September 30, 2006, and for other purposes.

AMENDMENT NO. 1162

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of amendment No. 1162 proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

At the request of Mrs. MURRAY, her name was added as a cosponsor of amendment No. 1162 proposed to H.R. 2360, supra.

AMENDMENT NO. 1200

At the request of Mr. BYRD, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Ohio (Mr. DEWINE), the Senator from New Jersey (Mr. CORZINE), the Senator from Connecticut (Mr. DODD), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 1200 proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

At the request of Mr. KOHL, his name was added as a cosponsor of amendment No. 1200 proposed to H.R. 2360, supra.

AMENDMENT NO. 1202

At the request of Mr. DODD, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 1202 intended to be proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1205

At the request of Mr. OBAMA, his name was added as a cosponsor of amendment No. 1205 intended to be proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

At the request of Mrs. BOXER, her name was added as a cosponsor of amendment No. 1205 intended to be proposed to H.R. 2360, supra.

AMENDMENT NO. 1206

At the request of Mr. SARBANES, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Delaware (Mr. BIDEN) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of amendment No. 1206 intended to be proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1211

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of amendment No. 1211 intended to be proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1215

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1215 proposed to H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. CORZINE:

S. 1381. A bill to require the Nuclear Regulatory Commission to consider certain criteria in relicensing nuclear facilities, and to provide for an independent assessment of the Oyster Creek Nuclear Generating Station by the National Academy of Sciences before any relicensing of that facility; to the Committee on Environment and Public Works.

Mr. CORZINE. Mr. President, I rise today to introduce legislation to help ensure the safety of the Nation's oldest nuclear power plants before they receive a renewed license to operate.

The Oyster Creek Nuclear Generating Station in Lacey, NJ, has operated for 35 years and is the oldest nuclear facility in the country. It provides approximately ten percent of New Jersey's electricity, powering 600,000 homes. Oyster Creek also provides high paying jobs for 450 New Jerseyans. While the plant is an important source of energy and jobs for New Jerseyans, serious environmental, health, and safety concerns must be taken into account before the plant is relicensed. Three and a half million Americans live within a fifty-mile radius of this plant. Congress must recognize that it is imperative that the safety, performance and reliability of this plant be assessed by an independent entity before it is relicensed.

I have been very clear about my support for an independent review of Oyster Creek's safety and security as part of the relicensure process. Such an assessment would have to go beyond what is currently studied by the Nuclear Regulatory Commission (NRC) when it reviews a license renewal. Unfortunately, when the NRC decides whether to renew a plant's license, it does not subject that application to the same thorough analysis that would be applied to a new power plant's application.

In particular, a plant's emergency plan is not evaluated by the NRC when it considers a license renewal. This is surely unacceptable.

The legislation I am introducing would require the NRC to withhold relicensing of the Oyster Creek Station until the National Academy of Sciences provides an independent assessment of safety performance, along with recommendations for relicensing and relicensing conditions. The assessment must identify health risks, vulnerability to terrorist attacks, evacuation plans, population increases, ability to store nuclear waste, safety and security records, and the impact of a nuclear accident. The NRC would not be allowed to grant the license until it gives appropriate consideration to the recommendations in the report. This is important not just for New Jersey as it applies to Oyster Creek, but for all nuclear plants across the country.

In addition, the bill requires NAS to review and recommend what the life expectancy of nuclear plants should be that are designed like Oyster Creek.

Most public officials do not have the training or knowledge base needed to make an independent assessment regarding the safety and security of a nuclear power plant. This is why it is so critical that policymakers solicit the independent and unbiased opinion of experts who are able to thoroughly assess whether the Oyster Creek nuclear power plant would be able to operate without fail throughout the duration of a new license.

This Nation needs a plan for a sound energy future. Such a plan must address the increasing role for clean, renewable energy. The plan, however, must ensure that nuclear power plants such as Oyster Creek operate safely and only as long as they are needed.

If New Jersey's energy future is left up to chance, it could leave my State more reliant on coal-fired energy imported from other States over a regional grid that is unable to handle bulk power transfers of such a magnitude. The obvious end result of such reliance on distantly generated and transported energy is more air pollution and more blackouts.

Considering that New Jersey already suffers from the health effects of out-of-State air pollution and is still smarting from the 2003 blackout, we should know better than to let this happen.

A mistake in this matter has devastating potential consequences for New Jersey. An independent assessment of the safety of Oyster Creek is a significant step to ensure the safety of the 3.5 million residents who live in the vicinity of the plant. This additional layer of safety will help ensure that if Oyster Creek is relicensed, it will have passed a stringent, independent assessment of its safety. New Jersey should not expect anything less when it comes to the safety of its citizens.

I urge my colleagues to support this crucial piece of legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1381

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Oyster Creek Nuclear Generating Station Relicensing Act of 2005''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Oyster Creek Nuclear Generating Station, which has been in operation for more than 35 years, is the oldest nuclear facility in the United States;

(2) as of the date of enactment of this Act, more than 3,500,000 people reside within a 50-mile radius of the Station;

(3) nuclear power facilities have been identified as targets for terrorist attacks;

(4) it is necessary to assess the safety, performance, and reliability of the oldest operating reactor in the United States; and

(5) an independent assessment of the Station will help in determining whether the Station can continue to maintain adequate levels of safety.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the Nuclear Regulatory Commission.

(2) STATION.—The term ''Station'' means the Oyster Creek Nuclear Generating Station.

SEC. 4. RELICENSING CRITERIA FOR NUCLEAR FACILITIES.

Section 182 of the Atomic Energy Act of 1954 (42 U.S.C. 2232) is amended by adding at the end the following:

''e. In determining whether to approve an application for relicensing, the Commission shall evaluate the facility with respect to—

''(1) the health risks, vulnerability to terrorist attack, evacuation plans, surrounding population increases, ability to store nuclear waste, and safety and security record of the facility; and

''(2) the impact of a nuclear accident at the facility.''.

SEC. 5. INDEPENDENT ASSESSMENT OF STATION.

(a) IN GENERAL.—The Commission shall not relicense the Station until—

(1) a date that is not earlier than 90 days after the date on which the Commission receives the report described in subsection (b); and

(2) the Commission has given appropriate consideration to the recommendations in the report.

(b) ASSESSMENT BY NATIONAL ACADEMY OF SCIENCES.—The Commission shall enter into an agreement with the National Academy of Sciences to submit to the Commission a report that includes, with respect to the Station—

(1) an independent assessment of safety performance; and

(2) recommendations with respect to—

(A) whether the Station should be relicensed by the Commission; and

(B) conditions for relicensing the Station.

(c) INCLUSIONS.—In preparing the report under subsection (b), the National Academy of Sciences, in accordance with any applicable regulations issued by the Commission, shall—

(1) provide an independent assessment of whether the Station conforms to the design and licensing bases of the Station, including appropriate reviews at the site and corporate offices of the Station;

(2) provide an independent assessment of the operational safety performance of the Station, including an identification of risk factors, as the National Academy of Sciences determines to be appropriate;

(3) provide an independent assessment of—

(A) the health risks, vulnerability to terrorist attack, evacuation plans, surrounding population increases, ability to store nuclear waste, and safety and security record of the Station; and

(B) the impact of a nuclear accident at the Station;

(4) evaluate the effectiveness of licensee self-assessments, corrective actions, and improvement plans at the Station;

(5) determine any cause of a safety problem at the Station;

(6) assess the overall performance of the Station; and

(7) assess, and provide recommendations regarding, the optimal life expectancy of—

(A) the Station; and

(B) nuclear facilities that are similar in design to the Station, as determined by the National Academy of Sciences.

(d) ACCESS.—The Chairperson of the Commission shall issue such regulations as are necessary to ensure appropriate access to the National Academy of Sciences to carry out this section, as determined by the Chairperson.

(e) REPORT.—Not later than 180 days after the date of enactment of this Act, the Commission shall submit to Congress the report of the National Academy of Sciences described in subsection (b).

By Mr. COLEMAN (for himself and Mr. LUGAR):

S. 1383. A bill to seek urgent and essential institutional reform at the United Nations; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise to join Senator NORM COLEMAN in introducing the United Nations Management, Personnel, and Policy Reform Act of 2005.

United Nations reform is not a new issue. The structure and role of the United Nations have been debated in our country almost continuously since the U.N. was established in 1945. But in 2005, we may have a unique opportunity to improve the operations of the UN. The revelations of the Oil-For-Food scandal and the urgency of strengthening global cooperation to address terrorism, the AIDS crisis, nuclear proliferation, and many other international problems have created momentum in favor of constructive reforms at the UN.

We have ample evidence that the United Nations is in need of reform. The Foreign Relations Committee held the first Congressional hearing on the UN's Oil-for-Food scandal a year ago last April. Since that time, through the work of Paul Volcker, Senator COLEMAN, and many others, we have learned much more about the extent of the corruption and mismanagement involved.

Senator COLEMAN's hard work as a Member of the Senate Foreign Relations Committee and as the Chairman of the Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations has provided the Senate with extensive knowledge of what went wrong in the Oil-for-Food Program. We have combined efforts to offer the Senate a top-down/bottom-up comprehensive look at what needs to be reformed if the United Nations is going to be a highly effective institution in this century. I would like to thank staff on the Foreign Relations Committee and the Permanent Subcommittee on Investigations who have collaborated for many hours during the past several weeks as we have finalized this bill.

We know that billions of dollars that should have been spent on humanitarian needs in Iraq were siphoned off by Saddam Hussein's regime through a system of surcharges, bribes, and kickbacks. This corruption depended upon members of the UN Security Council who were willing to be complicit in these activities. It also depended on UN officials and contractors who were dishonest, inattentive, or willing to make damaging compromises in pursuit of a compassionate mission.

The diminishment of UN credibility from corruption in the Oil-for-Food Program and other scandals is harmful to U.S. foreign policy and to efforts aimed at coordinating a stronger global response to terrorism. The capabilities possessed by the United Nations depend heavily on maintaining the credibility associated with countries acting together in a well-established forum with well-established rules. Profiteering, mismanagement, and bureaucratic stonewalling squander this precious resource. At a time when the United States is appealing for greater international help in Iraq, Afghanistan, and in trouble spots around the world, a diminishment of UN credibility reduces U.S. options and increases our own burdens.

The UN's ability to organize burden sharing and take over missions best handled by the international community is critical to the long-term success of U.S. foreign policy. As such, the United States must help achieve effective reform at the UN.

Our legislation contains a comprehensive list of reforms that the United States must pursue at the United Nations. Some were espoused in the Gingrich–Mitchell UN reform study. Others have been proposed by our colleague on the House side, HENRY HYDE, and have already been adopted by the House of Representatives. Others have emerged from the Senate Foreign Relations Committee's and the Permanent Subcommittee of Investigation's examination of sound management, personnel and oversight practices that can prevent past failures from reoccurring.

The legislation includes a new UN procurement system that embodies the high standards required in modern governments and private sector companies, including relevant standards contained in the Foreign Corrupt Practices Act. It calls for a new Management Performance Board to hold senior UN officials accountable and a Sanctions Management Office to assist the Security Council in managing, monitoring, and overseeing UN sanctions programs. It calls for strengthened financial disclosure requirements for UN personnel and the creation of an Office of Ethics to monitor the disclosure policy and enforce a code of ethics. On the UN budget, it supports sunset provisions for all new programs mandated by the General Assembly and cost-cutting measures such as greater use of the internet for public information, expanding outsourcing of translation, and reducing the frequency of conferences and international meetings. It

promotes whistle-blower protections for UN employees and strengthens the UN inspector general function carried out by the Office of International Oversight Services (OIOS). And it calls for the creation of a new Independent Oversight Board to ensure the integrity and fiscal independence of the OIOS.

The legislation also calls for reforms in the two functions, peacekeeping and humans rights protection, where the United Nations will need to be stronger and more effective over the next several decades if it is to make a major contribution to international peace and security.

This legislation would provide President Bush with Congressional support and flexibility as he moves to generate reforms at the UN. The bill establishes a comprehensive agenda for creating the kind of United Nations the American people can support. It does not impose an artificial formula or rigid checklist of items that narrows our definition of success. Nor does it require mandated cuts in UN dues. Instead, the underlying premise of this legislation is that we want to give a President who knows how to achieve reform and is firmly committed to doing so the tools he needs to achieve our national objectives.

We see President Bush's pledge to seek reform reinforced by his deeds, including his nomination of a reform-minded expert on UN affairs to be our ambassador at the United Nations and now his subsequent nomination of a trusted White House aide to be the Assistant Secretary for International Organizations at the State Department.

The drive for reform at the UN is not going to occur in a national security vacuum. We will continue to have national security interests that are affected by UN agencies and UN deliberations. Without narrowing the President's options, this legislation gives him the leverage he needs. If he believes that, despite our best efforts, the other member states of the UN do not share our views on the urgency for reform, this bill grants the President full authority to withhold 50 percent of our UN dues until reforms are implemented. But it allows the President to make tactical judgments in the national security interest about how to apply leverage and about what methods to use in pursuing reform.

Secretary General Kofi Annan has proposed a substantial reform plan that will provide a platform for further reform initiatives and discussions. Other member nations have ideas for reform as well. The United States must be a leader in the effort to improve the United Nations, particularly its accountability. And this legislation provides the right balance, outlining the kinds of reforms that will make the United Nations an accountable, transparent, and well-managed international organization, while giving the President the authority to withhold contributions if reform efforts fall short.

I thank Senator COLEMAN for the expertise and leadership he has provided in crafting this legislation, and I ask my colleagues to give it their full support.

By Mr. FEINGOLD (for himself, Mr. KENNEDY, and Ms. LANDRIEU):

S. 1385. A bill to amend part A of title IV of the Social Security Act to ensure fair treatment and due process protections under the temporary assistance to needy families program, to facilitate enhanced data collection and reporting requirements under that program, and for other purposes; to the Committee on Finance.

Mr. FEINGOLD. Mr. President, later this year the Senate may again consider reauthorization of the 1996 Personal Opportunity and Work Responsibility Reconciliation Act. This law ended the Aid to Families with Dependent Children program and created our current Federal welfare program, the Temporary Assistance for Needy Families (TANF) program.

I supported the legislation that created TANF because I believed that the welfare system was failing recipients and their families and that we needed to do better. Now, almost nine years later, poverty levels are again on the rise and it is clear that improvements need to be made to the TANF program in order to achieve the goal of breaking the cycle of poverty and moving recipients into well-paying, sustainable jobs.

As we all know, each State's welfare program is different, and the implementation of these programs often varies from provider to provider and from county to county. While we encouraged State-level innovation with the 1996 law and should continue to encourage it with our reauthorization legislation, we should also ensure that all State plans conform to uniform Federal fair treatment and due process protections for all applicants and clients.

I am deeply concerned that a client who applies for or receives benefits in one part of Wisconsin may not be getting the same treatment as another applicant or client in a different part of my State.

The bill that I introduce today, the Fair Treatment and Due Process Protection Act, would improve Federal fair treatment and due process protections for applicants to and clients of State TANF programs by addressing gaps in current law in three areas: access to translation services and English as a Second Language education programs, sanction notification and due process protections, and data collection and analysis. I am pleased to be joined in this effort by the Senator from Massachusetts, Mr. KENNEDY and the Senator from Louisiana, Ms. LANDRIEU.

In order for low-income parents whose primary language is not English to understand their rights with respect to availability of benefits, to comply with Federal and State TANF program rules, and to move from welfare to work, we should ensure that translation services and English as a Second Language classes are available.

My bill would require States to provide interpretation and translation services to low-income parents who do not speak English, and provides that the standards currently used in the food stamp program would be used to determine when the requirement to provide such services would be triggered for TANF-funded programs.

States would also be required to advise adults who lack English proficiency of available programs in the community to help them learn English, and to allow individuals who elect to enroll in such programs to participate in them. Individuals who participate in such activities on a satisfactory basis would be considered to be engaged in work activities and these activities would be counted towards the work participation rates.

If we are not only to reduce the welfare rolls but to reduce poverty and to ensure that low-income parents find sustainable jobs, we must ensure that these parents have access to education and training, including ESL classes, and that this training counts toward the work requirement. I support efforts to expand the number of activities that TANF clients are permitted to count as work, and my bill would add ESL classes to that list.

In addition, I am concerned about reports of unfair sanctioning and case closures across the country. We should make every effort to minimize discrimination in the application of sanctions and the termination of benefits. My bill would require that, prior to imposing a sanction, States inform individuals of the reasons for the sanction and what individuals may do to come into compliance with program rules to avoid the sanction. It also would stipulate that sanctions may not continue after individuals have come into compliance with program rules, and that individuals be informed of all other services and benefits for which they may be eligible during the period of the sanction, and of their rights under applicable State and Federal laws.

Finally, this bill would require States to perform enhanced data collection and analysis so that we can get a better picture of the people who apply for and receive TANF benefits and those who leave the welfare rolls.

I share the concern that has been expressed by a number of my constituents regarding the lack of comprehensive, uniform data about State welfare programs, including information on those who apply for benefits and those who have left the welfare rolls. My bill would require States to collect and manage data in a uniform way; to disaggregate the data based on a larger number of subgroups, including race, ethnicity/national origin, gender, primary language, and educational level of recipient; to include information on

work participation and about applicants who are diverted to other programs; and to track clients whose cases are closed.

In addition, the Federal Department of Health and Human Services would be required to include a comprehensive analysis broken down by these same data groups in its annual report on the TANF program. The Department would also be required to perform a longitudinal study of program outcomes that includes data on applicants for assistance, families that receive assistance, and families that leave assistance during the period of the study. The Secretary of Health and Human Services would be required to protect the privacy of individuals and families applying for or receiving assistance under State TANF programs when data on such individuals and families is publicly disclosed by the Secretary.

These enhanced requirements are not meant to impose an additional burden on the States. Rather, they are intended to measure the success of the program in a more comprehensive and transparent manner.

This legislation is supported by the Leadership Conference on Civil Rights, the Nation's oldest and most diverse civil rights coalition. I ask unanimous consent that the text of this legislation be printed in the RECORD.

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

S. 1385

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

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

(a) SHORT TITLE.—This Act may be cited as the ''Fair Treatment and Due Process Protection Act of 2005''.

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

(c) REFERENCES.—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Social Security Act.

TITLE I—ACCESS TO TRANSLATION SERVICES AND LANGUAGE EDUCATION PROGRAMS

SEC. 101. PROVISION OF INTERPRETATION AND TRANSLATION SERVICES.

(a) IN GENERAL.—Section 408(a) (42 U.S.C. 608(a) is amended by adding at the end the following:

''(12) PROVISION OF INTERPRETATION AND TRANSLATION SERVICES.—A State to which a grant is made under section 403(a) for a fiscal year shall, with respect to the State program funded under this part and all programs funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), provide appropriate interpretation and translation services to individuals who lack English proficiency if the number or percentage of persons lacking English proficiency meets the standards established under section 272.4(b) of title 7 of the Code of Federal Regulations (as in effect on the date of enactment of this paragraph).''.

(b) PENALTY.—Section 409(a) (42 U.S.C. 609(a)) is amended by adding at the end the following:

''(15) PENALTY FOR FAILURE TO PROVIDE INTERPRETATION AND TRANSLATION SERVICES.—

''(A) IN GENERAL.—If the Secretary determines that a State to which a grant is made under section 403 in a fiscal year has violated section 408(a)(12) during the fiscal year, the Secretary shall reduce the grant payable to the State under section 403(a)(1) for the immediately succeeding fiscal year by an amount equal to up to 5 percent of the State family assistance grant.

''(B) PENALTY BASED ON SEVERITY OF FAILURE.—The Secretary shall impose reductions under subparagraph (A) with respect to a fiscal year based on the degree of noncompliance.''.

SEC. 102. ASSISTING FAMILIES WITH LIMITED ENGLISH PROFICIENCY.

(a) IN GENERAL.—Section 407(c)(2) (42 U.S.C. 607(c)(2)) is amended by adding at the end the following:

''(E) INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.—In the case of an adult recipient who lacks English language proficiency, as defined by the State, the State shall—

''(i) advise the adult recipient of available programs or activities in the community to address the recipient's education needs;

''(ii) if the adult recipient elects to participate in such a program or activity, allow the recipient to participate in such a program or activity; and

''(iii) consider an adult recipient who participates in such a program or activity on a satisfactory basis as being engaged in work for purposes of determining monthly participation rates under this section, except that the State—

''(I) may elect to require additional hours of participation or activity if necessary to ensure that the recipient is participating in work-related activities for a sufficient number of hours to count as being engaged in work under this section; and

''(II) shall attempt to ensure that any additional hours of participation or activity do not unreasonably interfere with the education activity of the recipient.''.

(b) PENALTY.—Section 409(a) (42 U.S.C. 609(a)), as amended by section 101(b), is amended by adding at the end the following:

''(16) PENALTY FOR FAILURE TO PROVIDE INTERPRETATION AND TRANSLATION SERVICES.—

''(A) IN GENERAL.—If the Secretary determines that a State to which a grant is made under section 403 in a fiscal year has violated section 407(c)(2)(E) during the fiscal year, the Secretary shall reduce the grant payable to the State under section 403(a)(1) for the immediately succeeding fiscal year by an amount equal to up to 5 percent of the State family assistance grant.

''(B) PENALTY BASED ON SEVERITY OF FAILURE.—The Secretary shall impose reductions under subparagraph (A) with respect to a fiscal year based on the degree of noncompliance.''.

TITLE II—SANCTIONS AND DUE PROCESS PROTECTIONS

SEC. 201. SANCTIONS AND DUE PROCESS PROTECTIONS.

(a) IN GENERAL.—Section 408(a) (42 U.S.C. 608(a)), as amended by section 101(a), is amended by adding at the end the following:

''(13) SANCTION PROCEDURES.—

''(A) PRE-SANCTION REVIEW PROCESS.—Prior to the imposition of a sanction against an individual or family receiving assistance under the State program funded under this part or under a program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) for failure to comply with program requirements, the State shall take the following steps:

''(i) Provide or send notice to the individual or family, and, if the recipient's native language is not English, through a culturally competent translation, of the following information:

''(I) The specific reason for the proposed sanction.

''(II) The amount of the proposed sanction.

''(III) The length of time during which the proposed sanction would be in effect.

''(IV) The steps required to come into compliance or to show good cause for noncompliance.

''(V) That the agency will provide assistance to the individual in determining if good cause for noncompliance exists, or in coming into compliance with program requirements.

''(VI) That the individual may appeal the determination to impose a sanction, and the steps that the individual must take to pursue an appeal.

''(ii)(I) Ensure that, subject to clause (iii)—

''(aa) an individual other than the individual who determined that a sanction be imposed shall review the determination and have the authority to take the actions described in subclause (II); and

''(bb) the individual or family against whom the sanction is to be imposed shall be afforded the opportunity to meet with the individual who, as provided for in item (aa), is reviewing the determination with respect to the sanction.

''(II) An individual to which this subclause applies may—

''(aa) modify the determination to impose a sanction;

''(bb) determine that there was good cause for the individual or family's failure to comply;

''(cc) recommend modifications to the individual's individual responsibility or employment plan; and

''(dd) make such other determinations and take such other actions as may be appropriate under the circumstances.

''(iii) The review required under clause (ii) shall include consideration of the following:

''(I) To the extent applicable, whether barriers to compliance exist, such as a physical or mental impairment, including mental illness, substance abuse, mental retardation, a learning disability, domestic or sexual violence, limited proficiency in English, limited literacy, homelessness, or the need to care for a child with a disability or health condition, that contributed to the noncompliance of the person.

''(II) Whether the individual or family's failure to comply resulted from failure to receive or have access to services previously identified as necessary in an individual responsibility or employment plan.

''(III) Whether changes to the individual responsibility or employment plan should be made in order for the individual to comply with program requirements.

''(IV) Whether the individual or family has good cause for any noncompliance.

''(V) Whether the State's sanction policies have been applied properly.

''(B) SANCTION FOLLOW-UP REQUIREMENTS.—If a State imposes a sanction on a family or individual for failing to comply with program requirements, the State shall—

''(i) provide or send notice to the individual or family, in language calculated to be understood by the individual or family, and, if the individual's or family's native language is not English, through a culturally competent translation, of the reason for the sanction and the steps the individual or family must take to end the sanction;

''(ii) resume the individual's or family's full assistance, services, or benefits provided under this program (provided that the individual or family is otherwise eligible for such assistance, services, or benefits) once the individual who failed to meet program requirements that led to the sanction complies with program requirements for a reasonable period of time, as determined by the State and subject to State discretion to reduce such period;

''(iii) if assistance, services, or benefits have not resumed, as of the period that begins on the date that is 60 days after the date on which the sanction was imposed, and end on the date that is 120 days after such date, provide notice to the individual or family, in language calculated to be understood by the individual or family, of the steps the individual or family must take to end the sanction, and of the availability of assistance to come into compliance or demonstrate good cause for noncompliance with program requirements.''.

(b) PENALTY.—Section 409(a) (42 U.S.C. 609(a)), as amended by section 102(b), is amended by adding at the end the following:

''(17) PENALTY FOR FAILURE TO FOLLOW SANCTION PROCEDURES.—

''(A) IN GENERAL.—If the Secretary determines that a State to which a grant is made under section 403 in a fiscal year has violated section 408(a)(13) during the fiscal year, the Secretary shall reduce the grant payable to the State under section 403(a)(1) for the immediately succeeding fiscal year by an amount equal to up to 5 percent of the State family assistance grant.

''(B) PENALTY BASED ON SEVERITY OF FAILURE.—The Secretary shall impose reductions under subparagraph (A) with respect to a fiscal year based on the degree of noncompliance.''.

(c) STATE PLAN REQUIREMENT TO DESCRIBE HOW STATES WILL NOTIFY APPLICANTS AND RECIPIENTS OF THEIR RIGHTS UNDER THE PROGRAM AND OF POTENTIAL BENEFITS AND SERVICES AVAILABLE UNDER THE PROGRAM.—Section 402(a)(1)(B)(iii) (42 U.S.C. 602(a)(1)(B)(iii)) is amended by inserting '', and will notify applicants and recipients of assistance under the program of the rights of individuals under all laws applicable to program activities and of all potential benefits and services available under the program'' before the period.

(d) REQUIREMENT TO PROVIDE NOTICE TO APPLICANTS AND RECIPIENTS OF RIGHTS AND OF POTENTIAL PROGRAM BENEFITS AND SERVICES, AND TO TRAIN PROGRAM PERSONNEL TO RESPECT SUCH RIGHTS.—

(1) IN GENERAL.—Section 408(a) (42 U.S.C. 608(a)), as amended by subsection (a), is amended by adding at the end the following:

''(14) REQUIREMENT TO PROVIDE NOTICE TO APPLICANTS AND RECIPIENTS OF RIGHTS AND OF POTENTIAL PROGRAM BENEFITS AND SERVICES, AND TO TRAIN PROGRAM PERSONNEL TO RESPECT SUCH RIGHTS.—A State to which a grant is made under section 403 shall—

''(A) notify each applicant for, and each recipient of, assistance under the State program funded under this part or under a program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) of the rights of applicants and recipients under all laws applicable to the activities of such program (including the right to claim good cause exceptions to program requirements), and shall provide the notice—

''(i) to a recipient when the recipient first receives assistance, benefits, or services under the program;

''(ii) to all such recipients on a semiannual basis; and

''(iii) orally and in writing, in the native language of the recipient and at not higher than a 6th grade level, and, if the recipient's native language is not English, through a culturally competent translation; and

''(B) train all program personnel on a regular basis regarding how to carry out the program consistent with such rights.''.

(2) PENALTY.—Section 409(a) (42 U.S.C. 609(a)), as amended by subsection (b), is amended by adding at the end the following:

''(18) PENALTY FOR FAILURE TO PROVIDE NOTICE TO APPLICANTS AND RECIPIENTS OF RIGHTS AND OF POTENTIAL PROGRAM BENEFITS AND SERVICES, AND TO TRAIN PROGRAM PERSONNEL TO RESPECT SUCH RIGHTS.—

''(A) IN GENERAL.—If the Secretary determines that a State to which a grant is made under section 403 in a fiscal year has violated section 408(a)(14) during the fiscal year, the Secretary shall reduce the grant payable to the State under section 403(a)(1) for the immediately succeeding fiscal year by an amount equal to up to 5 percent of the State family assistance grant.

''(B) PENALTY BASED ON SEVERITY OF FAILURE.—The Secretary shall impose reductions under subparagraph (A) with respect to a fiscal year based on the degree of noncompliance.''.

TITLE III—DATA COLLECTION AND REPORTING REQUIREMENTS

SEC. 301. DATA COLLECTION AND REPORTING REQUIREMENTS.

Section 411(a)(1) (42 U.S.C. 611(a)(1)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''(except for information relating to activities carried out under section 403(a)(5))'' and inserting '', and, in complying with this requirement, shall ensure that such information is reported in a manner that permits analysis of the information by race, ethnicity or national origin, primary language, gender, and educational level, including analysis using a combination of these factors, and that all data, including Federal, State, and local data (whether collected by public or private local agencies or entities that administer or operate the State program funded under this part) is made public and easily accessible'';

(B) by striking clause (v) and inserting the following:

''(v) The employment status, occupation (as defined by the most current Federal Standard Occupational Classification system, as of the date of the collection of the data), and earnings of each employed adult in the family.'';

(C) in clause (vii), by striking ''and educational level'' and inserting '', educational level, and primary language'';

(D) in clause (viii), by striking ''and educational level'' and inserting '', educational level, and primary language''; and

(E) in clause (xi), in the matter preceding subclause (I), by inserting '', including, to the extent such information is available, information on the specific type of job, or education or training program'' before the semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A), the following:

''(B) INFORMATION REGARDING APPLICANTS.—

''(i) IN GENERAL.—Each eligible State shall collect on a monthly basis, and report to the Secretary on a quarterly basis, disaggregated case record information on the number of individuals who apply for but do not receive assistance under the State program funded under this part, the reason such assistance were not provided, and the overall percentage of applications for assistance that are approved compared to those that are disapproved with respect to such month.

''(ii) REQUIREMENT.—In complying with clause (i), each eligible State shall ensure that the information required under that clause is reported in a manner that permits analysis of such information by race, ethnicity or national origin, primary language, gender, and educational level, including analysis using a combination of these factors.''.

SEC. 302. ENHANCEMENT OF UNDERSTANDING OF THE REASONS INDIVIDUALS LEAVE STATE TANF PROGRAMS.

(a) CASE CLOSURE REASONS.—Section 411(a)(1) (42 U.S.C. 611(a)(1)), as amended by section 301, is amended—

(1) by redesignating subparagraph (C) (as redesignated by such section 301) as subparagraph (D); and

(2) by inserting after subparagraph (B) (as added by such section 301) the following:

''(C) DEVELOPMENT OF COMPREHENSIVE LIST OF CASE CLOSURE REASONS.—

''(i) IN GENERAL.—The Secretary shall develop, in consultation with States and individuals or organizations with expertise related to the provision of assistance under the State program funded under this part, a comprehensive list of reasons why individuals leave State programs funded under this part. In developing such list, the Secretary shall consider the full range of reasons for case closures, including the following:

''(I) Lack of access to specific programs or services, such as child care, transportation, or English as a second language classes for individuals with limited English proficiency.

''(II) The medical or health problems of a recipient.

''(III) The family responsibilities of a recipient, such as caring for a family member with a disability.

''(IV) Changes in eligibility status.

''(V) Other administrative reasons.

''(ii) OTHER REQUIREMENTS.—The list required under clause (i) shall be developed with the goal of substantially reducing the number of case closures under the State programs funded under this part for which a reason is not known.

''(iii) PUBLIC COMMENT.—The Secretary shall promulgate for public comment regulations that—

''(I) list the case closure reasons developed under clause (i);

''(II) require States, not later than October 1, 2006, to use such reasons in accordance with subparagraph (A)(xvi); and

''(III) require States to report on efforts to improve State tracking of reasons for case closures, including the identification of additional reasons for case closures not included on the list developed under clause (i).

''(iv) REVIEW AND MODIFICATION.—The Secretary, through consultation and analysis of quarterly State reports submitted under this paragraph, shall review on an annual basis

whether the list of case closure reasons developed under clause (i) requires modification and, to the extent the Secretary determines that modification of the list is necessary, shall publish proposed modifications for notice and comment, prior to the modifications taking effect.''.

(b) INCLUSION IN QUARTERLY STATE REPORTS.—Section 411 (a)(1)(A) (42 U.S.C. 611(a)(1)(A)) is amended—

(1) in clause (xvi)—

(A) in subclause (IV), by striking ''or'' at the end;

(B) in subclause (V), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(VI) a reason specified in the list developed under subparagraph (C), including any modifications of such list.'';

(2) by redesignating clause (xvii) as clause (xviii); and

(3) by inserting after clause (xvi), the following:

''(xvii) The efforts the State is undertaking, and the progress with respect to such efforts, to improve the tracking of reasons for case closures.''.

SEC. 303. LONGITUDINAL STUDIES OF TANF APPLICANTS AND RECIPIENTS.

(a) IN GENERAL.—Section 413 (42 U.S.C. 613) is amended by striking subsection (d) and inserting the following:

''(d) LONGITUDINAL STUDIES OF APPLICANTS AND RECIPIENTS TO DETERMINE THE FACTORS THAT CONTRIBUTE TO POSITIVE EMPLOYMENT AND FAMILY OUTCOMES.—

''(1) IN GENERAL.—The Secretary, directly or through grants, contracts, or interagency agreements, shall conduct longitudinal studies in at least 5, and not more than 10, States (or sub-State areas, except that no such area shall be located in a State in which a Statewide study is being conducted under this paragraph) of a representative sample of families that receive, and applicants for, assistance under a State program funded under this part or under a program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)).

''(2) REQUIREMENTS.—The studies conducted under this subsection shall—

''(A) follow families that cease to receive assistance, families that receive assistance throughout the study period, and families diverted from assistance programs; and

''(B) collect information on—

''(i) family and adult demographics (including race, ethnicity or national origin, primary language, gender, barriers to employment, educational status of adults, prior work history, prior history of welfare receipt);

''(ii) family income (including earnings, unemployment compensation, and child support);

''(iii) receipt of assistance, benefits, or services under other needs-based assistance programs (including the food stamp program, the medicaid program under title XIX, earned income tax credits, housing assistance, and the type and amount of any child care);

''(iv) the reasons for leaving or returning to needs-based assistance programs;

''(v) work participation status and activities (including the scope and duration of work activities and the types of industries and occupations for which training is provided);

''(vi) sanction status (including reasons for sanction);

''(vii) time limit for receipt of assistance status (including months remaining with respect to such time limit);

''(viii) recipient views regarding program participation; and

''(ix) measures of income change, poverty, extreme poverty, food security and use of food pantries and soup kitchens, homelessness and the use of shelters, and other measures of family well-being and hardship over a 5-year period.

''(3) COMPARABILITY OF RESULTS.—The Secretary shall, to the extent possible, ensure that the studies conducted under this subsection produce comparable results and information.

''(4) REPORTS.—

''(A) INTERIM REPORTS.—Not later than October 1, 2008, the Secretary shall publish interim findings from at least 12 months of longitudinal data collected under the studies conducted under this subsection.

''(B) SUBSEQUENT REPORTS.—Not later than October 1, 2010, the Secretary shall publish findings from at least 36 months of longitudinal data collected under the studies conducted under this subsection.''.

(b) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 411(b) (42 U.S.C. 611(b)) is amended—

(A) in paragraph (2)—

(i) by inserting ''(including types of sanctions or other grant reductions)'' after ''financial characteristics''; and

(ii) by inserting '', disaggregated by race, ethnicity or national origin, primary language, gender, education level, and, with respect to closed cases, the reason the case was closed'' before the semicolon;

(B) in paragraph (3), by striking ''and'' at the end;

(C) in paragraph (4), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(5) the economic well-being of children and families receiving assistance under the State programs funded under this part and of children and families that have ceased to receive such assistance, using longitudinal matched data gathered from federally supported programs, and including State-by-State data that details the distribution of earnings and stability of employment of such families and (to the extent feasible) describes, with respect to such families, the distribution of income from known sources (including employer-reported wages, assistance under the State program funded under this part, and benefits under the food stamp program), the ratio of such families' income to the poverty line, and the extent to which such families receive or received noncash benefits and child care assistance, disaggregated by race, ethnicity or national origin, primary language, gender, education level, whether the case remains open, and, with respect to closed cases, the reason the case was closed.''.

(2) CONFORMING AMENDMENTS.—Section 411(a) (42 U.S.C. 611(a)) is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6), the following:

''(7) REPORT ON ECONOMIC WELL-BEING OF CURRENT AND FORMER RECIPIENTS.—The report required by paragraph (1) for a fiscal quarter shall include for that quarter such information as the Secretary may specify in order for the Secretary to include in the annual reports to Congress required under subsection (b) the information described in paragraph (5) of that subsection.''.

SEC. 304. PROTECTION OF INDIVIDUAL PRIVACY.

Section 411 of the Social Security Act (42 U.S.C. 611) is amended by adding at the end the following:

''(c) PROTECTION OF INDIVIDUAL PRIVACY.—With respect to any information concerning individuals or families receiving assistance, or applying for assistance, under the State programs funded under this part that is publicly disclosed by the Secretary, the Secretary shall ensure that such disclosure is made in a manner that protects the privacy of such individuals and families.''.

TITLE IV—EFFECTIVE DATE

SEC. 401. EFFECTIVE DATE.

The amendments made by this Act take effect on October 1, 2005.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 196—WELCOMING THE PRIME MINISTER OF SINGAPORE ON THE OCCASION OF HIS VISIT TO THE UNITED STATES, EXPRESSING GRATITUDE TO THE GOVERNMENT OF SINGAPORE FOR ITS STRONG COOPERATION WITH THE UNITED STATES IN THE CAMPAIGN AGAINST TERRORISM, AND REAFFIRMING THE COMMITMENT OF THE UNITED STATES TO THE CONTINUED EXPANSION OF FRIENDSHIP AND COOPERATION BETWEEN THE UNITED STATES AND SINGAPORE

Mr. BOND (for himself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 196

Whereas Singapore is a great friend of the United States;

Whereas the United States and Singapore share a common vision of promoting peace, stability, security, and prosperity in the Asia-Pacific region;

Whereas Singapore is a member of the Proliferation Security Initiative, an initiative launched by the United States in 2003 to respond to the challenges posed by the proliferation of weapons of mass destruction, and a committed partner of the United States in preventing the spread of weapons of mass destruction;

Whereas Singapore is a leader in the Radiation Detection Initiative, an effort by the United States to develop technology to safeguard maritime security by detecting trafficking of nuclear and radioactive material;

Whereas Singapore will soon be a partner to the United States in the Strategic Framework Agreement for Closer Cooperation in Defense and Security, an agreement which will build upon the already strong military relations between the United States and Singapore and expand the scope of defense and security cooperation between the 2 countries;

Whereas Singapore responded quickly to provide generous humanitarian relief and financial assistance to the people affected by the tragic tsunami that struck Southeast Asia in December 2004;

Whereas Singapore has joined the United States in the global struggle against terrorism, providing intelligence and offering political and diplomatic support;

Whereas Singapore is the 15th largest trading partner of the United States and the first free trade partner of the United States in the Asia-Pacific region, and the United States is the second largest trading partner of Singapore;

Whereas the relationship between the United States and Singapore extends beyond the current campaign against terrorism and is reinforced by strong ties of culture, commerce, and scientific and technical cooperation; and

Whereas the relationship between the United States and Singapore encompasses almost every field of international cooperation, including a common commitment to