up-or-down vote on amendment No. 4921, offered by the Senator from Florida, who will be recognized as soon as the Senate comes to order.

The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, the issue presented by this motion to strike is a simple one. We have already spent weeks debating the issue of the benefits for legal aliens—legal aliens. On May 2, we passed a comprehensive immigration bill which outlined the restraints that we felt were appropriate. We are now coming, today, to essentially trash all of that work that we have done by developing an entirely new set of principles as it relates to the eligibility of legal aliens, a new set of principles that have gone unstudied and unexamined, but represent some very significant policy shifts. It moves away from the principle of restraining benefits by looking to the sponsor to pay for the benefits of the legal alien, and it represents outright bars to legal aliens, from political refugees and asylees, as well as those who came in with a sponsor. It substantially increases the shift of responsibility to local governments.

Mr. President, we have already dealt with this issue. We should let the immigration conference come to closure and not impose a new set of unexamined, duplicative, and I consider inappropriate policies. It should now be rejected.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. DOMENICI. I yield the time we have to Senator SIMPSON.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, this will cost $16 billion. Our Nation's immigration law is very clear on one point. No one may immigrate to the United States of America if he or she is likely at any time to become a public charge. And the American public expects the newcomers will work and receive any needed support from the relatives who brought them here. Period. That is the law.

There is considerable evidence that this promise of self-sufficiency is not being honored. That is why in the other bill we enforce the affidavit of sponsorship. The welfare reform bill contains provisions which ensure that immigrants are self-sufficient. The bill shifts the welfare costs from the American taxpayers onto those who sponsor their immigrant relatives to the country. The immigration bill is in conference. It is not in peril. We have resolved 150 items of the Senate issues, 120 House issues. We have three significant issues yet to be resolved. But these provisions on immigrant welfare are important. We cannot afford to have these reforms delayed, and the Graham amendment would do just that. The simple premise: Sponsor brings the immigrant, sponsor promises to pay, sponsor pays before the taxpayer pays.

Mr. GRASSLEY. Mr. President, since 1882 Federal law has provided that probability of becoming a public charge is ground for immigrants' exclusion from the United States. Additionally, becoming a public charge which a noncitizen is currently a deportable offense.

According to the Census Bureau, there were 23 million foreign-born persons in the United States in 1994, representing 9 percent of the population. That is the highest level in the last 50 years.

Aliens over 65 are 5 times more likely to be on SSI than citizens over 65, making the program a retirement plan for elderly noncitizens. SSI applications by noncitizens grew 370 percent from 1982 to 1992 versus 39 percent for citizens.

Without reform, over 2 million noncitizens will continue collecting guaranteed cash welfare, health care, and food benefits, costing taxpayers more than $20 billion over 6 years.

In this legislation, sponsors, not taxpayers, are held responsible for supporting noncitizens because sponsor agreements are made legally binding documents. Deeming is expanded to apply to most Federal programs. Both deeming and sponsorship continue until the alien becomes a citizen, unless the noncitizen has worked for at least 10 years.

Most nonncitizens who arrive after the date of enactment would not be eligible for most Federal welfare benefits during their first 5 years in the United States.

Refugees and veterans and their families and emergency medical services are excepted.

Mr. McCAIN. Mr. President, most immigrants are hard working, and committed to self-sufficiency. Unfortunately, others have become dependent on a variety of Government benefits. The Personal Responsibility, Work Opportunity, and Medicaid Restructuring Act of 1996 addresses this issue by limiting the eligibility of qualified aliens for certain Federal benefits, including SSI and food stamps. In addition, the legislation grants State authority to limit the eligibility of qualified aliens to certain State public benefits.

My colleagues, Senator GRAHAM, has offered an amendment which would remove these provisions from the bill. While I cannot support this amendment because it undermines the principle that individuals who immigrate to this Nation should be self-sufficient, I believe that the amendment is important because it draws attention to the plight of those hard-working immigrants who may need assistance as a result of events which are beyond their control. Therefore, I strongly recommend that the conference committee consider the needs of those immigrants who are committed to self-sufficiency but who are in need through no fault of their own.

Mr. DOMENICI. Mr. President, this will cost the taxpayers $16 billion.

I move to table the amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 4921.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Colorado [Mr. CAMPBELL] and the Senator from Wyoming [Mr. THOMAS] are necessarily absent.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The result was announced—yeas 62, nays 34, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—62

Abraham	Frist	Mack
Ashcroft	Gorton	McCain
Baucus	Gramm	McConnell
Bennett	Grams	Mikulski
Bond	Grassley	Murkowski
Brown	Gregg	Nickles
Burns	Harkin	Pressler
Byrd	Hatch	Robb
Coats	Hatfield	Rockefeller
Cochran	Heflin	Roth
Cohen	Helms	Santorum
Conrad	Hollings	Shelby
Coverdell	Hutchison	Simpson
Craig	Inhofe	Smith
D'Amato	Jeffords	Snowe
DeWine	Kassebaum	Specter
Domenici	Kempthorne	Stevens
Dorgan	Kyl	Thompson
Exon	Leahy	Thurmond
Faircloth	Lott	Warner
Frahm	Lugar	

NAYS—34

Akaka	Feinstein	Lieberman
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Bradley	Inouye	Pell
Breaux	Johnston	Reid
Bryan	Kennedy	Sarbanes
Bumpers	Kerrey	Simon
Chafee	Kerry	Wellstone
Daschle	Kohl	Wyden
Dodd	Lautenberg	
Feingold	Levin	

NOT VOTING—4

Campbell	Pryor
Nunn	Thomas

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I ask unanimous consent to proceed for 60 seconds as in morning business.

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

RATIFICATION OF THE INTERNATIONAL RUBBER AGREEMENT

Mr. BROWN. Mr. President, as a Member of the Senate, I have seldom used the opportunity to put holds on bills. It has been a very rare occasion, but I have in the past few weeks put a hold on the ratification of the International Rubber Agreement. It is an outrage to consumers and an outrage to free enterprise.

It is not my practice to have this issue decided by a hold, and I recognize the need for the Senate to have an opportunity for all Members to go on record on that issue. My intention is to try to get comments from the Attorney General with regard to its antitrust implications, and once those comments are back, to allow it to come to the floor for a full vote. If, indeed, the Attorney General does not respond to our inquiries, I will withdraw the hold in any case in early September so that the Senate can work its will on that issue.

PERSONAL RESPONSIBILITY, WORK OPPORTUNITY, AND MEDICAID RESTRUCTURING ACT OF 1996

The Senate continued with the consideration of the bill.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Thank you very much, Mr. President.

Pursuant to the order, we have not decided how long we will be here, but I think it will work out because of Senators agreeing to take their amendments up today. We will not be here late. Here is what I know to this point. I say to the Senator, we are going to try to go back and forth. Senator D'AMATO's amendment has been agreed to as being the next in order. I ask Senator D'AMATO if he will agree to a time limit?

Mr. D'AMATO. Fifteen minutes, twenty minutes.

Mr. DOMENICI. How about 15 minutes on a side for Senator D'AMATO?

Mr. EXON. I have no instructions on this side.

We will agree to the 15 minutes.

Mr. DOMENICI. Thirty minutes equally divided on Senator D'AMATO's amendment. Senator FEINSTEIN has an immigration amendment. Let me make a unanimous consent request on her behalf. Senator FEINSTEIN had an amendment called ''work requirement'' on our previous consolidated finite list of amendments. She has asked if she could substitute, for that work requirement, an immigration amendment that has to do with prospective application of the alien law in this bill.

So I ask unanimous consent that it be in order that she substitute that measure for the one that she had previously listed as reserved. That means she will not take up the previously reserved one. It will be gone.

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

Mr. DOMENICI. Would the Senator agree to a half-hour equally divided?

Mr. EXON. I talked to Senator FEINSTEIN about this. She wants to reserve the full 1 hour. Hopefully, we can cut that down, but she has others who want to speak. So at least we have agreed to have a half-hour equally divided on D'Amato. We would have to insist on 2 hours equally divided. Maybe that can be cut down on the Feinstein-Boxer amendment.

Mr. DOMENICI. Well, then, just a moment. Does the Senator have an early departure time?

Mrs. FEINSTEIN. The cosponsor of the amendment, Senator BOXER, does.

Mr. DOMENICI. I say to the Senator, we have a number of Senators who would like to go in a short period of time and not take very long. I am wondering if we might try to get a couple of those in at 30 minutes, and then come back to the Senator for the full time.

Mrs. BOXER. Will the Senator yield? I say to my senior Senator, I think we should agree to an hour equally divided. I only need 10 minutes, giving the Senator 20 minutes. I think that Senator DOMENICI has been very gracious to us. I am willing to cut mine back even further to 5 or 6 minutes, if you needed more time than that.

Mrs. FEINSTEIN. Mr. President, if I might address the Chairman, I will do my level best and will agree to the half hour, with the proviso that if there is something I need to respond to, I have an opportunity to do so.

Mr. DOMENICI. We will see if we can do it that way.

Mr. President, an hour equally divided on the Feinstein amendment.

Senator CHAFEE, you are next. How much would you desire?

Mr. CHAFEE. Half hour equally divided.

Mr. DOMENICI. Any objection to a half hour equally divided?

Mr. EXON. No objection here.

Mr. DOMENICI. Following that is a food stamp block grant amendment by Senator CONRAD.

Mr. EXON. We have no instructions on that at the present time. I told him he would be later. I cannot agree to that at this time. We will check with Senator CONRAD in a few moments and let you know.

Mr. DOMENICI. I will move ahead. I have one on behalf of Senator GRAMM. It will take exactly 1 minute on my side. Could you agree to a limited time on that amendment?

Mr. LEAHY. Mr. President, I heard some reference to the Conrad amendment, which I want to speak about for 2 minutes at some point. I will do it at any time.

Mr. EXON. I think we can agree to a shortened time on Gramm, but I will check on that.

Mr. DOMENICI. I think we will waste more time this way than if we just proceed. Let me stop with the Chafee amendment as a request on time limits, and just indicate the order, thereafter, without time agreements.

Mr. EXON. Right.

Mr. DOMENICI. Following Chafee, we agreed that Senator CONRAD's amendment would be the next order of business on food stamps. Following that would be a Gramm amendment—I am supposed to offer that—on drugs. If I am not here, Senator SANTORUM will do that. Following that will be Graham-Bumpers on funding formula. That would be the sixth amendment, if they are looking at when they would come up today. Following that is a Democratic amendment.

Mr. EXON. We do not have anything after Graham-Bumpers at this juncture. It does not mean we may not have more, but we cannot make agreement on something we do not have on the list.

Mr. DOMENICI. After the Graham-Bumpers funding formula, we would put in the order, Helms on food stamps, to be followed by a Democratic amendment, if they come up with one, to be followed by a Shelby amendment, to be followed by a Democratic amendment, if they come up with one, to be followed by an Ashcroft amendment. That is all we have on our side.

I ask that be the order for this afternoon.

Mr. EXON. Have you placed Shelby above Pressler in your list?

Mr. DOMENICI. We are working to clear Pressler.

Mr. EXON. OK. Is it proper to say Pressler, then Shelby?

Mr. DOMENICI. Correct. Then you have one and we have Ashcroft.

If there are no Democratic amendments, the Republican amendments will be taken in that order.

Mr. EXON. I will get back with you on Senators GRAHAM and CONRAD.

The PRESIDING OFFICER. The Chair considers that a proposed order, and there is no unanimous consent request propounded yet.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order announced as agreed upon be the order of business for the Senate.

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

Mr. DOMENICI. I thank the Chair.

AMENDMENT NO. 4927

(Purpose: To require welfare recipients to participate in gainful community service)

Mr. D'AMATO. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New York [Mr. D'AMATO], for himself, Mr. LEVIN, Mr. SANTORUM, Mr. GRAMM, Mrs. HUTCHISON, Mr. PRESSLER, Mr. FAIRCLOTH, Mr. CRAIG, Mr. STEVENS, Mr. BURNS, Mr. SMITH, Mr. COVERDELL, Mr. GRASSLEY, Mr. ASHCROFT, Mr. BROWN, Mr. THOMPSON, Mr. MCCONNELL, Mr. BOND, Mr. GRAMS, Mr. SHELBY, Mr. JEFFORDS, Mr. MACK, Mr. MURKOWSKI, Mr. BENNETT, Mr. LOTT, and Mr. NICKLES, proposes an amendment numbered 4927.

Mr. D'AMATO. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

Section 402(a)(1)(B) of the Social Security Act, as added by section 2103(a)(1), is amended by adding at the end the following:

''(iii) Not later than one year after the date of enactment of this Act, unless the State opts out of this provision by notifying