. Well, this is patently untrue.

The truth of the matter is not every State keeps a waiting list. Again, they feel it is a fruitless endeavor, because they are elevating expectations knowing that those expectations simply cannot be fulfilled because they do not have the funding for childcare. Many States cap the number of names allowed to appear on the waiting list, again because they know they will not be able to fulfill their requirements. They do not want to create the kind of hope among people that they will get the support ultimately when they know it simply will not be possible.

Consider that if one is a mother residing in California and she went to the State's welfare office and they told her get in line, she is No. 280,001. How likely is it she will bother to put her name on the waiting list? If a counselor in New York City told a mother her child would be No. 46,001, would she take the time to sign up? And even if she did, would she ultimately get the childcare support she needed? Not likely.

Another question is: How many childcare slots would be generated by the $6 billion included in our amendment? We cannot say for certain, but if we do not provide this funding there

will be hundreds of thousands of children without any support under this welfare reauthorization.

We currently have 2 million children receiving child care subsidies. The Congressional Budget Office has estimated it would cost $4.5 billion to ensure that all 2 million children currently—I emphasize currently—receiving subsidies will be able to continue receiving that level of support over the next 5 years, during the course of this reauthorization. The underlying legislation that is before the Senate includes $1 billion in mandatory childcare funding which, according to CBO, may well cover the estimated cost for the new work requirements and the State participation rates of somewhere between $1 billion to $1.5 billion of increased child care as they relate to these expanded requirements under this legislation.

Just to maintain exactly what is in current law for the 2 million children costs $4.5 billion, and the increase, the new increase under this legislation, would require another $1 billion to $1.5 billion.

What we are saying is, just given where we are today, we could have 400,000 children removed from the caseload without this kind of money—400,000 if we do not support the pending amendment.

It is imperative that we pass this amendment to ensure the States will be in a position to provide the level of support they are currently providing to these families—just to maintain the status quo.

The legislation of the chairman provides a strong start by adding the $1 billion to pay for these increased work requirements, but I believe, Senator DODD believes, and all the cosponsors of this amendment believe we should and must do more. The PRIDE Act seeks to build upon our very successful effort in 1996. We transformed the welfare system as we know it. It is landmark legislation that was an unprecedented success. We were able to convert an old entitlement system into a temporary program that helps our most fragile population take those critical first steps toward economic self-sufficiency. I believe our amendment strengthens this effort by ensuring that mothers struggling to move themselves off the welfare rolls will have the kind of assistance they need in order to succeed.

The good news is we will be able to do this with the kind of support that is essential. We have an offset in this amendment that includes the Customs user fees on merchandise that is processed through Customs. It is obviously important so we don't have a budget point of order. Some have said we have used this in the past and most specifically it is on the legislation that is also being currently considered by the Senate on the Foreign Sales Corporation Act for international tax relief for manufacturers. However, that legislation includes up to $130 billion in revenue offsets. We are using $6 billion of the $17 billion that has been incorporated in that legislation regarding Customs fees.

I believe there will be sufficient offsets to address both that legislation and this one as well. The amendment we are offering today builds on the work that has been incorporated in the underlying legislation that was reported out of the Finance Committee. Like many of my colleagues on that committee, Chairman GRASSLEY, Senator DODD, and all of those who support this effort here today, we are trying to build upon the major steps that were taken in the 1996 Act, which I think has made great strides toward helping lower-income families achieving the American dream and ultimately achieving self-determination and self-sufficiency.

There is an important difference between giving someone a handout and offering them a hand up. I believe this amendment to the PRIDE Act builds upon that distinction. That is why I am so pleased to have the kind of bipartisan support that has been given to this amendment. I do believe it is a strong step in the right direction. Granted, it is not going to address all the demands and needs across America, but certainly it will go a long way toward understanding and recognizing the reality that if we don't do this, we leave families and children in an untenable situation.

I happen to believe this amendment will strengthen our ability to pass this welfare reauthorization, that the States need to give guidance and direction for the future. We cannot allow States to live in statutory limbo and we can't allow families to live in limbo as well.

I hope this amendment will receive strong support here in the Senate, reflecting the strong bipartisan cosponsorship of this amendment. I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. KENNEDY. Mr. President, I know the pending amendment is the Snowe-Dodd amendment. I join with the Senator from Maine and the Senator from Connecticut in hoping that the Senate will welcome and support this amendment. I pay tribute to the Senator from Maine for her longstanding work in support of child care, and, of course, I commend my friend and colleague from Connecticut who unfortunately is not here today but wanted very much to be here today. He will be speaking in strong support of this amendment during its consideration tomorrow.

As we know, Senator DODD is the leader on children's issues. A number of those issues go through the Health, Education, Labor and Pensions Committee, and all of us on that committee welcome his leadership on this issue as well many others.

I commend our leaders, and I commend the floor managers.

This will be the first amendment that we will consider. And, hopefully, it will have strong support. I will take the time at another time to outline the extraordinary needs of child care in my own State. But I rise for a different purpose at this time.

I see my friend and colleague from Iowa on his feet. I intend to speak briefly about the minimum wage issue, and then to offer it not as a substitute but to get in the queue for consideration of amendments as we are considering this welfare reform program.

The Senator from North Dakota was here a moment ago and desired the opportunity to be able to speak. I don't know whether there is any reason to object. He wanted to have an opportunity to speak for up to 20 minutes, I believe, following my statement. Generally, I wanted to talk to the floor managers about that, but I didn't have the opportunity to do so. If there is a Republican who wants to speak after I speak, then he could be the one who might be recognized after that.

Mr. GRASSLEY. Mr. President, I don't think we have any objection to that. The only speaker I had on this side who wanted to speak was the Senator from Tennessee, Mr. ALEXANDER. He wanted to speak for a little while on the amendment of the Senator from Maine. Other than that, I don't have any requests on this side.

Mr. KENNEDY. Mr. President, I ask unanimous consent that he be able to follow for up to 20 minutes.

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

Mr. KENNEDY. Mr. President, I listened with interest to my friend and colleague from Iowa talking about this legislation. And one of the phrases he expressed was that no one who works in this country ought to live in poverty. I agree with that. I think one of the best ways of doing it is to ensure that work pays.

One of the best ways to make sure work pays is to make sure that those who are on the bottom rung of the economic ladder—those who make the minimum wage—are going to have a livable wage.

What we know is that we have not increased the minimum wage for some 7 years. As a result of the failure of increasing the minimum wage in 7 years, the purchasing power of the minimum wage has decreased dramatically. If we are interested in making work pay, we have to make work pay, and that means an increase in the minimum wage.

At the appropriate time during the course of this debate, we will have the

opportunity to vote on an increase in the minimum wage to make the minimum wage go up from $5.15 to $7 an hour for those families working 40 hours a week, 52 weeks of the year.

Let me share with the Members what has happened to the purchasing power of the minimum wage. If we go back to 1968, the minimum wage today would be $8.50 an hour. It is now $5.15. If we look at the consistency, the purchasing value, it will be $4.98 in the next few years if we don't act now.

Look at this chart. The minimum wage no longer lifts a family out of poverty. Look at this red line indicating what a family of three would need in order to be able to rise out of poverty. In 1968, we were able to—and, again, briefly around 1980—get the minimum wage up so families could live outside of poverty.

If you look at the flat line, you will see that the lines are going down. The poverty line is here. People are working longer and harder and have difficulty making ends meet.

Every day that we delay the minimum wage, workers fall farther and farther behind. All of the gains of 1996 in minimum wage increases have already been lost.

This welfare bill is about workers. It is about moving people from welfare into work. It is very interesting. Of those single mothers who moved off welfare into work before the recession began, one-half of those jobs have now been lost due to the recession. I don't know what percentage of those people used up all their benefits, but a good chunk have. I don't know what those individuals are doing, but we do know that the amount of poverty, child poverty and hunger in the families across this country, is continuing to go up.

We lose sight of the fact that over the history of the minimum wage, this has been a bipartisan effort. If you look back over the number of times this has been raised—10 or 11 times—go back to Franklin Roosevelt, Harry Truman, Dwight Eisenhower, President Kennedy, Lyndon Johnson, and President Ford, President Carter, and then it was President Bush, then it was President Clinton, this has been a bipartisan effort. Republicans and Democrats alike understand if people are going to work hard, we ought to be able to make sure they are treated fairly.

The increase in the minimum wage that we are talking about in this amendment would mean $3,800 in additional income once it's fully phased in over the period of the 2½ years. That would be more than 2 years of child care; it would be 2 years of health care. It would be full tuition to a community college for a child who is the son or daughter of a minimum-wage worker. It would be a year and a half of heat or electricity for a family. It would be more than a year of groceries, and more than 9 months of rent. That may not sound like much to many around here, but those are the facts. It would make an enormous difference to people who are working.

What we see is 3 million more Americans today are living in poverty. There were 31 million in the year 2000, and now it is 34.6 million, which means 3 million more people are living in poverty.

We can do something about that by increasing the minimum wage.

One of the saddest comments that I discovered as we looked through the various factual material in preparation for this debate is, according to the Families and Work Institute, three of the top four things children would like to change about their working parents is they wish their parents were less stressed out by work, less tired because of work, and could spend more time with them.

This is a family issue. We hear a great deal in this body about family issues and family values. Increasing the minimum wage is a family issue.

Who are these people? Who are these people who earn the minimum wage?

Well, first of all, they are the men and women who work in buildings all over this country at nighttime from which American commerce has their offices. In large buildings and small, they work in long, difficult, tough jobs, but they are men and women of pride. They are men and women of dignity. They take pride in doing a job well. They are not only cleaners, but they are also assistant teachers in many of the schools across this country.

They also work in nursing homes helping to take care of parents—parents who have served in the Armed Forces, fought in the Korean war, perhaps even in Vietnam, and maybe going back to even World War II—men and women who brought this country out of the Depression, men and women who have suffered and sacrificed to benefit their children. Many minimum-wage workers work in these nursing homes—men and women of dignity.

Sixty-one percent of those who receive the minimum wage are women. This is a women's issue because the great majority of recipients of the minimum wage are women. It is a children's issue because many of those women have children. They are single heads of households, and many of them have children. So it is a women's issue, it is a children's issue, and it is a civil rights issue because so many of those who work at the minimum wage are men and women of color.

And, most of all, it is a fairness issue. The issue that is going to be before the Senate is whether we believe someone who works 40 hours a week, 52 weeks of the year, ought to have a living wage. And if there is one issue Americans understand, it is the issue of fairness.

This is about fairness. This issue is about fairness. That is why we welcome the opportunity to offer this amendment. It should not be a partisan issue. We should not be denied the opportunity to have the vote, and we are going to stay after it until we have the vote.

So I wanted to take a few moments on this issue because it is a matter of such importance. I am going to go over the statistics in greater degree about what has been happening to women and to children in poverty in this country. I am going to do that at a time when I will have the chance to have the full debate for the consideration of this amendment.

I have the amendment. I indicated to the floor managers that I intended to offer it. I ask unanimous consent that after the consideration of the Snowe-Dodd amendment, that the amendment which I send to the desk now, on behalf of myself and Senator DASCHLE, be considered.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KENNEDY. Well, Mr. President, I ask unanimous consent that it be considered within the first four amendments that we have on this bill.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KENNEDY. Well, Mr. President, we are beginning to see what we have seen at other times; that is, on the other side there is objection. We listened to them talk about how they wanted to have workers work in this country, and now, evidently, there is objection. And I do not consider this to be by my friend, the chairman of the Finance Committee, but there is clearly an objection by the Republican leadership to get a consideration.

I ask unanimous consent that before we have final passage, we have a vote, up and down, on this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Reserving the right to object, Mr. President—and I will object—I want to take advantage of this opportunity to say that there are a lot of very important pieces of legislation that we have before this body that are bipartisan that need to be passed.

Two weeks ago, we had a bill dealing with outsourcing and the efforts to create manufacturing jobs in America by giving a tax advantage to manufacturers that manufacture here. It is a bipartisan bill, voted out of the Senate Finance Committee with only two dissenting votes, and those were Republican votes. So, overwhelmingly, people on the other side of the aisle know that bill has to pass.

But time after time we deal with nongermane amendments that distract from the efforts of this Senate to do things that create jobs in America and, in this particular instance, move people from welfare to work.

So I do not think it is wrong for some of us to take exception to the efforts to stall important pieces of legislation getting through this body, and that is why I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KENNEDY. Mr. President, since the Senator from Iowa has talked about delaying the legislation, I ask unanimous consent that the debate on the minimum wage amendment be no more than 20 minutes, with 10 minutes to each side, and that we have consent that we vote on this amendment up and down before final passage—that we have 20 minutes on the amendment, since there has been the thought that we are trying to delay this legislation.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KENNEDY. Mr. President, I remind my good friend—and he is my friend—about the report from the Finance Committee. If we go to page 4: ''STRENGTHENS WORK''—''STRENGTHENS WORK.'' This bill is about work. And here we are asking for a minimum wage. To do what? To work.

What is possibly the reason or the justification to object to us even considering increasing the minimum wage? What we have here is objection to even considering an increase in the minimum wage, which is at its lowest level in history, for 7 million Americans.

They are talking about getting Americans out of welfare into work. We are trying to make work pay, and there is objection.

Look what it says on page 21:

> The Committee bill recognizes that the success achieved by TANF and Work First programs are a result of a sustained emphasis on adult attachment to the workforce.

What more could be relevant to the workforce and strengthening work than an increase in the minimum wage?

I do not know what this objection is. Why does the majority even refuse us the opportunity to vote? That is what I am asking. Call the ace an ace. What is the objection to having accountability, to find out if you are for it or against it? We are giving a 20-minute time limit, 10 minutes on each side. I will take 5 minutes. I will take 2 minutes. I will take 1 minute, then call the roll.

What can possibly be the objection to calling the roll when we have increased it 11 times under Republican and Democratic administrations in the past?

Where is the delay tactic? Where is the objection? Where is the fact that this is not relevant to the substance at hand? This, of course, is the substance at hand. Of course it is. It is about making sure that people who work hard—men and women of dignity—are going to be able to receive a livable wage. And we are denied—at least at the outset—the opportunity to even have this amendment considered.

I say to the Senator, this amendment ought to be voice-voted this afternoon. That is what it should be: It should be voice-voted. Republicans, in the history of the minimum wage, have voted for increases in it, and now we have instructions—evidently, instructions—not to permit even a short time limit on increasing the minimum wage: No, you can't vote on that issue. We are not going to let you. We control the Senate.

We heard from the Senator from Iowa: We want no one who works to have to live in poverty. I remember listening to the Senator from Iowa just about an hour and a half ago: No one who works ought to live in poverty. He gave that speech. Now he will not even let us do something about getting people out of poverty. He objects to us having it within the next four amendments—to even consider it prior to the time of passage, with a 20-minute time limit—refuses.

Talk about arbitrariness and the abuse of power. This is it. This body ought to be able to vote on questions affecting working families. We ought to be able to vote on the minimum wage. We ought to be able to vote on overtime. We ought to be able to vote on unemployment compensation. What in the world is wrong with the other side to try and prohibit this institution from taking positions on these issues and to vote up or down? What were we sent here for?

I say to my friend—and he is my friend—this issue is just not going to go away. He has given his response that he is going to do everything that is parliamentarily possible to deny this institution considering an increase in the minimum wage. He just stated that. He made the point that it was not relevant, that it was somehow going to delay, that it was somehow not pertinent, even though we are talking about jobs and trying to get people to work. That is the thrust of the whole bill. And he would deny us the opportunity to consider this amendment for 15 minutes, 16 minutes, what we offered.

I think we are on notice now. Are we supposed to assume the majority is only going to permit amendments which they approve? Is that going to be the new rule of the U.S. Senate? After 230 years, we are only going to permit votes which we, the Republicans, approve? That is what we are saying. Is that the institution the American people thought they had in the U.S. Senate? Is that what they thought we were doing here? Come on. Come on. That is not the Senate I was elected to or that I believe in and that the American people do.

We can either do this nicely and try to work out some kind of agreement and accommodation or we are going to use all of the other kinds of parliamentary rules that we know how to use and do it in ways which will insist on a vote. But if the Republican leadership thinks that we are going to go on and on and on without an increase in the minimum wage, I want to clear them of that thought because this is coming at you. People have waited too long, worked too hard, and children are being disadvantaged.

I listen to the speeches about children. There are children out there, sons and daughters of minimum wage workers, whose lives would be significantly and dramatically advanced. Maybe that parent would be able to buy a birthday present, take the child to a movie.

But no, no, no, we are the Republicans, and we are not going to let you vote. We are not going to let you vote in the Senate. That is what you are saying. Well, we are going to come back to it.

I am going to speak to one other issue, and then I see others who want to address the Senate. I will then yield the floor.

### WHITE HOUSE RESPONSIVENESS TO THE 9/11 COMMISSION

Mr. KENNEDY. Mr. President, in my lifetime, there have been national catastrophes of such magnitude that they are seared in the collective American memory forever. In each case, the Nation was able to draw on the strength of its institutions and its leaders to carry on with the strong support of our citizens. The attack on Pearl Harbor, for example, plunged us into war, but unified us as a people, and brought out the best in our elected leaders.

In Watergate, on the other hand, the integrity of our most basic institutions was threatened by an executive run amok. But the legislative branch, acting on a bipartisan basis, and the judicial branch, led by a unanimous Supreme Court, vindicated the Framers' trust that a nation based on checks and balances and the separation of powers could survive one branch's abuse of power.

Two and a half years ago we suffered another tragedy of historic dimensions. In one brief morning nearly 3,000 of our people were killed by an enemy who had openly declared war against us, had already struck at us in a variety of forms and places at home and abroad, and had put our government, if not our people, on notice that they would strike again.

The families and friends of the dead and injured were not the only victims. We all suffered. Our peace of mind suffered; our trust in our surroundings suffered; our liberty to move freely around the Nation and the world suffered. And our confidence in the public institutions which protect and defend us suffered.

The quality and integrity of our response as a Nation and as individuals will determine how history views us as defenders of America's ideals. Can we restore security without sacrificing liberty? Can we identify and fill the gaps in our defense against known and unknown enemies, without reducing the essential quality of life and freedom in our Nation?

We in Congress have begun to answer those questions, and the 9/11 Commission is a key element of our answer. Over the initial objections of the executive branch, and with the help and support of the victims' families, we

have delegated to that distinguished group of Commission members the continuation of the essential fact-finding process begun by our own Intelligence Committees. We have also asked the Commission to suggest solutions for the problems they identify. We have invested extraordinary powers in that Commission to meet the extraordinary demands of their assignment.

This Commission is as eminent and experienced a body as anyone could hope for. Some have complained that it is too ''establishment.''

It includes two former Republican governors, a former Republican Senator, a former Republican Secretary of the Navy, a former Reagan White House Counsel, a Navy veteran who was both a governor and Senator, a former General Counsel of the Department of Defense and Deputy Attorney General who sits on a CIA advisory Committee, a former chairman of the House Foreign Relations Committee, a former member of the House Intelligence committee, and a former Watergate investigator now at a distinguished law firm. Its executive director served on the National Security Council under former President Bush and on the transition team for the current President Bush.

The Commission is entitled to respect and cooperation from everyone it deals with in all parts of the Government, especially the White House.

The Commission has properly chosen to operate in public to the fullest extent possible. Secrecy will only sow seeds of suspicion and dilute the Nation's confidence in its independence and its conclusions. It has done nothing to suggest to anyone that it will not be fair and just and sensitive to the needs of the individuals and institutions it deals with. On the other hand it is operating on an extremely tight, Congressionally mandated, time schedule.

It does not have the time or the inclination, and should not have the need, to fight in the courts of law or in the court of public opinion to obtain the information it deserves and the public deserves.

Thus the current controversy over the testimony of National Security Adviser Condoleezza Rice can and should be resolved quickly. The public and the Congress should not stand for anything less than full and prompt cooperation from the White House. For a national tragedy of these proportions, the buck stops at the White House. Three thousand people died on our shores and on their watch. There should not be the slightest question that any White House staff member asked by the Commission to testify under oath and in public must do so.

As Colin Powell said yesterday, the presumption must be that everything be done in the open, so that sunshine can infuse the process.

It is not a question of law; the law fully permits members of the White House staff to testify.

It is not a question of precedent. As former Navy Secretary Lehman, a Commission member, said yesterday, many previous Presidents have permitted such testimony on important matters, and the importance of the issue here makes clear that this President should do the same. Surely, 9/11 is more important than Richard Kleindienst's confirmation, Billy Carter's activities, or who said what to whom about an Arkansas bank.

Yet in those cases, and many others, top White House officials testified in public and under oath.

It is not a question of principle. That line was crossed in this case when the National Security Adviser went before the Commission in secret. If the White House genuinely believes that the Commission is a creation of the legislature, she has already subjected herself to the legislature's inquiries.

As Secretary Lehman has said, it is ''self-defeating'' for the White House to refuse to allow Condoleezza Rice to testify fully in public. That course leads to suspicion that they have something to hide.

Mr. Lehman says there is no smoking gun in what she has said in secret, so unless the White House is afraid she may say something different in public under oath, why are they holding her back?

It is an insult to Ms. Rice to deny her the chance she says she wants, to testify in public. She has proven herself an articulate spokesperson for the President over the past 3 years. Unless the White House fears that she will disclose some dire secret, she should be free to respond in public to the Commission's questions, as she has responded on numerous occasions in press interviews in recent days. Television interviews are no substitute for answering the Commission's questions under oath.

There need be no compromise of executive privilege if she testifies, If she is asked a question that she thinks the President, rather than she, should answer, she can and will say so, and leave it to him to do. But otherwise, as Colin Powell also said yesterday, the presumption ought to be for sunshine, openness, light.

The Commission has also asked unanimously for an appearance by the President and Vice President in public under oath. They refused and offered in essence to meet in private for a brief conversation with the Chair and Vice Chair of the Commission. The public outcry at that minimal proposal led the White House to suggest some flexibility on the time, but not on anything else.

The President faces a difficult decision about whether to testify in public and under oath. He was our leader when 9/11 occurred. That may well turn out to be a benefit to him in the months to come, but with that benefit goes a heavy burden. It is his responsibility to answer questions that only he can answer, admit failings if there were failings, apologize if apology is called for, and reassure us all that whatever was broken has been fixed. It will take courage and leadership for him to step forward, face the Commission, and risk the consequences.

I urge President Bush, as the Nation focuses on the question of his own appearance, to remember the example of President Gerald Ford.

One of the most difficult decisions he made as President was to pardon President Nixon. President Ford had the courage to defend that decision under oath and in public before a congressional committee. His pardon was not popular at the time, and it may well have cost him the presidency in the 1976 election. But he felt strongly that the public needed to hear from him personally about why he thought the pardon was essential to the national interest. So he made the truly unprecedented decision to come to the Hill to testify under oath himself. As he later said, ''The bigger the issue, the greater the need for political courage.''

The current White House political staff has chosen a different approach. They have pressed the attack button on their quick-response machine in an attempt to destroy Richard Clarke and destroy his credibility about the events leading up to 9/11 under both the Clinton and Bush administrations, and the President's Republican allies in Congress are aiding and abetting this new and obscene example of the politics of personal destruction.

It is sheer hypocrisy for the White House to encourage Condoleezza Rice to appear on television to dispute Mr. Clarke's testimony to the Commission, and then prevent her from presenting her views to the Commission itself.

Many of us in the Senate will propose a resolution tomorrow urging that Dr. Rice be permitted to testify in public and under oath. There will be ample opportunity after that for the President to decide whether he himself is willing to testify in public and under oath as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. The Senator from North Dakota wants to speak. First, I ask unanimous consent to speak for 5 minutes before the Senator from North Dakota speaks.

The PRESIDING OFFICER. Is there objection?

Mr. CONRAD. Reserving the right to object, and I will not object, I would like as part of that request that I be given an additional 10 minutes. I think they reserved 20 minutes for me before. I may not take it all, but I would like to have that amount of time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I want to respond somewhat to the Senator from Massachusetts.

First of all, I hope he understands this is a Monday—not that Monday is

not just as important as any other day of the week. But it was announced last week there would be no votes today. His amendment doesn't have anything to do with votes today, but there are a lot of Members not here who ought to have some input when a nongermane amendment comes up. So I object for the reasons of myself as well as others.

Also, you can see from the debate of the Senator from Massachusetts that he feels very strongly about the importance of that amendment which he offers on the minimum wage. There is nothing wrong with the issue of the minimum wage coming up. But for this Senator from Iowa, who is chairman of the Senate Finance Committee, with issues I am trying to respond to in a bipartisan way, and to issues that are raised as much from the other side of the aisle as they are from this side of the aisle—I mentioned the FSC/ETI bill of 2 weeks ago. I mentioned the welfare reform bill this week. There is a bipartisan consensus—maybe I should not say consensus—there is an agreement we ought to have the legislation before the Senate and passed. In the face of FSC/ETI, it was responding as much from the other side as this side that that legislation to encourage manufacturing in the United States, to create jobs in the United States ought to pass. When it comes to a vote, it will probably pass 90–10. But the legislation was held up 2 weeks ago by people on the other side of the aisle with nongermane amendments.

Now we have welfare reform, sunset last October. We have extended it two or three times since then, so we have to continue the welfare reform programs. There is a consensus we ought to deal with this legislation and get some permanency to our welfare-to-work legislation. What happened? Right out of the box, people from the other side of the aisle—legitimate issues or not—are trying to stop legislation immediately in its tracks that will pass this body by a very wide margin. Have they ever thought maybe some of these pieces of legislation ought to stand on their own rather than hooking them onto bills unrelated to theirs?

I don't object to the issue of increasing the minimum wage. What I object to is the constant harassment on the part of people on the other side of the aisle to keeping legislation from moving along very quickly that everybody knows needs to pass. This is just not Republican pieces of legislation dealing with welfare reform. It is just not Republican legislation dealing with encouraging manufacturing and creating jobs in manufacturing in America. These pieces of legislation are doing what the Senate ought to be doing to get things done, working in a bipartisan way.

If you work in a bipartisan way to bring legislation to the floor of the Senate, why is the other side of the aisle always trying to slow down that legislation? It seems to me that is what we are dealing with. There are times to deal with pieces of legislation, but not in this way, harassing all the time.

I yield the floor.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from Nevada.

Mr. REID. Will the Senator allow me to ask him a question on the Senator's time?

Mr. CONRAD. Yes.

Mr. REID. Mr. President, is the Senator from North Dakota aware that on the 2 amendments that have been offered on the last 2 pieces of legislation—overtime and now the Kennedy minimum wage amendment—on our side we would be willing to take 10 minutes on each amendment, 10 for us and 10 for the other side, 10 for us and 10 for the other side, for a total of 20 minutes on our side of the aisle for these 2 pieces of legislation. Would the Senator agree the slowdown is not coming from us, but from them? We are asking for an additional 20 minutes on 2 amendments and we can move on to the rest of the legislation. Will the Senator acknowledge that?

Mr. CONRAD. Yes. I will go further than that and say I served on the Finance Committee with our distinguished chairman. I strongly supported the FSC/ETI bill that was previously before the Senate. An amendment was offered on overtime. It is entirely reasonable to offer an amendment. Senators have a right to offer an amendment on any bill at any time, other than on those bills that are privileged. They offered to do it on a short time agreement. Now, today, on the welfare reform bill, the Senator from Massachusetts offered a very short time agreement on an amendment to increase the minimum wage. It is entirely reasonable and appropriate for Senators to offer amendments on pending legislation.

I don't think the Senator from Iowa, who is my friend, and whom I respect and work with closely on many issues, should feel harassed. It is not a matter of harassment. These are important issues that deserve to be voted on. There is no reason not to vote on them, either in the context of the welfare reform bill in the case of minimum wage, or in the context of the FSC/ETI bill, which some have called a jobs bill, with respect to the issue of overtime. Those issues are entirely in order and reasonable to discuss.

## THE WAR IN IRAQ

Mr. President, I asked for time today not to speak on this issue, but on the war against terror and the war in Iraq. These issues have come much more to the public attention as a result of the events of the last several weeks. As I have watched those events unfold, I have felt more strongly the need to come to this floor to speak up and to talk about where I believe we have taken a wrong path in the war on terror, where I believe we have gotten the priorities wrong.

When we were attacked on September 11, 2001, we recognized we were at war with a terrorist organization that would stop at nothing, a terrorist organization that would turn civilian airliners into flying bombs that would kill nearly 3,000 innocent Americans. The President and the American people recognized al-Qaida posed an immediate threat to this country. We agreed that defeating al-Qaida was our top national security priority, and we vowed to bring Osama bin Laden and his al-Qaida terrorist organization to justice. As President Bush said in convening his cabinet at Camp David after the 9/11 attacks: ''There is no question that this act will not stand. We will find those who did it. We will smoke them out of their holes, we will get them running, and we will bring them to justice.''

We had an outpouring of sympathy, good will, and cooperation from all over the world, as we began the war on terrorism. Today, it has now been 930 days since the attacks of 9/11. And Osama bin Laden is still at large.

We have not found him. We have not smoked him out of his holes, and we have not brought this mass murderer of innocent Americans to justice after 930 days. In fact, Osama bin Laden and his al-Qaida organization continue to mount attacks. Just 3 weeks ago, al-Qaida claimed responsibility for the bombings in Madrid, Spain. Spanish authorities have arrested Islamic terrorists in connection with that tragic attack, and al-Qaida continues to threaten further attacks against this country.

When I saw the news footage of the bombings in Spain and when I heard al-Qaida threatening more attacks on America, it deeply angered me. I believe it raises several questions. Most fundamentally, why have we not, to use the President's words, smoked Osama bin Laden out, run him down and brought him to justice? Why is Osama bin Laden still able to threaten our country more than 2 years after we agreed that putting an end to his threats was our top priority? Why, if his organization has been disrupted and Osama bin Laden has been isolated, as some in the administration claim, are Islamic terrorists linked to al-Qaida able to organize and coordinate significant synchronized attacks such as the ones in Madrid? How is he still able to produce and distribute these tapes and messages exhorting others to kill more Americans?

As I asked these questions, it reminded that on April 30, 2001, less than 5 months before the 9/11 attacks, CNN reported that the Bush administration's release of the annual terrorism report contained a serious change from previous reports. Specifically, CNN reported that ''there was no extensive mention of alleged terrorist mastermind Osama bin Laden,'' as there had been in previous years. When asked why the administration had reduced the focus, ''a senior Bush Department official told CNN the U.S. Government made a mistake in focusing so much

energy on Bin Laden.'' In retrospect, that was a shocking misjudgment of the priorities in fighting terrorism. But I fear that even after 9/11, the administration has continued its failure to focus on al-Qaida.

A Newsweek article from last fall reported:

. . . bin Laden appears to be not only alive, but thriving. And with America distracted in Iraq, and Pakistani President Pervez Musharraf leery of stirring up an Islamist backlash, there is no large-scale military force currently pursuing the chief culprit in the 9/11 attacks.

It is not just Newsweek. USA Today reported just this past weekend:

In 2002, troops from the 5th special forces group who specialize in the Middle East were pulled out of the hunt for Osama bin Laden in Afghanistan to prepare for their next assignment: Iraq. Their replacements were troops with expertise in Spanish cultures.

Mr. President, I want to repeat that because this to me does not add up. It does not make common sense.

In 2002, troops from the 5th special forces group who specialize in the Middle East were pulled out of the hunt for Osama bin Laden in Afghanistan to prepare for their next assignment: Iraq. Their replacements were troops with expertise in Spanish cultures.

The CIA, meanwhile, was stretched badly in its capacity to collect, translate and analyze information coming from Afghanistan. When the White House raised a new priority, it took specialists away from the Afghanistan effort to ensure Iraq was covered.

I find these reports deeply disturbing. We know who attacked us on 9/11. It was al-Qaida. It was not Iraq. Yet we have top Pentagon and intelligence officials saying that we shifted resources away from al-Qaida to focus on Iraq. We have 130,000 U.S. troops in Iraq, but only 11,000 in Afghanistan. What Earthly sense does this make? Al-Qaida attacked America, not Iraq.

Those 11,000 troops are doing important work in Afghanistan—keeping the peace and recently renewing efforts to mop up Taliban strongholds that have been gathering strength. And the administration now has plans for a spring offensive to go after bin Laden. But according to our own officials, for most of the past 2 years, we had no large-scale military force dedicated to pursuing Osama bin Laden and al-Qaida.

So I have to ask, why not? Why was there no large-scale military force pursuing bin Laden for most of the past 2 years? Why did we allow our post-9/11 focus on bin Laden to be distracted? Why have we let new al-Qaida organizations grow up all around the world to attack us and our allies?

It seems to me the administration's priorities were misplaced. We allowed our attention to be diverted by Saddam Hussein and Iraq.

Many of us did not believe there was sufficient evidence to justify a preemptive attack on Iraq in the first place. We believed it was not in the national security interests of the United States to attack Iraq; that instead, we ought to keep our eye on the ball and keep the pressure on al-Qaida and Osama bin Laden because it was they—al-Qaida and Osama bin Laden—who attacked America on September 11, not Iraq.

We feared attacking Iraq would leave us responsible for occupying and rebuilding a country in a profoundly dangerous and undemocratic region of the world, tying down resources we needed to meet other threats, including Iran, North Korea, and al-Qaida.

We feared that attacking and occupying Iraq would deepen and energize anti-American sentiment in the Islamic world, helping to fuel recruitment by al-Qaida and other radical Islamist terror organizations.

And we feared that a war with Iraq would inevitably slow down our efforts to capture Osama bin Laden.

In my statement on this Senate floor just minutes before the Senate voted to authorize the President to go to war in Iraq, I said:

I believe defeating the terrorists who launched the attacks on the United States on September 11 must be our first priority before we launch a new war on a new front. Yet today, the President asks us to take action against Iraq as a first priority. Mr. President, I believe that has the priority wrong.

That is what I said moments before the vote authorizing the President to go to Iraq. I believe it was right then. I believe it is even more clearly right now.

I also warned:

The backlash in the Arab nations could further energize and deepen anti-American sentiment. Al-Qaida and other terrorist groups could gain more willing suicide bombers.

I think we have seen, tragically, that this was true. Our troops in Iraq are constantly under attack. Our allies, including most recently the Spanish people, have been victimized by terrorists.

I warned that the cost of invasion and occupation of Iraq could be extremely high, diverting resources from other national priorities. And that, too, has turned out to be accurate. CBO now estimates that the cost of the war and occupation in Iraq will total more than $300 billion.

In just the last couple of days, the American people have learned that all of these concerns were shared at the very highest level of the White House. But the President ignored those warnings.

The top counter-terrorism adviser to President Bush, Richard Clarke, recently published a book detailing his experiences with the war on terrorism. In it, Clarke writes that President Bush and other top officials urged him to find a link between 9/11 and Iraq, even though he told them that there was no such link. He writes that the shift of focus from al-Qaida to Iraq ''launched an unnecessary and costly war in Iraq that strengthened the fundamentalist, radical Islamic terrorist movement worldwide.''

As Clarke put it on ''60 Minutes'' the weekend before last:

Osama bin Laden had been saying for years, ''America wants to invade an Arab country and occupy it, an oil-rich Arab country.'' He had been saying this as part of his propaganda.

So what did we do after 9/11? We invaded an oil-rich and occupy an oil-rich Arab country which was doing nothing to threaten us. In other words, we stepped right into bin Laden's propaganda. And the result of it is that al-Qaida and organizations like it, offshoots of it, second generation al-Qaida have been greatly strengthened.

These are the words of Mr. Clarke, the former Bush counter-terror official who has just published a book on the subject. I spent part of this weekend reading the book by Mr. Clarke. It is entitled ''Against all Enemies.'' I would urge my colleagues and those who might be listening or watching to get that book and read it. Whether one agrees with his conclusions or not, Mr. Clarke is warning and alerting us, based on a lifetime of experience in four different administrations over 30 years fighting terrorists, of where we may have gone wrong. These are lessons that are absolutely essential for us to learn.

Mr. Clarke was not only an official in this Bush White House. He was also an official, an anti-terror chief, in the Clinton administration. Before that, he was in the previous Bush administration at a high level of responsibility. Before that, he served in the Reagan administration. This is a man of credibility. This is a man of qualifications. This is a man of deep experience who is attempting to warn us of mistakes that are being made.

The charges he is making are serious charges. We know who attacked our country on 9/11. It was not Saddam Hussein or Iraq. It was Osama bin Laden and al-Qaida. But because the administration wanted to go to war in Iraq, Clarke suggests, we not only diverted resources from the hunt for Osama bin Laden and the al-Qaida leadership, we strengthened al-Qaida and gave it time and space to develop offshoots that will continue to threaten this country even if we do eventually capture bin Laden, which I pray we do.

It is not just Mr. Clarke who is making these assertions. Read the book by Secretary of the Treasury O'Neill. I have read that book, ''The Price of Loyalty,'' as well. He makes clear the Bush administration, in its earliest weeks, were focused on attacking Iraq.

So I think we need to ask why we allowed ourselves to be distracted by Saddam Hussein. We need to ask why we took the focus off of finding Osama bin Laden and bringing him to justice? And we need to ask why the President decided that going after Iraq not al-Qaida and Osama bin Laden—was the priority, and see how that judgment has stood the test of time.

The President and his top officials made two main arguments for going to war in Iraq: Iraq was allied with al-Qaida, and Iraq had weapons of mass destruction that it could use to attack this country. That is what he told the American people when he was persuading the Congress and the American

people that we should launch a war against Iraq.

In recent days and weeks, the evidence shows we have been pursuing the wrong priorities. Let us look at what we know now.

On the question of a link to al-Qaida, the polling shows that 70 percent of Americans believe Saddam Hussein was behind September 11. Over half believe that Iraqis were the hijackers of the planes. Let me repeat that. The polling shows 70 percent of Americans believe Saddam Hussein was behind September 11. Fifty percent believe it was Iraqis on the planes that attacked the World Trade Center and the Pentagon.

The fact is, of course, not a single Iraqi was among the hijackers of the airliners that were turned into flying bombs. The vast majority of the 19 hijackers were Saudi Arabians, as, of course, is Osama bin Laden. Fifteen of the 19 were Saudis. Two were from the United Arab Emirates, one from Egypt and the other from Lebanon.

Not a single Iraqi was involved in the attack. That is the fact.

However, the American people believe there is a link because again and again the President, the Vice President, the Secretary of Defense, and other top administration officials have done everything they could to link Saddam Hussein and al-Qaida in the minds of the American people.

They offered up two specific assertions to support this allegation: One, the Vice President and others in the administration said repeatedly that there was a link because one of the hijackers, Mohammed Atta, had met with an Iraqi agent in Prague. But what does the most recent evidence show?

The fact is, the CIA and the FBI have concluded this report was simply not true. It was not true because Mohammed Atta was not in Prague; he was in the United States, in Virginia Beach, VA, preparing for the 9/11 attacks.

As The Washington Post reported on September 29:

> In making the case for war against Iraq, Vice President Cheney has continued to suggest that an Iraqi intelligence agent met with a September 11, 2001, hijacker 5 months before the attacks, even as the story was falling apart under scrutiny by the FBI, CIA and the foreign government that first made the allegation.

Second, the President and other top officials said al-Qaida maintained a training camp in Iraq, but what they did not tell the American people was that the training camp was in a part of Iraq controlled by the Kurds, not by Saddam Hussein. The Kurds, by the way, are our allies. Once again, this is a disturbing bit of information used in a way that I believe fundamentally misled people.

Yet Vice President CHENEY, as recently as last fall, said that Iraq was ''the geographic base of the terrorists who have had us under assault for many years, but most especially on 9/11.''

President Bush himself was forced to correct the record just a few days later, when a reporter asked him about the Vice President's statement. The President was very clear. He said there is no evidence that Saddam Hussein was involved in the 9/11 attacks on this country. Here it is in the New York Times, September 18, 2003, ''Bush Reports No Evidence of Hussein Tie to 9/11.''

But that did not stop the administration from making statements over and over again linking Iraq with al-Qaida, and with terrorists more generally, to create the impression the war in Iraq was part of our response to the 9/11 attacks and the war on terrorism. As Richard Clarke, the top counter-terrorism official in the White House during 2001 and 2002, puts it:

> The White House carefully manipulated public opinion, never quite lied, but gave the very strong impression that Iraq did it.
>
> They did know better. We told them. The CIA told them. The FBI told them. They did know better. And the tragedy here is that Americans went to their death in Iraq thinking that they were avenging September 11, when Iraq had nothing to do with September 11. I think for a commander in chief and vice president to allow that to happen is unconscionable.

These, again, are the remarks of the top counter-terrorism official in the Bush administration.

In fact, it is unlikely there would be any strong linkage between Iraq and al-Qaida because Saddam Hussein was secular, Osama bin Laden is a fundamentalist. In many ways, they are mortal enemies.

I graduated from an American Air Force base high school in Tripoli, Libya—in North Africa—in 1966. Anybody who has lived in that culture understands very well the deep divisions between those who are secular and those who are fundamentalists. It is a deep division. But it is as though our administration in Washington is unaware of it because, repeatedly, they have suggested the two were tightly linked. In fact, they were sworn enemies. Who do you think it is we are digging up in those graves in Iraq? They are, by and large, fundamentalists whom Saddam Hussein found profoundly threatening to his secular regime.

I think it is time for America to think very carefully about the path we are going down and to think very carefully about whether the strategy this administration has adopted is a strategy to secure our future, or whether there is a better strategy to be pursued.

What we do know is Osama bin Laden and al-Qaida organized the attack on the United States. That is who is responsible. That is who we should be going after. Instead, what we are hearing is that military and intelligence resources were shifted to Iraq, taking resources away from the search for Osama bin Laden. I have to ask again, Why? Why are we spending time and energy trying to prove a link with Saddam instead of spending the same time and energy trying to find Osama bin Laden and defeating al-Qaida?

The other thing that was asserted repeatedly in making the case that Iraq should be the priority, rather than al-Qaida, was that there were weapons of mass destruction in Iraq—nuclear weapons, chemical and biological weapons. The President and top officials repeatedly warned of Saddam's efforts to acquire weapons of mass destruction, and nuclear weapons in particular.

We had rhetoric about nuclear holy wars and mushroom clouds, and the statements were assertions. The administration did not say that Iraq might—or might not—have weapons of mass destruction. It asserted affirmatively that, without a doubt, Iraq had these weapons and that they posed an immediate threat to this country.

This chart lists a few of the many administration statements on Iraq's nuclear weapons. The first one is a quote of the Vice President in a speech to the VFW National Convention. He said:

> Simply stated, there is no doubt that Saddam Hussein has weapons of mass destruction.

We have quote after quote from this administration. The President said:

> The Iraqi regime is seeking nuclear weapons. The evidence indicates that Iraq is reconstituting its nuclear weapons program.

Ari Fleischer, the President's press spokesman said:

> We know for a fact there are weapons there.

It goes on and on. Secretary Powell said:

> He has so determined that he has made repeated covert attempts to acquire high specification aluminum tubes from 11 different countries, even after inspections resumed.

And, again, Vice President CHENEY:

> We know he is out trying once again to produce nuclear weapons. We believe Saddam has in fact reconstituted nuclear weapons.

These were the statements made over and over by this administration. On chemical and biological weapons, the story was the same. The administration repeatedly asserted that Saddam had revived his chemical and biological weapons program and had stockpiles of weapons that posed a grave, immediate danger to the United States.

We all knew that Iraq had possessed and used chemical weapons in the 1980s. And we all knew that intelligence had not conclusively demonstrated that all these weapons had been destroyed. But the administration went well beyond that consensus, suggesting that there was new evidence of renewed chemical and biological weapon production.

This next chart I have lists a few of the many administration statements on Iraq's chemical and biological weapons. Again, the President's chief spokesman said:

> The President of the United States and the Secretary of Defense would not assert as plainly and bluntly as they have that Iraq has weapons of mass destruction if it was not true and if they did not have a solid basis for saying it.

That was Ari Fleischer.

Again, later the next year:

We know for a fact that there are weapons there.

Secretary Powell:

We know that Saddam Hussein is determined to keep his weapons of mass destruction, is determined to make more.

President Bush:

The Iraqi regime has actively and secretly attempted to obtain equipment needed to produce chemical, biological, and nuclear weapons.

Again, President Bush:

Intelligence gathered by this and other governments leaves no doubt that the Iraqi regime continues to possess and conceal some of the most lethal weapons ever devised.

The President's chief spokesman Ari Fleischer:

Well, there is no question that we have evidence and information that Iraq has weapons of mass destruction, biological and chemical particularly . . . all this will be made clear in the course of the operation, for whatever duration it takes.

Mr. President, assertion after assertion. These statements, and dozens more like them, painted a frightening picture of the threat posed to this country by Iraq. They created a mood in this country that built support for attacking a country that had not first attacked us or our allies, and to do so for the first time in our history.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CONRAD. I ask for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Again, these statements did not suggest that ''maybe'' Saddam had weapons of mass destruction. They did not suggest that ''probably'' Saddam had weapons of mass destruction. They stated clearly and unequivocally that he had them. There was one only problem with these statements. All the evidence that has emerged since the war suggests that they were wrong. All the evidence we have now shows the administration knew at the time the statements were made that its own intelligence undercut the statements it was making.

What we know now is that we have occupied Iraq for 10 months. We have full, unrestricted access to the whole country, more than 1,000 investigators searching for illegal weapons, and they have found none. Saddam did not have nuclear weapons or any serious effort to acquire them in the near term. I think this quote from the January 28 Washington Post sums up the most recent finding:

''U.S. weapons inspectors in Iraq found new evidence that Saddam Hussein's regime quietly destroyed some stockpiles of biological and chemical weapons in the mid-1990s,'' former chief inspector David Kay said yesterday.

The discovery means that inspectors have not only failed to find weapons of mass destruction in Iraq but also have found exculpatory information . . . demonstrating that Saddam Hussein did make efforts to disarm well before President Bush began making the case for war . . .

''If weapons programs existed on the scale we anticipated,'' Kay said, ''we would have found something that leads to that conclusion. Instead, we found other evidence that points to something else.

I think the attached graphic from the Washington Post sums up the gap between the statements and what we now know. On biological weapons, evidence since March of 2003? No. No weaponized agents found.

On chemical weapons?

No. No weapons found. Appears none were produced after 1991.

On nuclear weapons?

No. No evidence of any active program.

I do not fault the administration for thinking that there might be weapons of mass destruction in Iraq. I myself thought it probable that Saddam possessed these weapons. But for me the real question was whether these weapons posed such a serious, imminent threat that they justified a preemptive attack on Iraq. Did we have solid evidence of an immediate danger? For me, at the time, the answer was no. Today, with the benefit of hindsight, with the Bush administration's own top weapons inspector acknowledging that the pre-war statements were wrong and that Saddam, in fact, was disarming before the war, the answer is even clearer: No.

I am not the only one who has reached that conclusion. For example, former President Reagan's Secretary of the Navy, James Webb, recently wrote:

Bush arguably has committed the greatest strategic blunder in modern memory. To put it bluntly, he attacked the wrong target. While he boasts of removing Saddam Hussein from power, he did far more than that. He decapitated the government of a country that was not directly threatening the United States and, in so doing, bogged down a huge percentage of our military in a region that never has known peace. Our military is being forced to trade away its maneuverability in the wider war against terrorism while being placed on the defensive in a single country that never will fully accept its presence.

There is no historical precedent for taking such action when our country was not being directly threatened. The reckless course that Bush and his advisers have set will affect the economic and military energy of our Nation for decades. It is only the tactical competence of our military that, to this point, has protected him from the harsh judgment that he deserves.

In my view, it was a clear alternative to a preemptive attack that had worked for us for more than half a century—aggressive containment and isolation. The Soviet Union had biological and chemical weapons. We never attacked them. China had biological and chemical weapons. We didn't attack them. Cuba had missiles. We didn't attack them. In every one of those cases we used containment, and it worked. But we did not use containment in Iraq. We broke with our history and launched a preemptive attack on a country that had not first attacked us or our allies.

Now we have the responsibility for trying to occupy and rebuild Iraq. Now we have moved resources out of the hunt for Osama bin Laden to deal with the dangers of the occupation of Iraq, and we have not yet succeeded in capturing bin Laden or shutting down al-Qaida.

I again must ask why have we not brought Osama bin Laden to justice? Why do we allow ourselves to be distracted by a war with Iraq when we have other, better options that allow us to keep the focus on al-Qaida?

It has been more than 30 months. It has been 930 days since the 9/11 attacks on this country, but Osama bin Laden is still at large. We all hope he will soon be caught, but every day our attention is diverted is another day America is at risk. That makes me question our policy.

The PRESIDING OFFICER. The Senator's additional 5 minutes have expired.

Mr. CONRAD. Mr. President, I ask unanimous consent for 5 minutes to conclude my remarks.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I thank my colleagues for their patience.

That makes me question our policy. It makes me question why for most of the last two years we have had no large-scale force hunting for bin Laden. It makes me question why our military and intelligence assets that could be hunting down al-Qaida have instead been diverted to Iraq. It makes me concerned when intelligence experts tell us al-Qaida has used that breathing space to decentralize its operations so it will be harder to disrupt and destroy al-Qaida in the future, even if we do capture bin Laden.

In the past few weeks, the administration has announced it has stepped up the hunt for Osama bin Laden. Sending a few thousand troops now is certainly a positive step. But I must ask with all due respect, could we have captured Osama bin Laden months ago had we kept the focus on al-Qaida? Could we have prevented the Madrid attack had we kept the focus on dismantling al-Qaida rather than going to war in Iraq?

Where was the effort to find Osama bin Laden for the past two years? And why do we not have tens of thousands of troops rather than just a few thousand to hunt him down so he does not remain free to plot against this country and our allies?

As Flynt Leverett, former CIA analyst and National Security Council staffer for President Bush, observed in a Washington Post article this past Sunday:

We took the people out [of Afghanistan] who could have caught them. But even if we got bin Laden or [his top aide Ayman] Zawahiri now, it is two years too late. Al-Qaeda is a very different organization now. It has had time to adapt. The administration should have finished this job.

I can only reach one conclusion. We have been distracted. We have been diverted. We have taken our eye off the ball. We have lost focus on the real war on terrorism—the war on al-Qaida and the terrorists who viciously attacked our country.

To put it bluntly, we have lost time and momentum and initiative in the war on the terrorists who actually attacked us while we went after a dictator—vicious and nasty as he was—who posed little immediate threat to this country.

If we look across the evidence, I believe in many ways the United States simply made a mistake of judgment on what was most important. The President and his advisers believed—and I believe they sincerely believed—the priority was to go after Iraq. But the evidence we now have suggests they were chasing red herrings rather than real evidence of a national security threat.

Don't get me wrong. The world is better off without Saddam Hussein in power in Iraq. But going to war with Iraq at the expense of our credibility and at the expense of our readiness to deal with other threats, at the expense of vigorously hunting down al-Qaida and bin Laden, has been the wrong priority.

That is exactly what concerned this Senator, that a preemptive war against Iraq—a country that had a low-level threat against this country, according to our own intelligence agencies—has distracted us from going after the man and the organization that attacked this country. It was not Iraqis who attacked this country. It was al-Qaida that attacked this country. Saddam Hussein was not the heart of that operation. Osama bin Laden was the leader of that operation.

It was Osama bin Laden and al-Qaida that engineered the vicious attacks on America on September 11. It is unacceptable that Osama bin Laden is still at large and broadcasting threats against this country 930 days after the attacks of September 11.

So I ask a final time: Why? Why has bin Laden eluded capture for 930 days? Why are we not focusing our efforts on bringing him to justice and defeating his network of terror?

I think the American people deserve an answer to that question. I think Members of this Chamber deserve an answer to that question. Holding Osama bin Laden and al-Qaida to account for this attack should be our top priority. It is time to refocus our priorities and to win the war against al-Qaida. Stopping bin Laden and al-Qaida before they can launch another attack that kills innocent Americans should be our highest national security priority.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, it is my understanding there is a unanimous consent agreement in place as to who might speak. I ask unanimous consent that I be recognized for 5 minutes ahead of those in queue.

The PRESIDING OFFICER. There is no order. The Senator is recognized.

Mr. BENNETT. I thank the Chair.

Mr. President, I listened with interest to my friend Senator CONRAD. And he is my friend. We use that term around here loosely, but he is in fact a good friend. I differ with him very fundamentally.

I have learned in the superheated atmosphere of the Senate that I must make this disclaimer: I do not challenge his patriotism, but I challenge his accuracy and his conclusions.

I think we should also understand that as we differ on this, we are not attacking someone's patriotism. That canard has been thrown across the aisle at those of us who stand to defend the President and differ with our colleagues.

I will return to the floor at a later time for more extensive comments on Senator CONRAD's speech. But I want to make these points which I think get neglected over and over and were neglected in his presentation.

He quoted David Kay, the President's arms inspector, as saying they are admitting now there are no weapons of mass destruction in Iraq. What he failed to quote from David Kay was the statement that after concluding his inspection in Iraq, David Kay came to the conclusion that Saddam Hussein was in fact more dangerous than we thought he was when we launched the war. I think that is the point that keeps being ignored and must be emphasized again.

Senator CONRAD says we didn't invade Russia when they had weapons of mass destruction; that we didn't invade China when they had weapons of mass destruction; and, why, therefore, did we invade Iraq when it turns out they didn't have them? We did it because we thought he had the weapons of mass destruction, and we thought that made him dangerous. It is not the possession of the weapons that is the problem. It is the danger that is the problem.

Great Britain has weapons of mass destruction, but they are in no sense dangerous. We thought Saddam Hussein was.

It is unfair to quote David Kay as saying there were no weapons and then not finish the quotation with his statement that even without weapons Saddam Hussein was more dangerous than we thought when we entered the war.

If you are going to use David Kay as your authority, you must use David Kay's entire conclusion. Saddam Hussein was, according to David Kay, more dangerous than we thought. Yet somehow he is being cited as to the source to say we should not have gone ahead.

This next major thrust of his statement was: Well, because we got distracted with Iraq, we have not dealt with al-Qaida and terrorism. That is the subject which I will address at some length when the Senator from Tennessee is finished.

The fact is, you cannot single out al-Qaida as a terrorist group as if it operates in a vacuum. I remember my high school history teacher saying, over and over to us: You cannot cut a seamless web of history. You cannot divide the threat of terror into neat little sections and say, we can deal with the one and the others do not really matter.

I will be discussing and presenting on the floor here at a relatively close future time the statement that appeared this morning in the Wall Street Journal that is a summary of the Kissinger lecture, given at the Library of Congress, by George Shultz. I had the privilege and honor of hearing George Shultz present that lecture. In it he makes the clear point that the war on terror, the threat from terror, goes all the way back to his experience in the Reagan administration, when he was Secretary of State. And it manifests itself in a variety of places and in a variety of ways.

There is no distraction in the war on terror by virtue of what we are doing in Iraq. Saddam Hussein financed terror. Saddam Hussein countenanced terror. Saddam Hussein provided sanctuary for terrorists. If we were going to launch a war on terror, and said we were going to rule out Iraq as part of that war, we would have been irresponsible.

Yes, the first attack went against al-Qaida and al-Qaida's sanctuary in Afghanistan. But al-Qaida fled and sought sanctuary elsewhere. And one of the main places where terror found sanctuary and finance was in Iraq. And we thought Iraq was dangerous enough to invade, in fulfillment—as George Shultz points out—of the clear United Nations mandate that went back decades. We acted in accordance with that mandate. We enforced the United Nations resolutions in full compliance with United Nations procedure and the vote of both Chambers of this Congress.

It was not a distraction. It was part of the overall recognition on the part of the Bush administration that this was not a law enforcement problem where we needed to identify the criminal, arrest him, and prosecute him. This was, indeed, a true war, across a wide spectrum of challenge, where we had to deal with dangerous problems, the most dangerous of which, again, according to David Kay—who has been quoted by those who are attacking the administration—was Saddam Hussein: more dangerous than we thought when we launched the war.

I think we should keep that in mind as we go forward in this debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 2937

Mr. BAUCUS. Mr. President, I ask unanimous consent to be added as a cosponsor to the amendment offered by Senators DODD and SNOWE on childcare.

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

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, is there any limit on time?

The PRESIDING OFFICER. There is not.

Mr. ALEXANDER. Thank you, Mr. President.

Mr. President, I have come to the floor this afternoon to speak on the welfare reform legislation that the Finance Committee has worked on. I compliment Chairman GRASSLEY and the Senator from Montana for their hard work in bringing this important piece of legislation forward.

I am going to comment on two aspects of the bill.

IRAQ

Before I do that, Mr. President, I have been sitting here listening for a while. I think it is important to complete the story of what the Senator from North Dakota was saying.

Let me be specific about this. As I heard his remarks, he was basically saying the President of the United States made a mistake when he decided the United States should use force to change the regime in Iraq.

I suppose one could come to that conclusion. There were some in the Senate who did. But I think it is important, if we are going to begin to read quotations and comments from those who have come to that conclusion today, that we finish the story, as Paul Harvey said.

Here is the rest of the story. Here is what others were saying, others were thinking, at the time President Bush had to look at the whole world and look at this different world that we are in and make a decision.

It is true that it has been against the traditions of the United States to make a preemptive strike. That was a major discussion during the Cuban missile crisis. Bobby Kennedy brought that up in the councils. He was right to do that. And I am sure in President Bush's councils that was discussed.

But, suddenly, we were facing a different kind of enemy. We were facing terrorists. And we had just experienced an unexpected attack. There are some even today who say that someone should have imagined that a handful of men would hijack two airplanes and fly them into the World Trade Center. Maybe someone should have. But I can assure you that during the 1990s, there was no one running for President of the United States who expressed that thought or who had that thought in the remotest back of his mind that such a thing like that could happen. Terrorism, yes. But that kind of attack? No.

So, suddenly, we are in this new environment. And the President of the United States is doing what I would hope any President would do of either party when confronted with radically different circumstances. He asked some questions and he took some action.

Now, it is important for us to remember that at the same time the President was making decisions about whether we should invade Iraq to defend ourselves, to prevent a terrorist attack—because there was a threat there to American lives and American safety—there were others in our Government who also had a chance to consider that information, and to talk about it, and to vote on it.

We voted on it here. I was not here yet, but I remember the overwhelming majority—bipartisan majority—in this Senate that authorized the use of military force against Iraq. And I can remember very well what was said.

So if the issue is whether a prudent President—who is sworn to uphold the oath to defend the United States of America—made a wise judgment to challenge Saddam Hussein, whether he could have done that based upon the facts presented to him, let's take a look at what other people, other well-informed people were saying and thinking at the time.

The distinguished Senator from North Dakota read some quotations. Let me read some more. Here is a member of the Senate's own Intelligence Committee, the Senator from West Virginia, Mr. ROCKEFELLER, one of our most distinguished and wisest Senators, a man who has been a Governor, with whom I have served, a man who is also on the Foreign Relations Committee. Here is what the Senator from West Virginia, speaking on the Senate floor, said on October 10 of the year 2002, about the time the President of the United States was looking at this information. Senator ROCKEFELLER said:

> There is unmistakable evidence that Saddam Hussein is working aggressively to develop nuclear weapons and will likely have nuclear weapons within the next 5 years. He could have it earlier if he is able to obtain fissile missile materials on the outside market, which is possible—difficult but possible.
>
> We should also remember we have always underestimated the progress that Saddam Hussein has been able to make in the development of weapons of mass destruction.

Now, that was not the Vice President of the United States. That was not Secretary Rumsfeld. That was not President Bush. That was the Senator from West Virginia, a member of our Intelligence Committee, a member of the Foreign Relations Committee, who was coming up with his own conclusions.

Here is another quotation made on the Senate floor on October 9, 2002, about the same time. This came from the distinguished junior Senator from Massachusetts, Senator JOHN KERRY:

> I believe the record of Saddam Hussein's ruthless, reckless breach of international values and standards of behavior, which is at the core of the cease-fire agreement, with no reach, no stretch, is cause enough for the world community to hold him accountable by the use of force if necessary.

That was Senator KERRY, at about the time that President Bush was having to make this terrible decision.

I want to move on to other issues. But I don't think it serves our purpose as a country to dredge up comments that show some second-guessing, some second thoughts on one side, but not look back at what other distinguished, fairminded reasonable men and women were saying.

Here is what Senator BIDEN said at about the same time on the Senate floor, October 9, 2002:

> If the world decides it must use force for his failure to abide by the terms of surrender, then it is not preempting, it is enforcing. It is enforcing, it is finishing a war he reignited, because the only reason the war stopped is he sued for peace.

And finally, here is what the Senator from New York, Mrs. CLINTON, said on October 10, 2002:

> In the 4 years since the inspectors left, intelligence reports show that Saddam Hussein has worked to rebuild his chemical and biological weapons stock, his missile delivery capability, and his nuclear program. It is clear, however, that if left unchecked, Saddam Hussein will continue to increase his capability to wage biological and chemical warfare and will keep trying to develop nuclear weapons.

Those are the conclusions of the distinguished Members of the other side who know a lot about this, the same conclusion President Bush had. We don't have to listen to what the administration tells us here. We have our committees. We travel the world. Some of us have been in other administrations. We read. We listen. We talk. We come to our own conclusions. The conclusions of most Senators was the same as the conclusion of the President, that as terrible as it was, this was a time we needed to act.

There is one other quotation I would like to mention before I turn to the Welfare Reform Act. This is a comment of a former President of the United States who has, to his great credit, not backed away insofar as I have heard from this remark. President Bill Clinton said, on February 17, 1998, in an address for the Joint Chiefs of Staff and Pentagon staff:

> Now let us imagine the future. What if he fails to comply and we fail to act or we take some ambiguous third route which gives him yet more opportunities to develop this program of weapons of mass destruction and continue to press for the release of the sanctions and continue to ignore the solemn commitments that he made. Well, Saddam Hussein will conclude that the international community has lost its will. He will then conclude that he can go right on and do more to rebuild an arsenal of devastating destruction. And some day, some way, I guarantee you, he will use the arsenal. And I think every one of you who has really worked on this for any length of time believes that, too.

That was President Clinton in 1998 in an address to the Joint Chiefs of Staff and the Pentagon staff.

The No. 1 issue on all of our minds is the war in Iraq. But I would hope we could look forward and not look backward in recrimination. That is not too much to hope in a Presidential election year. I believe the people of this country want President Bush and Senator KERRY to say where do we go from here, how do we win the peace, how do we secure freedom, how do we get the men and women home from Iraq and Afghanistan, what can we do to help

their families. That is what the focus ought to be rather than reading long, incomplete lists of second-guessing quotations to try to pin the blame on a decision that was broadly and widely shared based upon information that had been piled up over 10 or 12 years. That does not serve our process well.

I came to the floor today on another matter. I am glad I had a chance to mention former President Clinton in terms of doing it. I remember well. In my second term as Governor in the mid-1980s, I was privileged to serve as chairman of the National Governors Association and created the first welfare reform task force. I asked then-Governors Pete DuPont and Bill Clinton, who was vice chairman of that association, to be the co-chairs, working with me to figure out something better. And we did, and they did most of that work and that leadership.

The work that the Governors started that year continued. Ten years later, when Bill Clinton was President in 1996 and there was a Republican Congress, Congress passed the landmark welfare reform legislation which today we call TANF, Temporary Assistance for Needy Families.

That 1996 welfare-to-work legislation was very controversial at the time. It was controversial because it got us out of the rut that we had been in for 30 or 40 years of creating a permanent class of welfare and caused us to rethink that. It is possible that it only could have been done with the President of one party who had immersed himself in the subject and who talked about it and believed in it and a Congress of another party. It was that big a change.

It changed the way we think about welfare, from a program that fosters dependence to a program that serves as temporary assistance, a program that restores dignity and encourages people to stand on their own two feet. That welfare-to-work program that President Clinton and the Republican Congress created 10 years ago—many Members of the House who were there at the time are now in the Senate—has been a very successful program and one in which they can take pride.

From a high of 5 million in 1994, welfare caseloads have dropped by over 50 percent. But since 2000, the national caseload has leveled off at slightly above 2 million. In more than half the States, including my own of Tennessee, caseloads are growing. And in every State, the remaining 50 percent on the welfare rolls present a bigger challenge.

There are some other warning signs. The number of families is rising who have exhausted their 60-month or 5-year time limit for Federal aid under TANF. We have a 5-year limit. We don't want permanent welfare. And a number of families have exceeded that 5-year limit so they are off welfare.

Another warning sign is the remaining caseload holds a rising proportion of Black and Hispanic families. Another is that unemployment among single mothers, which declined sharply in the early years of our welfare-to-work program, went back up in 2001 and 2002.

Finally, another warning signal is in response to their own fiscal crises—we can remember we had to send a $20 billion welfare check of our own to the States last year—some States have recently had to restrict cash benefits and support services, spreading limited resources even thinner.

The President and the Congress recognized from the beginning that helping people go from dependence to independence would be expensive in the short run. It would take some money. If you are saying to somebody who is down and out and in the third generation of welfare dependence, we want you to change your lifestyle and we are going to offer in exchange for that childcare, education opportunities, job training, counseling, removal of barriers to work, offering all that, that takes people, that takes work, and that takes money.

We have provided money over a period of time. One of the most successful of those programs has been the childcare voucher. Not everyone likes to call it a voucher because some people don't like vouchers. The Pell grant is a voucher for college students, the Stafford student loans is a voucher for college students, and the childcare grant is a voucher. It is money that goes through the States—I think it is about $8 billion or so—to more than 2 million persons who are getting off welfare. As we say, largely to women who have children: We want you to go to work. They may say: What about our children? And we say: Here is a childcare grant that you may take to any accredited institution that you can. That is what we mean by voucher.

That has been a big success as well. That is the reason why even though the Senate committee, in my judgment, has done an excellent job of bringing to the Senate the reauthorization or renewal of this welfare reform bill and has increased the amount of money available for childcare, I agree with Senator SNOWE of Maine that we need to increase the money for childcare more.

Senator SNOWE spoke about that today at great length, so I don't feel the need to go into great length about it. Basically, the Snowe amendment, which I am glad to cosponsor, adds an additional $6 billion over 5 years for childcare. Both the House and the Senate versions of the welfare reform bills we are considering increase both the hours the parents are required to work each week and the number of welfare parents each week who are required to work.

If we are going to require that the only parent who is at home go to work, and if that person is poor, and if that person is still on welfare after we have been working for 10 years to try to get as many people as possible off, we certainly are going to have to say as part of our deal we will help with childcare if you will go to work. That is the whole idea.

Childcare is the linchpin between welfare and work. Studies show former welfare recipients who receive childcare assistance are 82 percent more likely to be employed after 2 years than those who don't; 65 percent of mothers with children under the age of 6 and 79 percent of mothers with children ages 6 to 13 are in the labor force in our country today. As I mentioned earlier, about 2.5 million children receive our Federal childcare vouchers through the State. Childcare is expensive. It costs as much as a 4-year college—between $4,000 and $10,000 per child annually sometimes.

I got a personal dose of learning about this in 1996 when I was under the mistaken impression the people of the United States wanted me to run for President of the United States. I got the message earlier that year that they preferred Bob Dole, the former majority leader. I went home to Tennessee. I received a call from Major Werthy of the Salvation Army. He said, ''I have been hearing what you had to say.'' I had been saying a lot about personal responsibility. He said, ''I am calling to draft you and put your feet where your mouth has been for the last few years.'' So I went to work for the Salvation Army in Nashville and helped create something called the Red Shield Family Initiative. This basically became Nashville's way of implementing the Federal law.

Congress and the President decided we are going to change things. If you will get off welfare, we will give you help, childcare, job training. We will knock barriers out of the way and counsel you about drugs and work with you. Then somebody has to actually do all that. In Nashville a whole group of people got together, led by the Salvation Army. It included the metropolitan government, the State of Tennessee, all sorts of social services, and it included childcare centers. Down in the area of town where we have the most difficult circumstances, we had almost a mall, such as a shopping mall that exists to create a one-stop place for a mom on welfare who wanted to get off, so they could then be helped. There have been some wonderful stories that have come out of that Red Shield Family Initiative, but I can tell you they came out slowly, one by one.

Tamika Payton was in the ninth grade. This is an example Major Werthy talked to me about. In the ninth grade, she was a ward of the State when she had her first child. She grew up with an abusive mother who was addicted to drugs. She was removed from the care of her mother and placed in the care of her aunt, who was also abusive, so she ran away. This is Tamika's story, but it is a story that occurs all over America. She had two more children before becoming connected to the Family First Program, which is what we call Tennessee's welfare-to-work program. Because of the

childcare certificate, the vouchers she receives through the Tennessee Family First Program, the ones we pay for with Federal tax dollars, she now has a full-time job, she is working on her GED, her high school degree, and her children attend the McNealy Child Care Center, a nationally accredited childcare agency in the area where this Red Shield Family Initiative of the Salvation Army exists.

In Tennessee, the State pays $105 a week for Tamika's 1-year-old, $105 a week for her 2-year-old child, and $90 a week for her 4-year old child. In Nashville, the average cost of a quality childcare center ranges between $100 and $150 a week. These vouchers we are voting for come within that range. Tamika's dream is to get her high school degree and then to attend Tennessee State University.

In other words, what is happening with Tamika Payton is exactly what the Republican Congress and President Clinton hoped would happen in 1996 when this started. But as we consider the welfare reform legislation, I think it is very important that we remember in Washington, DC, while we may create large frameworks and set standards and provide money, it is people such as the Red Shield Family Initiative in Nashville, in Portland, in Austin, in New York City, who are doing the work—they have got to work one by one by one. So I will support and vote for Senator SNOWE's amendment to add an additional $6 billion over 5 years for child care, because if in this welfare reform authorization we are going to require the only parent in the house to work away from home—more work than we have required before—then we will have to pay more for more childcare. We cannot require more work without paying more for more childcare.

There is one other concern I have. It will be the subject of an amendment I intend to introduce along with Senators NELSON, CARPER, and VOINOVICH later this week. We are working with the chairman and his staff to try to make certain it is consistent with the objectives of the general legislation, which we believe it is. This amendment would create a 10-State demonstration project designed to test the premise that if States had greater flexibility, States could do a better job getting people off welfare and becoming truly self-sufficient. Senators NELSON, CARPER, VOINOVICH, and I are all former Governors. We know the importance of reducing welfare rolls. We all served as Governors of States in the AFDC days, when we had Aid to Families with Dependent Children. We all strongly support the welfare-to-work concept. But especially with this last group of men and women—mostly women—who are moving from welfare to work, we have the tougher cases. It will be harder for us to decide from here exactly how each of those persons we are trying to help can get from where they are to where we want them to go. We should not presume to have all of the answers.

Here is how our demonstration project would therefore work. The Secretary of Health and Human Services would approve plans for up to 10 States. These plans would include what we call measurable outcome goals. In other words, in plain English, are we helping this person move toward self-sufficiency, toward independence, to get on their own two feet and off welfare? We would, in those 10 demonstration States, enforce the 60-month time limit for TANF benefits and require, as in the Senate bill, the self-sufficiency employment plan for each recipient. In other words, each individual would have a plan for that person's progress.

We agree with the idea of no permanent welfare. While work continues to be at the heart of what we expect States to focus on, States will need to decide how best to meet each person's need, is taking into consideration individual circumstances. As wise as we may hope we are, each one of us is not going to be able to meet each Tamika Payton and make a judgment as to how Tamika can get on her two feet with her three children, succeed in life, and never receive a welfare check again. So in exchange for greater flexibility, we will ask the States to achieve better results and be measured against true outcome goals, a feature neither in the current law nor in the Senate and House bills.

These are the kinds of goals that our legislation will include: One, work, employment, growth in the percent of recipients employed in that State; two, removal of barriers to stable employment. By that I mean drug treatment success. That is a barrier to stable employment. Education level, that is a barrier to stable employment. Attainable marketable skills, that is a barrier to stable employment.

I remember visiting a welfare human services office in my State in 2002. I asked them what worked best. What they told me was: Get them into school. If we get them into school, we never see them again. What the welfare office hopes for from its clients is they do not see them again, at least they do not see them again in terms of assistance and checks. They want them to be on their own.

Job retention is a measurable outcome goal. Earnings is a measurable outcome goal. Child well-being—whether the children of that mom have prenatal care, and for the pregnant mother—immunization rates of the children, the percent of children in child care, overall improvement in the children's education, test results.

Within those specific measurable outcomes—employment, removing barriers to employment, job retention, earnings, and child well-being—a State's plan would say: We believe we know better how to get to the goal of sufficiency; give us a chance to do that. Each State would be required to enter into a performance agreement with the Department of Health and Human Services to meet certain targets to coordinate with other programs, to work with the Secretary to demonstrate that a reasonable workforce participation rate is being maintained, to have an evaluation plan that includes accountability for the benchmarks.

This will test the best way to help those on welfare today get off welfare for good.

It would help some of those we now see in Tennessee who we were able to help because our State has unusual flexibility, but without that flexibility, we believe we would not have been able to serve them as successfully.

Mr. President, there are many examples in my own experience, and I am sure in every State's experience, of how local ingenuity, local caring, working with persons who are in trouble, one by one, has helped them succeed.

I would like to see us take this next step with welfare reform. I believe since it had a bipartisan origin with a Democratic President of the United States who invested years in trying to understand it, and a new Republican Congress that made it a priority, that we owe this important legislation, this welfare reform bill, our full attention for a few days. We can surely put aside some of these other issues long enough to help men and women get on their own two feet in this great country of ours, particularly to continue a program that for 10 years has worked so well.

My goal will be to do what I can as one Senator to make sure we focus on welfare reform; No. 2, to support the Snowe amendment that makes sure that if we require more work, we provide for more child care; and, No. 3, to work with the committee to try to see if we can find a way so that a limited number of States during this 5-year period can have somewhat more flexibility in working with these difficult cases so when this comes back around again in 4, 5, or 6 years, we can see what we have learned.

Too often as programs go on, the restrictions from Washington pile up. I would like to see a countervailing effort, countervailing movement within this legislation that continues to increase flexibility because, after all, it is stated right at the beginning of the 1996 law, giving States more flexibility is key to the success of welfare reform.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Idaho.

Mr. CRAIG. Mr. President, I will take a few moments at this time. Certainly the issue of welfare reform is critical. The Senator from Tennessee has outlined the phenomenal successes to date led by Republicans both in the House and the Senate and now, of course, the Finance Committee has come forward with a reauthorization that is critical to our country. But in talking about that issue, one of the things that all welfare reform runs subject to is the ability, as we ask people to leave welfare, to find a job.

Something that frustrates me at this moment is what is occurring while the Congress of the United States refuses to act that will have a very real impact on the economy of our country and the ability to create jobs.

Just this morning, as constituents across this country by all of the Senators pulled up in front of their gas pumps to fill their tanks, they paid the highest price for regular gas ever in the history of this country. Prices in California have skyrocketed out of sight, and it is true across the Nation.

That is a fact. That happened this morning, and gas people are telling us that it will happen morning after morning as gas prices ratchet up across this country.

There is another fact out there. Congress has searched for an agreement and debated what to do about this for well over 3 years. The House and the Senate passed energy bills in the past year and led the American people to believe that they could solve this problem. Those reports came back from the Senate and the House. The Senate passed theirs; the House passed theirs. The Senate could not get there for one reason or another and, as a result, a message was sent out to the American people that the Senate of the United States could not come to an agreement on an energy bill. That is a fact.

Here is another fact. The reason energy prices continue to rise is that the Senate, not the House, failed to get the 60 votes necessary to solve what is becoming a major national crisis in this country. Let me repeat that. The Senate of the United States failed to get cloture, a vote that is critical to moving beyond the 60-vote margin to allow a national energy policy to go forward.

So if you grew a little angry this morning when you paid the highest price you have ever paid for gas at the pump, call your Senator. No, not your State Senator, call your United States Senator and ask he or she how they voted on a national energy bill last year, and ask them if they supported developing a national energy policy for this country.

I do believe Americans are finally getting it. They are finally beginning to understand the crunch of high gas prices not only at the pump but natural gas prices and electricity prices. Americans, like I said, are paying more for all levels of energy ever in this country.

Does that have an impact on job creation and the viability of our economy? You bet it does. Does it have an impact on welfare, people losing their jobs instead of being able to get off welfare from a reform bill and get out into the economy and find jobs? You bet it does. Jobs, all kinds of opportunities in this country, recreational opportunities, all of these kinds of issues are impacted by the cost of energy in our country today.

What about the cost of growing food in our country? I just had an Idaho banker in my office in the last week. He has called all of his bank branch managers together and said: Look at all your fine lines of credit to see whether we can afford to bump them up 25 or 30 percent because the average farmer is going to pay 25 or 30 percent more for input costs in production this year than they did last year, and it is all going to be as a result of the cost of energy, and it is all going to be because this Senate failed to act in a strong bipartisan way to solve this problem.

America's working men and women ought to be growing angry because their home heating bills this winter were the highest they ever paid in a pretty cold and drawn-out winter. They paid more for the gas to heat their home. They paid more for oil than they ever paid.

Why? Let me repeat that. Because the Senate of the United States failed to respond. Many on the other side are now saying we have a jobless recovery, that we are not creating all kinds of jobs we ought to create even though our economy is beginning to grow. Well, if the cost of production is forced to an alltime level and we have to compete with goods and services from all over the world that may be being produced in a climate where energy is half the cost than it is in this country as relates to natural gas, maybe there is a reason why the economy is sluggish and not moving as quickly as it should today.

My State, an agricultural State, a high-tech State, is also a tourism and recreation State. What is going to happen this summer when mom and dad and the four, three, or two kids get in the motor home and fill it up and it is going to cost another $10, $15 or $20 every time they stop to fill up their motor home? Well, they may not be traveling to my State of Idaho this year or other places in the Nation and spending their money and feeding the economy of the States that appreciate a recreational economy.

I mentioned a few moments ago, average working men and women paid historic gas prices to heat their homes this year. Here is a very fascinating and very frustrating figure: Residential, commercial, and industrial consumers have paid $130 billion more over the last 46 months, compared with 4 years before, than ever in the history of our country. That is an 86-percent increase in approximately 4 years in the price of natural gas. Why? The Congress of the United States, the Senate, did not pass a bill that would have allowed greater exploration, that would allow the necessary kind of pipeline development.

The bill we would like to bring to the floor today would allow a gas pipeline to be brought down out of Alaska where we are pumping billions of cubic feet of natural gas back into the ground that could be coming to the Lower 48. That would not have caused this figure.

The increased price of natural gas has cost industrial consumers $66 billion, residential consumers $39 billion, and commercial consumers $25 billion. Every penny of the $130 billion could have been prevented if the Congress of the United States had acted.

We knew this perfect storm was coming. We have looked at it for the last 5 years. We knew that with the Clean Air Act we were going to push people toward natural gas, and yet we closed our public lands, we made it much more difficult to certificate, and we slowly but surely walked away from production at a time when Federal policy was increasing the use of natural gas to alltime highs.

What is the impact on the farmer of my State? Let me give a few figures. Everything from diesel fuel to the cost of fertilizer has gone up. It is skyrocketing. Some fertilizer costs will go up nearly 100 percent this year. It might mean less fertilizer is used. It may mean food production could flatten out or even go down in this country.

What about the profitability of the farmer? If the farmer is not profitable, if he is not making money, my guess is he is going to turn to his Senator or his Congressman and say, I have had a bad year; can you help me a little bit? Maybe the reason he had a bad year is because the Senate of the United States has refused for 5 years to look at a comprehensive energy policy.

Loss of manufacturing jobs, plant shutdowns, corporate bankruptcies—some of these have been tied to the high cost of energy. Residential electric bills and certainly, as a result of that, higher food costs are all a part of it.

We like to get people off welfare. We want them to have self-dignity and worth. We want them to have a job on their own and we are willing to help them get there. But we flatten out our economy through Federal rule and regulation in part because we will not develop a national energy policy.

What is the solution? Well, some of my friends on the other side, an attorney general out in California, said it is time to investigate the big oil companies again; it is their fault. Now I would like to say: It ain't their fault anymore. We are not letting them explore. We are not letting them develop. We are saying, this land is off; this land is off; you cannot go offshore; you cannot do this; you cannot do that. Slowly but surely we have ratcheted up our dependence on foreign providers, now teetering at around 60 percent. The Middle East, oh, well, we can blame OPEC; Venezuela, we can blame the politics of Venezuela. We sure do not want to blame ourselves for having failed to come together in the development of a national energy policy.

The Governor of Rhode Island said this recently: The high cost of natural gas is taking a toll on our economy across New England and across the Nation. In today's competitive world, manufacturers cannot raise prices to compensate for higher energy costs.

The only long-term solution is to increase supply.

My guess is that when we talk about increasing supply, the land offshore Rhode Island is off limits to exploration and development.

The vice president of the Oklahoma Farm Bureau put it this way: One of the industry's highest dependence on natural gas as a feedstock and critical to American agriculture is the fertilizer industry. Natural gas is the primary feedstock in the production of virtually all commercial nitrogen fertilizers in the United States, accounting for nearly 90 percent of the farmers' total cost of anhydrous ammonia. Our domestic fertilizer production capacity has already experienced a permanent loss of 25 percent over the last 4 years, and an additional increase in costs, recommending the potential of another 20 percent shutdown of that industry.

Well, I could go on with quote after quote. I know I am not talking about reauthorization of the Welfare Reform Act at this time, but an economy that employs people is in direct relationship to getting people off welfare and getting them into a good-paying job. That is what an economy that grows is all about.

When this Senate refuses to pass a national energy policy and by that failure drives up energy costs, we drive jobs offshore, we drive jobs underground, and most assuredly those who are out looking for a job for the first time in this economy are not going to find that job; they are going to want to come back to their Government and ask for help and assistance.

I thought it was appropriate that we speak about a national energy policy, about a job-creating economy, when we are talking about welfare reform. I thank the chairman of the Finance Committee for the work he has done, the very bipartisan effort once again to do what is right and responsible in the area of welfare reform.

Let me challenge this Senate, Democrat and Republican alike, to do what is right when it comes to a national energy policy. Get this country back into the business of producing oil instead of using excuses that it is somebody else's fault that the price of gas at the pump is now at a national alltime high. I will tell my colleagues whose fault it is: Call your U.S. Senator. It is his fault that gas is now high today. Do not let them duck and hide and blame big oil or blame OPEC or blame someone else. Blame your Senator. Call him today. It is his or her fault we do not have a national energy policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. I have two unanimous consent requests. The first one deals with tomorrow's business and a vote on the Snowe amendment. I ask unanimous consent that the vote in relation to Snowe amendment No. 2937 regarding childcare occur at 12:15 on Tuesday March 30, provided further that no second degrees be in order to the amendment prior to the vote, with Senator CARPER to be recognized for up to 10 minutes prior to the vote, and that the time be counted against any Democrat-controlled time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

## MORNING BUSINESS

Mr. GRASSLEY. I ask unanimous consent that the Senate now proceed to a period for morning business with Senators permitted to speak up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

The Senator from Michigan.

Mr. LEVIN. Reserving the right to object, I wonder if as part of that agreement we could line up speakers as follows: That Senator DURBIN be recognized in morning business for 15 minutes; followed by Senator BENNETT for 20 minutes; followed by myself for 15 minutes; followed by the Senator from Minnesota, Mr. DAYTON, for 15 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

## ENERGY POLICY

Mr. DURBIN. Mr. President, I thank my colleague from Michigan. He has waited patiently all day. I didn't realize he had left for his office to come back. I thank him. It is generous of him to give me an opportunity to share some moments with reference to this bill and the issues raised on the floor.

As I listened to the previous speaker, my colleague and friend from the State of Idaho, explain the energy problems of America, I certainly concur with his conclusion. The cost of energy is high. That is an input for business as well as for families. As those costs go up, it becomes more difficult for our businesses in America to be competitive. Frankly, families find themselves facing inflation and heightened expenses just to drive a car to work or to use the car in a small business. As energy costs, like the cost of gasoline, go up, this conclusion is inescapable.

But I have to question the premise of the Senator from Idaho; that is, the problem is we are not drilling for enough oil in America. That certainly is one of the problems. Having an adequate supply is essential. Those of us who believe we have to continue to look for environmentally responsible sources for oil and gas think that should be part of a national effort and a national energy policy.

What is missing in the speech from the Senator from Idaho was any reference at all to the conservation of energy. Over the weekend in Chicago I bought a copy of Consumer Reports, the April issue on the 2004 automobiles. I went through it out of curiosity to find how many miles per gallon the most popular cars in America are getting. You will find time and time again that you are lucky to find a fuel-efficient car anywhere in the range of 20 miles per gallon. Very few of them are getting more than 20 miles per gallon.

If you put this in historic context it means that in the last 60 years we have decided, as a nation, in our buying habits and in the production of automobiles, that we want heavier, less fuel-efficient cars, and that we are prepared to be more reliant on foreign sources for fuel.

We are paying the price for it. Now we are seeing shortages because we are not engaged in any discussion or commitment to conservation of energy or the fuel efficiency of our energy-using vehicles and machinery. We are paying the price for it.

We cannot drill enough oil and gas to take care of our profligate habits when it comes to energy. Let me add, as we burn this energy without any concern for conservation, we are undoubtedly adding to global warming, air pollution, and serious environmental problems that we visit on our children.

The Energy bill to which the Senator from Idaho referred must include, I would assume, some provision for greater fuel efficiency for cars and trucks. But, lo and behold, it does not. There is nothing in that bill to deal with fuel efficiency. The original bill wanted to propose drilling for oil in the ANWR. That was defeated on the Senate floor. But, sadly, the bill that finally came to us for a vote had little or nothing in it that would move us toward more fuel-efficient vehicles.

My friend from Utah, who is seeking recognition at this point, is the model for the Senate. If you look at my tall, lanky friend from Utah, he goes out of this building, down the steps, and folds himself into a Prius, if I am not mistaken?

Mr. BENNETT. It is an insight, and the question is whether or not the Senator wanted a ride in a car that throughout its history has a 53.1 miles-per-gallon history.

Mr. DURBIN. What a model Senator. I am happy to give him credit where it is due. I have watched him fold himself in and out of that car, and I have commended him in the past and I will continue to commend him. But isn't it ironic that you have to go to Japan to buy these hybrid vehicles? Finally, Detroit, in a year or so, may be producing them.

My response to the Senator from Idaho is, yes, let's have a policy debate about energy in America. But for goodness' sake, let's not believe the key to America's energy future is just finding more environmentally sensitive places to drill for oil—offshore, wilderness areas. Let's also commit ourselves to conservation of energy.

Let me address another issue. If we are talking about the competitiveness of American business, it is not just the input of energy costs. You will find many businesses resist hiring new employees because they don't want to pay