ANNOUNCEMENT REGARDING PREPRINTING OF AMENDMENTS ON H.R. 1432, THE AFRICAN GROWTH AND OPPORTUNITY ACT

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

Mr. SOLOMON. Mr. Speaker, I rise to inform the House of the Committee on Rules' plans in regard to H.R. 1432. It is the African Growth and Opportunity Act.

The Committee on Rules is planning to meet the week of March 9 to grant a rule which may limit the amendment process to that bill, the African Growth and Opportunity Act. Mr. Speaker, the Committee on International Relations ordered this bill reported on June 25 and filed a report on March 2. The Committee on Ways and Means ordered the bill reported on February 25 and filed the report on March 2.

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by 11 a.m. this coming Tuesday, March 10, to the Committee on Rules at Room 312 in the Capitol. Members should use the Office of Legislative Counsel to ensure their amendments are properly drafted, and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

Mr. Speaker, this bill has some tax code implications to it. The tax code implications are sprinkled throughout the bill, so we cannot just close one part of the bill dealing with the tax code. That is why we have to ask for amendments to be filed. We will try to consider this as an open rule, except for those issues that affect the tax code, so Members should be aware of that and try to get their amendments filed by 11 a.m.

CHILD SUPPORT PERFORMANCE AND INCENTIVE ACT OF 1998

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 378 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 378

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3130) to provide for an alternative penalty procedure for states that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 303(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with section 303(a) of the Congressional Budget Act of 1974 are waived. No amendment shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Points of order against the amendment printed in the Congressional Record and numbered 2 pursuant to clause 6 of rule XXIII for failure to comply with clause 7 of rule XVI are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 378 is a modified open rule providing for a fair and thorough debate of H.R. 3130, The Child Support Performance and Incentive Act. The rule provides for 1 hour of general debate, equally divided between the chairman and ranking minority member of the Committee on Ways and Means. Under the rule, any Member seeking to improve the bill by offering a germane amendment may do so. The only requirement is that their amendment be preprinted in the CONGRESSIONAL RECORD.

Normally the Committee on Rules merely affords priority recognition to Members who preprint their amendments in the RECORD, but this rule requires it. That is because the underlying bill is very technical in nature.

For example, it establishes formulas under which States are penalized for noncompliance with Federal requirements. In addition, the bill represents a carefully negotiated agreement with the administration, and amendments to change the bill could compromise the broad support it has earned. Therefore, it is important that the Committee on Ways and Means is aware of any possible amendments to the bill.

The rule also waives points of order against the consideration of an amendment to be offered by the gentleman from Maryland (Mr. CARDIN). Simply put, the Cardin amendment would deny visas to foreign nationals owing more than $5,000 in child support payments. It also prohibits the naturalization of individuals who are not in compliance with child support orders.

In testimony to the Committee on Rules, the gentleman from Maryland (Mr. CARDIN) explained that his amendment has bipartisan support among members of the Committee on Ways and Means, and that the Committee on the Judiciary, which has primary jurisdiction over his amendment, has no objection to its consideration.

In an effort to speed up consideration of H.R. 3130, the rule will allow votes to be postponed and reduced to 5 minutes, if the postponed question follows a 15-minute vote. Finally, this rule provides for the customary motion to recommit, with or without instructions.

Mr. Speaker, many of my colleagues enthusiastically supported this legislation in 1988 and in 1996 that sought to improve our Nation's system of collecting child support. The fact is that in many States the difference between what is owed in child support and what is actually collected amounts to millions, if not billions, of dollars, which never reach the children who are depending on it. If we want self-sufficiency to be a reality for many low-income single-parent families, we must do better.

In recognition of the Nation's poor record of enforcement, Congress instructed the States to establish statewide data systems to help track down deadbeat parents and make them pay. States were given Federal tax dollars to set up these systems, and it is incumbent upon them to do so. However, some States have not been able to meet the Federal standards and deadlines, and as a result, they are facing very significant penalties. No one is suggesting that penalties are inappropriate. The question is whether the punishment matches the crime.

Under current law, the penalties are stiff. States that did not meet the October 1 deadline last year are at risk of losing their Federal child support money, as well as their entire welfare block grant. This type of penalty does not just scold States, it threatens to decimate their entire child support program.

I think the gentleman from Florida (Chairman SHAW) said these penalties are the equivalent of issuing the death penalty for stealing a loaf of bread. My State of Ohio offers a good example of why H.R. 3130 is necessary.

Ohio had installed its statewide child support enforcement network in all 88 of our counties in advance of the designated deadline. In Ohio's view, the State was in compliance. However, since Ohio had not entered the data into the system, HHS considered them in violation of Federal requirements. As a result, Ohio was threatened with losing its Federal child support money, as well as the State's entire 728 million TANF block grant.

In my mind, that is an excessive penalty that does not square with congressional intent, gives no consideration to the good-faith effort Ohio and other States have made to achieve the Herculean task of setting up statewide systems, and more importantly, it does nothing to help Ohio's children, who are in desperate need of their parents' financial support.

H.R. 3130 will move us toward a more reasonable policy that will give States a strong incentive to get their child support programs up to speed, without letting them off the hook for unacceptable delays. Under this bill, Ohio still loses about $1.1 million, and faces additional penalties if they do not have their systems up and running by October of this year. This penalty is real, and the threat of additional fines is sufficient to encourage Ohio and other States into quick compliance without compromising the State's ability to meet the needs of children and families.

The gentleman from Florida (Chairman SHAW) and the ranking member, the gentleman from Michigan (Mr. LEVIN) deserve congratulations for their good work on this bill, which addresses a real and immediate problem with a fair, bipartisan solution.

In the interests of children across the Nation who are waiting for their parents to give them the support they deserve, I urge every Member to vote yes on the rule and yes on this commonsense legislation.

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

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

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, this is a modified open rule. It will allow for a fair debate on H.R. 3130. As my colleague has described, this rule provides 1 hour of general debate. That will be equally divided between the majority and the minority.

Under this rule, only amendments printed in the CONGRESSIONAL RECORD ll be in order. The rule also waives points of order against an amendment that will be offered by the gentleman from Maryland (Mr. CARDIN).

In 1988, Congress passed a law that required States to computerize their systems to monitor enforcement of child support payments. Any State that failed to meet this deadline for making the change would lose substantial Federal benefits. Apparently what has happened is fewer than half the States really met the deadline as of October 1, 1997.

This bill recognizes the difficulty in meeting the deadline. It creates less severe penalties for States that make a good-faith effort to meet the requirements. The bill also creates new incentives for the States to improve the effectiveness of their child support programs. The Committee on Rules approved the rule by voice vote, and it had support on both sides of the aisle. I would urge adoption of the rule.

□ 1200

Mr. HALL of Ohio. Mr. Speaker, I have no additional speakers, it appears, and I yield back the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. CALVERT). Pursuant to House Resolution 378 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3130.

The Chair designates the gentlewoman from Missouri (Mrs. EMERSON) as Chairman of the Committee of the Whole, and requests the gentleman from Michigan (Mr. CAMP) to assume the chair temporarily.

□ 1200

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3130) to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, with Mr. CAMP (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida (Mr. SHAW) and the gentleman from Michigan (Mr. LEVIN) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. SHAW).

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

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

Mr. Chairman, a sledge hammer now hangs over the States. Because of bipartisan legislation enacted back in 1988, States that violated the deadline for establishing good computer systems in their child support enforcement programs will lose all of their child support funds and, eventually, all of their funds in the Temporary Assistance for Needy Families block grant, that is TANF. Here is an idea of how huge these penalties are: In California, they would amount to $4 billion a year; Michigan would be $880 million; in Pennsylvania, $800 million; in Illinois, $650 million.

Penalties of this magnitude are devastating and would cripple both the child support and the welfare programs being run by those States. Then everyone would lose: the Federal Government, State government, and families and children, most of them poor.

What we need is a new penalty that will be serious enough to motivate the States to do the right thing, yet moderate enough not to cripple the States' programs. This is exactly what this bill does.

Specifically, under this bill noncompliant States will lose 4 percent of their child support money but none of their TANF welfare money the first year they are out of compliance; 8 percent the second year they are out of compliance; 16 percent the third; and 20 percent for the fourth and subsequent years.

To give an idea of the impact of this bill, consider the following comparisons: California would be penalized $11 million, not $4 billion. Michigan would be penalized $4 million, not $880 million. Pennsylvania would be penalized $3 million, not $800 million. Illinois will be penalized $3 million, not $650 million.

Yes, the penalties under this bill are moderate compared to those of current law. But no Member would think that they are weak. When this bill is enacted, at least 16 States will pay penalties that total about $30 million. This amount is greater than all the child support penalties imposed against States in this program for the previous decade.

At the request of several States and Members of this body, we also included a waiver procedure in this bill that gives States some flexibility in how they can fulfill the most important computer requirement in Federal child support legislation, creating a computer system that links all the counties and cities of the States together in a common system. The General Accounting Office assures us that the technology to link together computer systems that operate on different software is now readily available, so we should allow the States to use this technology and then help them to pay for it.

But our provision is carefully drafted to ensure that the linked systems perform efficiently and that the Secretary has adequate information and authority to disallow systems that are not adequate.

The most important feature of this bill is that we have worked for nearly

5 months to build a bipartisan, bicameral approach that is supported by the administration, the States, and child advocates. And here I have to compliment the gentleman from Michigan (Mr. LEVIN), my esteemed colleague. The gentleman and his staff have contributed greatly, at least as much to this bill as the majority. The gentleman from Michigan has repeatedly helped us to find the middle ground between competing forces that tried to move the penalties towards the extremes. Thanks in large part to the gentleman and the members of his subcommittee, this bill has found that magic place along the continuum of penalties that allows all sides to support our bipartisan approach.

Thus, it is not surprising that this bill enjoys nearly universal support. All sides support the bill because it represents the middle ground between severe penalties that will cripple the States and moderate penalties that will motivate the States to do the right thing.

In addition to a few minor and technical provisions, the bill also contains a very useful reform of the Nation's child support incentive program. Under current law, generous child support incentives are paid to States that conduct inefficient child support programs. More than half the money is now given away without any regard to the programs's efficiency. Under the system created by this bill, States will receive incentive payments only for effective performance.

Virtually everyone who has studied the new system has concluded that it would lead to improvements in child support performance by the States. The House enacted this reform last year, but the Senate failed to take it up, so we are going to send it back to them once again.

The heart of this bill is the penalty provision. It is fair, it is tough, and it enjoys nearly universal support. So let us now move quickly to enact this bill and to impose serious but not crippling fines on States that have failed to build effective computer systems. If we take this action, I can virtually assure the Members that within a year all but one or two States will have their systems and will meet all the Federal requirements. More importantly, we will have taken yet another step towards creating a child support system that ensures that children get the financial support they need and deserve.

Madam Chairman, I reserve the balance of my time.

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

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

Madam Chairman, I am proud to be cosponsor with the gentleman from Florida (Mr. SHAW), chairman of the committee, on this legislation.

This Congress has been at this problem for a decade, and we are talking here about the children of America and children who are in great need. We made some progress in the last 10 years. Support orders have become more numerous and they have become more enforced. But it remains this today: About half of the children where there is a separation and a divorce in most cases do not have a support order. And in the half of the cases where they do, there is not in many of them full compliance with that order.

Madam Chairman, this is an essential part of our effort to provide strength, support within the family where there is need. The gentleman from Florida and his staff have worked endlessly with our staff and with the administration, and I am proud to be a cosponsor of the Shaw-Levin bill on child support.

Madam Chairman, I want to emphasize that I think this is a tough bill. The earlier legislation had penalties that essentially were never going to be implemented. And penalties that are so far off the chart that they will never happen are really not penalties.

What the gentleman from Florida and I and others have done here is to replace penalties that were not enforceable with penalties that indeed, as the gentleman has said, are going to be implemented. The States that have not met the deadline are going to pay a realistic price, and the gentleman has outlined how they will be implemented, starting with 4 percent of the child support administrative funds.

We do allow an alternative where States have counties which have developed elaborate systems and effective systems, those States where they can piece together a system so it is fully integrated as if it were a single system can ask HHS for a waiver. That authority is within HHS. And all States must be forewarned if they are going to ask for a waiver, they have to come up with a system that is going to be as efficient, as quick, as subject to complete implementation as if there were a single integrated system.

We also provide in this bill for an incentive system that will truly work, based, as the gentleman from Florida said, on five elements: the degree of paternity establishment, the establishment of support orders, collections on those orders, collections on arrearages, and cost-effectiveness.

So this is an important day for tens of thousands of kids of America. What we are doing here on a bipartisan basis is to say to them, the States shall meet their responsibility. We gave hundreds of millions of dollars from the Federal Treasury so the States would implement a system that was faithful to the children who were supposed to be protected. And now, within a reasonably short period of time, every support order is going to be, hopefully, implemented within a State and across State lines.

So, again, I want to say to the gentleman from Florida (Mr. SHAW) and to the staff, as well as to the gentleman from Michigan (Mr. CAMP) who is also on the committee, to all of my Democratic colleagues on Ways and Means, and to the staff and the administration, a job well done. We are going to be busy on the other side of the rotunda to see that this time what we pass will become law.

Madam Chairman, I reserve the balance of my time.

Mr. SHAW. Madam Chairman, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. CAMP), a hard-working member of the Subcommittee on Human Resources.

Mr. CAMP. Madam Chairman, I thank the gentleman from Florida (Mr. SHAW) for yielding me this time, and for his leadership on this issue. I also want to thank the gentleman from Michigan (Mr. LEVIN) for his efforts, as well.

Madam Chairman, the bill before us today, the Child Support Performance and Incentive Act, is important to our Nation's children for two major reasons.

First, our legislation says that Federal incentive payments to the States for child support should be based on good performance. The better a State does at collecting child support for our children, the more they will get in incentive payments.

Regrettably, our current system does not base payments on how well the State actually performs at child support collection. It is time we changed this, and we are doing it in a bipartisan and careful manner, working with child advocates, with the administration and experts from the States and local communities.

Second, our bill will help States develop better computer systems that can accurately and efficiently manage State child support programs. These computers play a vital role in helping States collect child support for children. Many States, 32, in fact, have not met the deadlines Congress set in 1988 and there are plenty of reasons why.

Partly, in 1988 no one had any idea about how the world of computers would look a decade later. The personal computer on my desk today is as powerful as many statewide computer systems were back in 1988. These things have changed dramatically in the last 10 years, and States rightfully want some flexibility in how those requirements are enforced.

Madam Chairman, we need to continue building a strong and effective child support system. Whether for families leaving welfare or single parents struggling to get by, our bill is crucial to America's children so they can start getting the support they need and deserve.

Mr. LEVIN. Madam Chairman, I yield 3 minutes to the gentleman from California (Mr. MATSUI), my colleague and friend who has worked hard on this issue.

□ 1215

Mr. MATSUI. Madam Chairman, I would like to thank the gentleman

from Michigan for yielding time to me. I would like to commend both the gentleman from Michigan and gentleman from Florida, chairman of committee and the ranking member of the subcommittee. They have done an outstanding job in putting together a bipartisan consensus. I truly appreciate their efforts and the fact that they showed a great deal of sensitivity to some of the States, obviously like Michigan, but particularly a State like California.

It was obvious that the penalties that were imposed some 10, 12 years ago were much too stringent. To take away all of the AFDC monies for the failure of creating the incentive program, it just was not a realistic penalty suggestion. As a result of that, everybody, including the State of California, knew that enforcement would not occur. But this is a realistic proposal. This is one in which I believe it is incumbent upon the States, particularly the State of California, to comply with.

Back in the mid-1960s, Sacramento County, my county, actually had a child support enforcement section of the Sacramento County DA's department. That was being run at that time by an attorney Virginia Mueller, who was a Cornell graduate. We have had great success in Sacramento County. But in the State of California today, unfortunately, in all 58 counties we have a performance rate of 14 percent, absolutely shameful.

I have to say that this is just the other side of the welfare reform bill that was passed last year. Last year we were focusing on the custodial parent, usually the mother with minor children. This year we will be focusing on the noncustodial parent, usually an able-bodied male who may have another family and is disregarding the requirements and obligations that he had to his other family, the family that is now impoverished. As a result of that, we need to do a better job. This bill will go a long way in doing that.

I want to just conclude by making one further observation. I mentioned California's performance rate is 14 percent. It is outrageous, and it is one in which I believe that if we could get it up to 50 or 60 percent, we could actually eliminate a lot of the TANF payments and probably eliminate a lot of the taxpayer burden on welfare payments. So I will not under any circumstances in the next 3 or 4 years support any effort by California to seek a further waiver, further extension of the penalties. I think these penalties are reasonable, and the State of California with the technological know-how we have should not have any problem integrating all 57 counties in order to make a system that collects payments from anybody throughout the State of California.

I want to urge strong support for this legislation, and hopefully we will be able to work with the other body in order to move this legislation before we adjourn.

Mr. SHAW. Madam Chairman, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Madam Chairman, I rise in strong support of this bill and would like to commend my colleague from Florida, the gentleman from Florida (Mr. SHAW), and the gentleman from Michigan (Mr. LEVIN) for bringing this to the floor today.

One of the most universally supported efforts in the welfare reforms we enacted 2 years ago were provisions to get tough on so-called deadbeat parents, parents who bring children into this world and then wash their hands of all responsibility for them. This scourge has been one of the saddest reasons why so many people, mostly women, have been trapped in the welfare system, dependent on government to help raise children because the fathers of those children have offered no help.

We enacted provisions to curb this negligence within a welfare reform package entitled the Personal Responsibility Act. I repeat that, because that is the substance of this debate, personal responsibility, accepting responsibilities for bringing a child into this world and then accepting the responsibility to pay for them and care for them.

Nowhere does that name better apply than forcing those who bring children into this word to take personal responsibility for their support. This bill modifies the penalties contained in those reforms as well as the Family Support Act of 1988, not to weaken the provisions, but to ensure that they can be realistically met.

The current penalties for failure by States to meet data processing and collection requirements are severe, the loss not only of the State share of Federal child support funds, but the State's temporary assistance for needy families block grants. Clearly we will only compound the problems of those struggling to get off welfare if we penalize States so severely that they are financially crippled and unable to continue their reform efforts. This bill rectifies that by imposing penalties as incentives to meet child support program requirements, but without dealing these States such a blow that they cannot possibly meet those requirements at all.

Again, I commend the Committee on Ways and Means for offering this bill and urge its passage.

Mr. LEVIN. Madam Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. WOOLSEY).

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Madam Chairman, I join my colleagues in the California delegation in supporting H.R. 3130. It would be truly tragic if we allowed any child in California to be penalized for the State's inability to implement a statewide computerized child support collection system. But even if we are successful today in our efforts to keep California's welfare dollars, we will be doing absolutely nothing to force deadbeat parents to live up to their responsibilities or to help a single child out of poverty. The only way we are going to increase the rate of child support collection in California, which is currently an abysmal 14 or even 13 percent, some say, of court-ordered amounts, and across the Nation, is to make child support collection a Federal matter.

That is why the gentleman from Illinois (Mr. HYDE) and I have introduced H.R. 2189, the Uniform Child Support Enforcement Act. This bill would use existing national computer systems to collect and distribute child support. Not only would collection go up dramatically, but welfare would go down to the same degree. We would not be wasting any more time or money trying to fix a doomed State-by-State, county-by-county computer system.

Kids in California, children across the country should not have to wait any longer to get the child support they deserve. From the ashes of California's computer meltdown, let us bring to life a Federal system to make sure that every child support check is truly in the mail.

Mr. SHAW. Madam Chairman, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a distinguished member of the Committee on Ways and Means and a member of the subcommittee.

Mr. ENGLISH of Pennsylvania. Madam Chairman, I rise in strong support of H.R. 3130, legislation that will improve child support collection efforts and at the same time save many States from facing a draconian penalty. H.R. 3130 builds on the child support provisions that were included in the Personal Responsibility and Work Opportunity Act that completely revamped our welfare system. Our new welfare laws ensure that children receive the support that they are due on time and in full by achieving three major goals: By establishing uniform State tracking procedures, by taking strong measures to establish paternity, and funding and ensuring tough child support enforcement.

Our new welfare laws enable States to track deadbeat dads who flee across State lines. States will now have directories of new hires with information used to establish paternity, modify and enforce support orders and reduce fraud, and at the same time State information is now being transmitted to the Federal Parent Locator Service for data matched with other States.

Cracking down on deadbeat dads has been a priority. Our commitment is strengthened even further through the legislation we are voting on today. We need to recognize under a 1988 law, States face the termination of almost all of their welfare funding if they fail to meet certain deadlines, including October 31 of this year, to implement automated data processing systems for

child support collections. This devastating penalty will occur in at least 16 States under current law, including my home State of Pennsylvania, if this legislation is not passed.

Let us recognize, H.R. 3130 in no way lets States off the hook. Too often in the past Congress has enacted laws that threaten to penalize States for failing to meet Federal requirements, but backed down when it came time to follow through. Today we are not doing that. This bill strikes the right balance by penalizing States that miss the deadline for establishing effective computer systems while ensuring that these penalties are legitimate and balanced and do not hurt the very children we are trying to help.

In my view, the bipartisan Child Support Performance and Incentive Act before us today protects children by improving child support payment requirements and at the same time protects States by creating an alternative penalty system.

Mr. LEVIN. Madam Chairman, I yield 2 minutes to the most distinguished gentlewoman from Connecticut (Mrs. KENNELLY).

Mrs. KENNELLY of Connecticut. I would like to commend the gentleman from Michigan (Mr. LEVIN) and the gentleman from Florida (Mr. SHAW) for bringing this most important legislation to the floor today. We all talk about child support, the need for child support, the importance of child support. But what we are doing today is going one step closer to making the rhetoric into fact and doing something about child support enforcement.

When we passed welfare reform 2 years ago, many of us fought to include improvements to our child support system. The legislation before us today makes good on one of those promises by revamping the current formula for the Federal incentive payments given to States for running effective child support systems. The measure would provide incentive payments to States based on five criteria of performance: establishing paternity, establishing child support orders, collecting current child support, collecting past due child support, and administrating cost-effective child support enforcement systems.

In other words, the bill clearly encourages States to take all the necessary steps to make sure both parents share in the financial responsibility of supporting the children that are their children.

The legislation also revises the penalty on States that have not met the Federal deadline for having a computerized child support system. Establishing, tracking and enforcing child support orders is much more difficult when State caseworkers have to go back again, find out where the files are, go through file boxes to find those files. We have come into the computer age. There is no reason why the child support enforcement system should not be in the computer system.

The bill therefore requires States to pay a modest penalty for failing to meet a 10-year old automation requirement. I should point out that the Federal Government paid States a 90 percent match to fulfill this mandate. The original deadline elapsed 2½ years ago. So I do not think the bill requires States to meet an unreasonable timetable.

Madam Chairman, better child support enforcement means fewer families on welfare, an improved standard of living. I have worked on this situation for years. I know that it is very difficult to get it on the front burner of people's lives, but I am telling my colleagues, this bill will help children, and it is a very good bill.

Mr. LEVIN. Madam Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Chairman, I thank the gentleman from Michigan and the gentleman from Florida. I want to, first of all, say that I have the highest respect for the gentlemen from Michigan and Florida and congratulate them on this effort. I will support this bill. I toyed with frankly opposing the bill, but after discussing it with the gentleman from Michigan (Mr. LEVIN) and knowing of the concerns of the gentleman from Florida (Mr. SHAW), I am going to support this bill. I think it is a reasonable, rational thing probably to do.

I think that we are sincere in doing this, and we are trying to do something that will not harm children while at the same time continuing incentives in place.

Madam Chairman, the States have had 10 years to get their computer systems together. Yet here they are asking Congress not only for an extension, but while we are at it, could we throw in reduced penalties, too. In talking to my very distinguished friend and colleague, the gentleman from Maryland (Mr. CARDIN) who sits on this committee, I think we are correct in reducing these penalties. My own State very frankly, Madam Chairman, is concerned about this bill and perhaps would not like to see it passed, and do not want any penalties. I do not share the view of my State on this issue.

I have practiced law for over a quarter of a century. I practiced in the courts of Prince George's County in Maryland. I handled a lot of domestic cases in that process and sat in the courtroom not only with my own clients, but watched other nonsupport cases come before the courts. I saw time after time after time a wink and a nod at parents who did not meet their responsibilities, who did not support their children, who had children, thought it was a spectator sport and thought they would pass the cost on to the rest of us.

□ 1230

That was despicable and is despicable. God gives us a great blessing when he gives us children and we ought to take the responsibility to ensure that they are fed and housed and clothed properly. There are too many Americans who do not do that. This ought to be a priority item for every State and for every administrator to make sure that child support is collected. Far too little of it is collected now. It is not that I resent sharing in the costs to help those children in need. None of us begrudge them the help. But all of us, I think, ought to be and are angry at those parents who can but do not support their children. In an age of computers and information technology, we ought to be capable of identifying and going after those who owe their children, not just society but their children the responsibility that parenthood places upon them.

Again, Madam Chairman, I want to thank the gentleman from Florida (Mr. SHAW) and the gentleman from Michigan (Mr. LEVIN) for their leadership on this issue. It is obvious that we have a practical problem, it is obvious that we want to go ahead, and it is obvious that we continue to keep in effect incentives to get on line so that we will get at deadbeat parents.

I thank the Chair for her not tapping the gavel as soon as she might otherwise have done. This is an important issue, not just this bill, but we need to as a Congress and as a Nation focus on enforcing and expecting responsibility of parents towards their children.

Mr. SHAW. Madam Chairman, I yield myself such time as I may consume. I would like to compliment the gentleman from Maryland (Mr. HOYER) for a very fine statement. He has put his finger on what we need to attack next, and, that is, the disintegration of the American family. What we have seen from the 1960s to date, much of it was caused by a failed welfare system, but we are trying to correct many of those things. Now we have to go back and teach parental responsibility. The problem that we have, we have got so many of these young adults that are having kids, some of them kids themselves who are having children who have never even lived in a home where there was a male figure. It is disgraceful where this country has gone with the disintegration of the American family. I might say that the next piece of the puzzle in welfare reform is to reverse this trend and go back to the real principles. When we say family values, it should be more than just a political cliche. It should have some real meat to it and something that we all believe in and let us put the emphasis on the family. I compliment the gentleman from Maryland (Mr. HOYER) for those remarks.

Mr. HOYER. Madam Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman for his remarks. I thank him for his work. I agree that all of us together need to heighten expectations. I frankly think what happened in the 1970s, in

the 1960s in particular was that we lowered expectations of performance of ourselves and of others and somehow society did not feel it incumbent upon them to hold others accountable for that which they ought to be responsible for. I think this is one example, but it is a broader example than that. I frankly think under the gentleman's leadership, frankly I think under President Clinton's leadership in terms of talking about responsibility which he talked about in 1992 and which we followed through in this Congress, I think we are seeing much better performance, but we need to do much more. I thank the gentleman for his remarks and his leadership.

Mr. SHAW. Reclaiming my time, I would also add, in talking about our expectations, people will generally not rise above our expectations of them. Clearly under the welfare reform bill, now under this bill as the effect that it is going to have on fathers all over this country who are not meeting their obligations, it is going to raise the expectations and require certain things that were not required before and that were really just sloughed off. Those days are behind us, thank goodness, and I think we are on the way to putting back together the American family.

Mr. Speaker, I rise in support of this bill with reservations, which I will state.

This legislation is intended to encourage the remaining states and territories to comply with child support enforcement computer guidelines set in 1988.

The states have had ten years to get their computer systems together. Yet here they are, asking Congress not only for an extension, but, while we're at it, could we throw in reduced penalties too?

Incredibly, there are still 14 states and two territories that have yet to comply, including my own state of Maryland.

A substantial number of children will be adversely affected if we do not make these changes. That is something that no one wants to do.

This is tragic. Congress is, in effect, rewarding the states for their delinquence. We are sending the wrong message to deadbeat parents and their children.

However, Mr. Speaker, we are reminded once again that, in the past, child support enforcement was a low priority in this country. We cannot and should not send the wrong message to deadbeat parents that failure to pay child support is acceptable. They are not excused by Congress or any other government function of their responsibilities to their children. We must be careful not to forgive passive neglect.

In my own legislative efforts to crack down on deadbeat parents, I say ''you can run but you can't hide!'' This legislation says ''you can run, you can hide, and eventually you will be caught, but not for a little while longer.''

Any extension provided for non-compliant states and territories prolongs the time that children must wait for badly needed support.

I will vote in favor of this bill for the children, who need assistance sooner rather than later.

Madam Chairman, I yield 2 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Madam Chairman, I have an amendment at the desk, an amendment to H.R. 3130, if that could be called up.

Mr. SHAW. Madam Chairman, if the gentleman will yield, I would tell the gentleman that we are still in general debate. We are, I think, about to conclude the general debate.

The CHAIRMAN. The gentleman may discuss his amendment at this time, he just may not offer it.

Mr. GILMAN. Madam Chairman, I had intended to offer an amendment to H.R. 3130, the Child Support Performance and Incentive Act, which would have included the cost of child care in child support payments to custodial parents who are currently employed or are active seeking employment. I recognize that some States around our Nation are already doing this and I applaud their efforts. However, many States in our Nation are not. It is these States that that amendment would have been targeted. It was the intent of my amendment to split the costs of child care proportionately between the custodial and noncustodial parent, not to separate child care and child care support payments.

It is my understanding that the gentleman from Florida (Mr. SHAW) has agreed to work with me in conference to include language which would express the true intent of my amendment that child care expenses be a factor in determining child care support payments.

Mr. SHAW. Madam Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Florida.

Mr. SHAW. I thank the gentleman for yielding to me. I agree with the gentleman that we are going to continue to work with him. We know of his concern in this area and we know of the value of his intentions. We will do what we can to work with the gentleman during the conference process and even afterwards if it is not included in the final product.

Mr. GILMAN. I thank the gentleman for his willingness to work with us on this proposal and I look forward to working with him in conference.

Mr. LEVIN. Madam Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Chairman, let me acknowledge both the gentleman from Florida (Mr. SHAW) and the gentleman from Michigan (Mr. LEVIN) for this very forthright and straightforward legislation. In formulating and organizing the Congressional Childrens Caucus in this congressional term as I have gone around my district and other places, one of the rising cries that I hear are from struggling single parents want to do the right thing. They always ask how can they be helped to do the right thing. One of the ways that we have tried to help in the Congressional Childrens Caucus is by promoting children as a national agenda. Child support is more than the moneys distributed to someone to do something with. Child support is dignity. It brings down the enticement to do things that are not right for both the parent who is struggling and the child. You notice I say parent, because this is something that happens to males and females. In my own State of Texas, this is a good bill, for I want to see them get a system that responds to all the parents who are in many instances working parents struggling to raise many children. In fact, we find that half of the 18.7 million children living in single parent families in 1994 were poor; 70 percent of African-American children growing up in a single parent household lived at below the poverty line compared to about one of every 10 children in two-parent families. The system is broken and this particular legislation in fact provides sort of a guiding line, an incentive to get your act together, and if you do not, within a year's time, you will see the moneys that you would hope to have gotten from the Federal Government starting to eke out. I think this is important, because we must support our children. Unfortunately, only 21 States and Guam have met the October 1, 1997 deadline. I think it is important that the Committee on Ways and Means in their wisdom has seen the value of making sure that we have a way of supporting our children.

Madam Chairman, let me say that our most important treasure in this Nation, and I thank you for your kindness, is and are our children. My English teacher would want me to get one of those correct. But I say that so that we know children as well make mistakes, but the mistake that we do not want to make is to leave them outside in the cold. This is an excellent bill, I offer my support, and I ask my colleagues to support it.

Madam Chairman, I rise today in support of H.R. 3130, the Child Support Performance and Incentive Act of 1998. Child support is an issue critical to the well-being of our nation's children. In 1994, one in every four children lived in a family with only one parent present in the home. Half of all children spend a portion of their childhoods in single-parent homes. While these figures are striking in their own right, we cannot begin to truly understand their impact on our nation's children without considering the fact that half of the 18.7 million children living in single-parent families in 1994 were poor, and 70 percent of African American children growing up in a single parent household, lived at or below the poverty line, compared with about one of every 10 children in two-parent families.

Many children in single-parent families rely on child support to keep them from poverty, but in doing so they rely on a child support system that is broken and has for years failed our nation's children. According to the Department of Health and Human Services, 31 million American children are currently owed more than $41 billion in unpaid child support.

Only 20 percent of child support cases resulted in collections in 1996, even though taxpayers spent $2.24 billion per year on public child support enforcement. These statistics reflect a child support system in need of our attention and in need of reform. H.R. 3130 is an important first step in that direction.

The Family Support Act of 1988 set a deadline for all states to have in operation a fully-automated data processing system to assist in administering their child support enforcement systems. Only 21 states and Guam met the October 1, 1997 deadline. Those states not meeting the deadline—including California, Michigan, Illinois, Ohio, Pennsylvania, and my home state of Texas—face extremely severe penalties under current law. They are confronted with the possibility of losing both their federal child support funding and all of their federal welfare assistance funding provided by the Temporary Assistance to Needy Families Act block grant. This obviously benefits no one and, in fact, threatens to punish those very people the original law was intended to protect—young children and single parent families.

Current law has also been criticized for not actually rewarding states for their performance in child support enforcement. The federal government spends nearly $500 million a year on child support incentive payments to states—but more than half of those funds are awarded to states without regard to how they actually perform in child support enforcement.

H.R. 3130 provides an answer to those concerns by establishing a new alternative penalty for states that failed to meet last October's deadline. The bill provides that a state that makes a good faith effort to comply with the data processing requirements of the Family Support Act of 1988 could avoid the penalty required under current law and instead qualify for an alternative penalty provided that the state submits a plan to the Department of Health and Human Services specifying how, by what date, and at what cost it will comply with the data processing requirement.

H.R. 3130 also creates a new federal incentive system to reward states with effective child support enforcement programs. This new system is intended to ensure that more of these federal funds are given to the states based on the states' actual performance in child support enforcement.

H.R. 3130 is an important step in mending a child support enforcement system that is now quite damaged. It is the result of bipartisan action and cooperation and I commend the work of all involved in bringing it before us this afternoon. I urge my colleagues to join me in strong support of this important legislation.

Mr. LEVIN. Madam Chairman, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. I thank the gentleman for yielding me this time. Madam Chairman, I rise in support of H.R. 3130. I want to tell Members a bit about the research that I did prior to the vote on this measure. I went to the State of North Dakota and evaluated their efforts to bring the new system of child support collection on line. I was terribly concerned that passage of this measure might somehow signal that quickly bringing more rigorous child enforced collection procedures on line would be set back by this legislation. I became convinced of the contrary. North Dakota is making great strides toward meeting the new standards. However, we are not going to meet the deadline. Collections are increasing. We are on track to have an optimal system on line by this summer. If we do not pass this bill, North Dakota will be substantially financially penalized. The resources put into bringing us on line and upgrading our systems will be diverted into dealing with the consequences of the existing penalty. In other words, existing law is not serving a constructive purpose. This law will serve the constructive purpose of encouraging States, like the one I represent, to step up child support collection and to bring these new systems on line as quickly as possible. I commend the State employees in North Dakota that are working so hard to get us there and appreciate very much the Committee on Ways and Means bringing this bill forward.

Ms. NORTON. Madam Chairman, I support the Child Support Performance and Incentive Act, a bill which would ensure that children and families will not be unnecessarily punished in states still working on establishing database systems required under the Family Support Act of 1988.

Under the current law, 42,182 children in the District of Columbia could lose vital assistance through the Temporary Assistance for Needy Families (TANF) block grant. And the District is not alone. Because of the complexities involved in establishing these database systems, 29 states including several large states such as California, Michigan, Illinois, Ohio and Pennsylvania, were unable to meet an extended deadline under the old law.

The alternative penalties that have been developed in this bill will reward the states that have met the statutory deadline of setting up a database system without unduly punishing the children of our country living in the majority of the states and the District of Columbia.

Mr. GOODLING. Madam Chairman, I rise today in support of H.R. 3130, the Child Support Performance and Incentive Act of 1998. This bill builds upon the historic welfare reform legislation that became law two years ago and is proof positive of Republicans' long standing commitment to welfare reform.

As Chairman of the Education and Workforce Committee, two years ago I worked in tandem with Mr. SHAW, the Chairman of the Ways and Means, Human Resources Subcommittee to deliver a sweeping welfare reform package—a package that truly empowers people to lead more successful and more fulfilling lives.

As Republicans, we know that we must attack hopelessness and poverty on several fronts. That is why, the work of our Committee coupled with the efforts of Mr. SHAW's, represented a comprehensive approach to the war on poverty. We poured more money into child care; toughened up the child protection grant; created real work requirements to spur more people to work; and gave States and locals greater flexibility to successfully run their child nutrition programs and State welfare programs.

The phenomenal and unexpected rapid decline in the welfare roles points to the success of our approach.

However, Republicans' commitment to protecting children and improving the welfare system did not end in 1996.

We have continued to monitor the implementation of welfare reform to make sure that it is successfully implemented. That is why since the passage of the Welfare reform law, you have seen dramatic improvements in the areas child protection, adoption and foster care signed into law.

The bill we have before us today is just another step to making sure we continue to give States and local governments what they need to get struggling families back on their feet.

I urge my colleagues to vote for H.R. 3130.

Mr. QUINN. Madam Chairman I would also like to voice my full support for H.R. 3130, the Child Support Performance And Incentive Act. This bill focuses on States' efforts to convert their child support data collection and enforcement efforts from employee-dependent to automated, computer-based systems. One sure way that Welfare Reform will work is to ensure parents with custodial children that they will receive child support payments from non-custodial parents on a regular basis. H.R. 3130 gives States' a revised penalty structure which fail to comply with deadlines to automate their child support enforcement programs. Please know that if I were able, I would have voted for final passage of H.R. 3130.

Mr. CRANE. Madam Chairman, I rise today in support of H.R. 3130, the Child Support Performance and Incentive Act of 1998, which is of critical importance to the children of Illinois. I am pleased the House of Representative is acting quickly on this legislation which strikes the right balance between encouraging states to modernize their child support systems without penalizing the very children the law is designed to help.

While we want to ensure that states have the most efficient mechanism in place to collect and distribute child support payments to families in neet, we must also make certain that the penalties for failure to meet the federal deadlines are not so extreme as to jeopardize funding intended for those same children. My own state of Illinois did not meet the deadline established by the 1988 Family Support Act and if this legislation is not approved today, Illinois will be forced to forfeit $650 million in federal funding for child support services. Child support programs provide vital assistance in locating parents, establishing paternity and collecting child support payments and a large penalty, such as the one facing Illinois, is extreme and serves only to hurt those we seek to help.

The bill before us would still impose a penalty of almost $3 million on Illinois but by reducing the penalty and restoring funding for these programs, we can be certain efforts in Illinois will continue to ensure that more deadbeat parents are located and made accountable. After all, collecting financial support from parents is what this effort is all about. As the father of eight children, I find it personally repugnant that so many parents are unwilling to face their responsibility voluntarily and the federal government is forced to continually address the issue of child support enforcement.

I urge my colleagues to vote in support of our children and continuing our efforts to stop irresponsible parents from following cowardly paths of denying their children the financial support they deserve.

Mr. DAVIS of Illinois. Madam Chairman, I rise today in support of H.R. 3130, the Child Support Performance and Incentive Act of 1998. This bill sets forth an alternative penalty structure for states that did not complete their statewide child support computer systems by the deadline.

Under current law, states like my home State of Illinois, Michigan, Pennsylvania and Ohio stand to lose all of their child support enforcement funding plus the states entire Temporary Assistance for Needy Families (TANF) block grant. Such a loss would be devastating to millions of children and adults and undermine welfare reform efforts underway in the various states. Child support enforcement is a vital component of any welfare reform plan and efforts to cut any funds for enforcement could hurt those who need the help the most.

The alternative penalty structure in this bill is fairer and more reasonable than current law. This bill recognizes states' good faith efforts to complete their systems and targets federal child support enforcement dollars only. However, this bill provides real incentives for states that actually do a better job at child support enforcement. Such inducements provided by this bill gives a real glimmer of hope that those children seeking assistance, whether in Illinois or any other state will in fact secure the support they need.

Therefore, I urge all of my colleagues to support this bill.

Thank you.

Mr. ETHERIDGE. Madam Chairman, I rise today in support of H.R. 3130, the Child Support Performance and Incentive Act, which would reduce the financial sanctions imposed on states that have not established a statewide computer system by October 1, 1997 to enforce child support payments, and increase financial rewards for those states that effectively enforce child support orders. As amended, this legislation would deny visas and entry to noncustodial parents who are foreign nationals owing more than $5,000 in child support in this nation, and require state courts, cases involving non-amicable divorces, to include child care costs in their calculations when calculating the amount of child support payments a non-custodial parent must make.

This bipartisan legislation is not an attempt to allow deadbeat dads the opportunity to escape their child support payments, but rather it provides an alternative penalty procedure for states that fail to meet federal child support data processing requirements. This legislation would reform federal incentive payments for effective child support performance, rewarding those states with respect to their performance in paternity establishment and child support order enforcement, including cost-effectiveness.

The Family Support Act of 1988 set a deadline of October 1, 1995, for all states to have in operation a fully-automated data processing system to assist in administering their child support enforcement systems. Most states, however, were unable to meet this deadline because federal regulations specifying the requirements for the data processing system were issued late, and because of the complexities involved in establishing such systems. With the enactment of PL 104–35, Congress extended the deadline for two years, until October 1, 1997.

The state of North Carolina is in full compliance with the October 1st deadline. The State has implemented its statewide automated data processing system for child support enforcement, and has been certified by the United States Department of Health and Human Services (HHS). While the State's plan was submitted to Health and Human Services prior to the October 1, 1997 deadline, the necessary site visit and administrative action by HHS was not completed until January 1998. North Carolina is one of fifteen states that will benefit from this bill's provision to allow HHS to waive any penalties for states that have done the necessary work but which were not certified by the October deadline.

For those states that did not meet the October 1, 1997 deadline, this legislation is not just a slap on the wrist. This legislation provides severe financial penalties including: loss of federal child support funding and their federal welfare assistance funding provided by the Temporary Assistance for Needy Families (TANF) block grant.

We must demand parents live up to their responsibilities to their children. H.R. 3130, with the inclusion of the Cardin and Gilman amendments, effectively addresses state issues, as well as enhances the current web of tools available to enforce child support orders.

Mr. Speaker, I support H.R. 3130, as amended. It sends a strong message to states and parents that child support enforcement is vitally important, and I am pleased to join my colleagues on both sides of the aisle in urging its passage.

Mr. WELLER. Madam Chairman, as a member of the Committee on Ways and Means, I rise in support of H.R. 3130, the Child Support Performance and Incentive Act.'' Under current law, 16 states, including my state of Illinois, are facing very severe penalties for failing to complete a statewide child support computer system by October 1, 1997. These states stand to lose their entire TANF Block Grant and their federal child support funding. If these penalties were to stand, the states' welfare programs would be completely jeopardized, and many people could be left without their benefits. This bill restructures the penalty system in a way that will encourage states to get their systems up and running as soon as possible. The bill will increase the penalty for each year that states fail to comply, thereby giving them more incentive to get their programs on-line quickly. Everybody agrees that it is important to have an efficient statewide system to enforce child support payments.

The bill also restructures the Child Support Incentive system. This program awards almost a half billion dollars per year to the States. This bill would make the incentive program based on performance measures such as: paternity establishment, collections on current payments and cost effectiveness. In order to qualify for this funding states would have to show that their child support program is successful—and that's what this is all about.

Payment of child support is everyone's goal, and I believe this bill will help states in their efforts to do so. I appreciate the hard work of Chairmen SHAW and ARCHER on this bi-partisan bill, and urge a ''yes'' vote.

Mr. PAPPAS. Madam Chairman, I rise in strong support of the amendment introduced by my colleague from Maryland, Mr. CARDIN. My only regret is that I did not introduce this amendment first.

The Cardin amendment is desperately needed to combat the ever growing problem of deadbeat parents fleeing the country to avoid child support orders. The Cardin amendment will deny visas and entry into the United States to foreign nationals and legal residents who are non custodial parents owing more than $5,000 in child support payments in the United States. It also provides federal immigration officers with the authority to serve summons, court orders and other legal process in child support cases at the border. In this day of growing free trade and less border restrictions, this amendment will raise the importance of payment of child support beyond state borders.

Madam Chairman, I have a situation in my district where a hard working mother has been actively seeking the payment of child support arrears. However, the father has fled the country. He now operates an airline out of a Central American country and regularly comes into this country to conduct business. The deadbeat parent has a FAA certified flying license, a U.S. Passport, a U.S. business address in the United States, but when it comes to actually complying with his child support responsibilities, he is nowhere to be found. Although this Congress passed provisions as part of the 1996 welfare reform package to address child support by those who flee the country, not much has been done to help my constituent's situation. Specifically, between the two state child support systems, the U.S. Departments of Transportation, State and Health & Human Services, a lot of confusion remains about the proper agency in charge of ensuring payment. I am hopeful that these agencies and states will work together immediately to further close this child support loophole.

Moreover, I am very glad to see the section defining ''good moral character.'' I think it is time that this Congress state that government should not recognize citizens as have good moral character if they are thousands of dollars behind in support of their children. Hard financial times are one thing, purposeful avoidance of the law and family responsibilities is another. I have been trying to get the FAA to recognize the nonpayment of child support as failure of ''good moral character'' so that the FAA would revoke the pilot certifications of pilots. I believe Mr. Cardin's amendment is a good signal to be sent to all federal agencies that this Congress is serious about this issue and that we will not tolerate non payment of child support.

As such, I heartily support this amendment, I congratulate its sponsor for his work and I strongly urge the passage of the Cardin Amendment.

Mr. VENTO. Madam Chairman. I rise today in support of this bill, the Child Support Performance and Incentive Act of 1998. Although the states and counties are primarily responsible for child support enforcement programs, this bill attempts to facilitate their task of ensuring that every child receives financial support from both parents.

Dead-beat parents who duck out on child support are a big problem. Children rely on adults for their well-being. It is our sacred responsibility to provide for and fulfill their basic needs. To avoid this responsibility is immoral, but unfortunately some parents do renege on such responsibility and that is why we need this new legislation. Child support should ensure that single parent homes don't need public assistance to support children and that they

remain independent with a stable certain household income.

Appropriately, the welfare reform act included tough child support measures such as driver's license revocation and the development of a new hire reporting system to track offenders. Child support enforcement at the Federal and State levels is being transformed by these measures. However, despite the enactment of these requirements several states have had problems reaching compliance, and ironically could be severely affected by the proposed penalties for non-compliance.

We all understand the importance of computers with regards to the dissemination and organization of information. Computers and computer programs are especially key when handling a caseload of 20 million children nationally. As of today, only 16 States have been certified as having a comprehensive computerized systems for such purpose. However, although many others are very close to completion, their noncompliance could result in cessation of all Federal child support enforcement funding. This bill would provide states making a good faith effort to comply with the data processing requirements to avoid the current penalty in law and qualify for an alternative penalty of increasing percentages for each year of noncompliance. This proposed penalty system would continue to allocate funding to states who are in the process of reaching compliance and not truncate the substantial progress achieved. To completely cease funding would further hamper states' ability to complete their computerized systems and compound the problem of achieving such a good goal.

Currently, the federal government spends nearly $500 million a year on child support incentive payments to states. The current incentive program is based on maximizing child support collections relative to administrative costs. The problem is that more than half of the funds are awarded to states without regard to how they actually perform in child support enforcement. We all recognize that this does not create a significant incentive for the achievement of the program goals.

The proposed incentive payment program included in this bill would, more accurately, measure the performance of state child support programs. The new incentive funding system would allow the child support incentive program to truly be driven by achieving results for families and children in need of support.

This bill addresses another important issue: adoption. The State of Minnesota has over 1,000 children awaiting adoption. H.R. 3130 would apply a severe penalty to any state that delays the adoption of a child because the adoptive parents may live in another state. With the growing number of children who are becoming wards of the state, it is important that we provide children with permanent homes, in the shortest possible time. The adoptive family pool needs to be increased nationwide in order to provide such kids the right families and support they need in order to succeed.

Minnesota state child support collections have increased 125% since 1991. In 1997, my state provide child support services for more than 200,000 cases in, and close to 40% those cases received some form of welfare benefits. Child support collected saved taxpayers $70.7 million in AFDC grants and human services officials agree that child support is a key component in welfare reform. It is pretty simple: child support can keep families off of welfare. Every child has the right to financial support from both parents and public policy and law should facilitate such.

In an era of tight and shrinking budgets, we need to make sure that we find the most acceptable and effective ways to provide for the economic well-being of America's children. I am pleased to say that Congress understands the importance of child support and has stepped up to the plate today and in the past to make sure that child support enforcement system works better in the future. I urge my colleagues to support this bill.

Madam Chairman, today I rise in support of H.R. 3130, the ''Child Support Performance and Incentive Act of 1998.'' This bill achieves balance between two competing needs: the critical need for states to automate their child support enforcement systems to ensure that children receive the support they are due; and the imposition of crippling penalties against those states that have not yet automated their systems.

California is one of more than a dozen states that does not yet have a statewide computer system in place. If H.R. 3130 is not enacted, the state stands to lose $4 billion in federal welfare block grant funding. This would seriously jeopardize the state's ability to provide welfare assistance to more than 2.2 million needy families and children.

The bill makes two changes that should do much to help California. It permits alternative system configurations, including linked local systems, to meet the requirement for a single statewide computer system. That requirement was included the Family Support Act of 1988. H.R. 3130 also modifies the penalty structure for dealing with states that failed to meet the October 1997 deadline, by decreasing the $4 billion penalty to $11 million this year.

The bill's penalty increases over time to reach $43 million by 2000. The penalties are designed to hold California and other states accountable for implementing statewide or alternative computer systems as soon as possible. Child support payments are too important to be held hostage by ineffective computer systems.

It is imperative that California implement an automated system as soon as possible to provide essential child support services to improve the lives of children who lack the support of two parents. It is these children who benefit from improved child support enforcement, and who suffer from incompatible and ineffective systems.

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

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

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

H.R. 3130

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 ''Child Support Performance and Incentive Act of 1998''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—CHILD SUPPORT DATA PROCESSING REQUIREMENTS

Sec. 101. Alternative penalty procedure.
Sec. 102. Authority to waive single Statewide automated data processing and information retrieval system requirement.

TITLE II—CHILD SUPPORT INCENTIVE SYSTEM

Sec. 201. Incentive payments to States.

TITLE III—ADOPTION PROVISIONS

Sec. 301. More flexible penalty procedure to be applied for failing to permit interjurisdictional adoption.

TITLE IV—TECHNICAL CORRECTIONS

Sec. 401. Technical corrections.

TITLE I—CHILD SUPPORT DATA PROCESSING REQUIREMENTS

SEC. 101. ALTERNATIVE PENALTY PROCEDURE.

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

''(4)(A) If—

''(i) the Secretary determines that a State plan under section 454 would (in the absence of this paragraph) be disapproved for the failure of the State to comply with section 454(24)(A), and that the State has made and is continuing to make a good faith effort to so comply; and

''(ii) the State has submitted to the Secretary a corrective compliance plan that describes how, by when, and at what cost the State will achieve such compliance, which has been approved by the Secretary,

then the Secretary shall not disapprove the State plan under section 454, and the Secretary shall reduce the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the fiscal year by the penalty amount.

''(B) In this paragraph:

''(i) The term 'penalty amount' means, with respect to a failure of a State to comply with section 454(24)—

''(I) 4 percent of the penalty base, in the case of the 1st fiscal year in which such a failure by the State occurs;

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

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

''(IV) 20 percent of the penalty base, in the case of the 4th or any subsequent such fiscal year.

''(ii) The term 'penalty base' means, with respect to a failure of a State to comply with section 454(24) during a fiscal year, the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the preceding fiscal year.

''(C)(i) The Secretary shall waive a penalty under this paragraph for any failure of a State to comply with section 454(24)(A) during fiscal year 1998 if—

''(I) by December 31, 1997, the State has submitted to the Secretary a request that the Secretary certify the State as having met the requirements of such section;

''(II) the Secretary has provided the certification as a result of a review conducted pursuant to the request; and

''(III) the State has not failed such a review.

''(ii) If a State with respect to which a reduction is made under this paragraph for a fiscal year achieves compliance with section 454(24)(A) by the beginning of the succeeding fiscal year, the Secretary shall increase the amount otherwise payable to the State under paragraph

(1)(A) of this subsection for the succeeding fiscal year by an amount equal to 75 percent of the reduction for the fiscal year.

''(iii) The Secretary shall reduce the amount of any reduction that, in the absence of this clause, would be required to be made under this paragraph by reason of the failure of a State to achieve compliance with section 454(24)(B) during the fiscal year, by an amount equal to 20 percent of the amount of the otherwise required reduction, for each State performance measure described in section 458A(b)(4) with respect to which the applicable percentage under section 458A(b)(6) for the fiscal year is 100 percent, if the Secretary has made the determination described in section 458A(b)(5)(B) with respect to the State for the fiscal year.

''(D) The preceding provisions of this paragraph (except for subparagraph (C)(i)) shall apply, separately and independently, to a failure to comply with section 454(24)(B) in the same manner in which the preceding provisions apply to a failure to comply with section 454(24)(A).''.

SEC. 102. AUTHORITY TO WAIVE SINGLE STATEWIDE AUTOMATED DATA PROCESSING AND INFORMATION RETRIEVAL SYSTEM REQUIREMENT.

(a) IN GENERAL.—Section 452(d)(3) of the Social Security Act (42 U.S.C. 652(d)(3)) is amended to read as follows:

''(3) The Secretary may waive any requirement of paragraph (1) or any condition specified under section 454(16), and shall waive the single statewide system requirement under sections 454(16) and 454A, with respect to a State if—

''(A) the State demonstrates to the satisfaction of the Secretary that the State has or can develop an alternative system or systems that enable the State—

''(i) for purposes of section 409(a)(8), to achieve the paternity establishment percentages (as defined in section 452(g)(2)) and other performance measures that may be established by the Secretary;

''(ii) to submit data under section 454(15)(B) that is complete and reliable;

''(iii) to substantially comply with the requirements of this part; and

''(iv) in the case of a request to waive the single statewide system requirement, to—

''(I) meet all functional requirements of sections 454(16) and 454A;

''(II) ensure that calculation of distributions meets the requirements of section 457 and accounts for distributions to children in different families or in different States or sub-State jurisdictions, and for distributions to other States;

''(III) ensure that there is only 1 point of contact in the State which provides seamless case processing for all interstate case processing and coordinated, automated intrastate case management;

''(IV) ensure that standardized data elements, forms, and definitions are used throughout the State;

''(V) complete the alternative system in no more time than it would take to complete a single statewide system that meets such requirement; and

''(VI) process child support cases as quickly, efficiently, and effectively as such cases would be processed through a single statewide system that meets such requirement;

''(B)(i) the waiver meets the criteria of paragraphs (1), (2), and (3) of section 1115(c); or

''(ii) the State provides assurances to the Secretary that steps will be taken to otherwise improve the State's child support enforcement program; and

''(C) in the case of a request to waive the single statewide system requirement, the State has submitted to the Secretary separate estimates of the total cost of a single statewide system that meets such requirement, and of any such alternative system or systems, which shall include estimates of the cost of developing and completing the system and of operating and maintaining the system for 5 years, and the Secretary has agreed with the estimates.''.

(b) PAYMENTS TO STATES.—Section 455(a)(1) of such Act (42 U.S.C. 655(a)(1)) is amended—

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

(2) by striking the semicolon at the end of subparagraph (C) and inserting '', and''; and

(3) by inserting after subparagraph (C) the following:

''(D) equal to 66 percent of the sums expended by the State during the quarter for an alternative statewide system for which a waiver has been granted under section 452(d)(3), but only to the extent that the total of the sums so expended by the State on or after the date of the enactment of this subparagraph does not exceed the least total cost estimate submitted by the State pursuant to section 452(d)(3)(C) in the request for the waiver;''.

TITLE II—CHILD SUPPORT INCENTIVE SYSTEM

SEC. 201. INCENTIVE PAYMENTS TO STATES.

(a) IN GENERAL.—Part D of title IV of the Social Security Act (42 U.S.C. 651–669) is amended by inserting after section 458 the following:

''SEC. 458A. INCENTIVE PAYMENTS TO STATES.

''(a) IN GENERAL.—In addition to any other payment under this part, the Secretary shall, subject to subsection (f), make an incentive payment to each State for each fiscal year in an amount determined under subsection (b).

''(b) AMOUNT OF INCENTIVE PAYMENT.—

''(1) IN GENERAL.—The incentive payment for a State for a fiscal year is equal to the incentive payment pool for the fiscal year, multiplied by the State incentive payment share for the fiscal year.

''(2) INCENTIVE PAYMENT POOL.—

''(A) IN GENERAL.—In paragraph (1), the term 'incentive payment pool' means—

''(i) $422,000,000 for fiscal year 2000;

''(ii) $429,000,000 for fiscal year 2001;

''(iii) $450,000,000 for fiscal year 2002;

''(iv) $461,000,000 for fiscal year 2003;

''(v) $454,000,000 for fiscal year 2004;

''(vi) $446,000,000 for fiscal year 2005;

''(vii) $458,000,000 for fiscal year 2006;

''(viii) $471,000,000 for fiscal year 2007;

''(ix) $483,000,000 for fiscal year 2008; and

''(x) for any succeeding fiscal year, the amount of the incentive payment pool for the fiscal year that precedes such succeeding fiscal year, multiplied by the percentage (if any) by which the CPI for such preceding fiscal year exceeds the CPI for the 2nd preceding fiscal year.

''(B) CPI.—For purposes of subparagraph (A), the CPI for a fiscal year is the average of the Consumer Price Index for the 12-month period ending on September 30 of the fiscal year. As used in the preceding sentence, the term 'Consumer Price Index' means the last Consumer Price Index for all-urban consumers published by the Department of Labor.

''(3) STATE INCENTIVE PAYMENT SHARE.—In paragraph (1), the term 'State incentive payment share' means, with respect to a fiscal year—

''(A) the incentive base amount for the State for the fiscal year; divided by

''(B) the sum of the incentive base amounts for all of the States for the fiscal year.

''(4) INCENTIVE BASE AMOUNT.—In paragraph (3), the term 'incentive base amount' means, with respect to a State and a fiscal year, the sum of the applicable percentages (determined in accordance with paragraph (6)) multiplied by the corresponding maximum incentive base amounts for the State for the fiscal year, with respect to each of the following measures of State performance for the fiscal year:

''(A) The paternity establishment performance level.

''(B) The support order performance level.

''(C) The current payment performance level.

''(D) The arrearage payment performance level.

''(E) The cost-effectiveness performance level.

''(5) MAXIMUM INCENTIVE BASE AMOUNT.—

''(A) IN GENERAL.—For purposes of paragraph (4), the maximum incentive base amount for a State for a fiscal year is—

''(i) with respect to the performance measures described in subparagraphs (A), (B), and (C) of paragraph (4), the State collections base for the fiscal year; and

''(ii) with respect to the performance measures described in subparagraphs (D) and (E) of paragraph (4), 75 percent of the State collections base for the fiscal year.

''(B) DATA REQUIRED TO BE COMPLETE AND RELIABLE.—Notwithstanding subparagraph (A), the maximum incentive base amount for a State for a fiscal year with respect to a performance measure described in paragraph (4) is zero, unless the Secretary determines, on the basis of an audit performed under section 452(a)(4)(C)(i), that the data which the State submitted pursuant to section 454(15)(B) for the fiscal year and which is used to determine the performance level involved is complete and reliable.

''(C) STATE COLLECTIONS BASE.—For purposes of subparagraph (A), the State collections base for a fiscal year is equal to the sum of—

''(i) 2 times the sum of—

''(I) the total amount of support collected during the fiscal year under the State plan approved under this part in cases in which the support obligation involved is required to be assigned to the State pursuant to part A or E of this title or title XIX; and

''(II) the total amount of support collected during the fiscal year under the State plan approved under this part in cases in which the support obligation involved was so assigned but, at the time of collection, is not required to be so assigned; and

''(ii) the total amount of support collected during the fiscal year under the State plan approved under this part in all other cases.

''(6) DETERMINATION OF APPLICABLE PERCENTAGES BASED ON PERFORMANCE LEVELS.—

''(A) PATERNITY ESTABLISHMENT.—

''(i) DETERMINATION OF PATERNITY ESTABLISHMENT PERFORMANCE LEVEL.—The paternity establishment performance level for a State for a fiscal year is, at the option of the State, the IV–D paternity establishment percentage determined under section 452(g)(2)(A) or the statewide paternity establishment percentage determined under section 452(g)(2)(B).

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's paternity establishment performance level is as follows:

''If the paternity establishment performance level is:		***The applicable percentage is:***
At least:	***But less than:***	
80%		*100*
79%	*80%*	*98*
78%	*79%*	*96*
77%	*78%*	*94*
76%	*77%*	*92*
75%	*76%*	*90*
74%	*75%*	*88*
73%	*74%*	*86*
72%	*73%*	*84*
71%	*72%*	*82*
70%	*71%*	*80*
69%	*70%*	*79*
68%	*69%*	*78*
67%	*68%*	*77*
66%	*67%*	*76*
65%	*66%*	*75*
64%	*65%*	*74*
63%	*64%*	*73*
62%	*63%*	*72*
61%	*62%*	*71*
60%	*61%*	*70*

"If the paternity establishment performance level is: At least:	But less than:	The applicable percentage is:
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
0%	50%	0.

Notwithstanding the preceding sentence, if the paternity establishment performance level of a State for a fiscal year is less than 50 percent but exceeds by at least 10 percentage points the paternity establishment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's paternity establishment performance level is 50 percent.

''(B) ESTABLISHMENT OF CHILD SUPPORT ORDERS.—

''(i) DETERMINATION OF SUPPORT ORDER PERFORMANCE LEVEL.—The support order performance level for a State for a fiscal year is the percentage of the total number of cases under the State plan approved under this part in which there is a support order during the fiscal year.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's support order performance level is as follows:

"If the support order performance level is: At least:	But less than:	The applicable percentage is:
80%		100
79%	80%	98
78%	79%	96
77%	78%	94
76%	77%	92
75%	76%	90
74%	75%	88
73%	74%	86
72%	73%	84
71%	72%	82
70%	71%	80
69%	70%	79
68%	69%	78
67%	68%	77
66%	67%	76
65%	66%	75
64%	65%	74
63%	64%	73
62%	63%	72
61%	62%	71
60%	61%	70
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
0%	50%	0.

Notwithstanding the preceding sentence, if the support order performance level of a State for a fiscal year is less than 50 percent but exceeds by at least 5 percentage points the support order performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's support order performance level is 50 percent.

''(C) COLLECTIONS ON CURRENT CHILD SUPPORT DUE.—

''(i) DETERMINATION OF CURRENT PAYMENT PERFORMANCE LEVEL.—The current payment performance level for a State for a fiscal year is equal to the total amount of current support collected during the fiscal year under the State plan approved under this part divided by the total amount of current support owed during the fiscal year in all cases under the State plan, expressed as a percentage.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's current payment performance level is as follows:

"If the current payment performance level is: At least:	But less than:	The applicable percentage is:
80%		100
79%	80%	98
78%	79%	96
77%	78%	94
76%	77%	92
75%	76%	90
74%	75%	88
73%	74%	86
72%	73%	84
71%	72%	82
70%	71%	80
69%	70%	79
68%	69%	78
67%	68%	77
66%	67%	76
65%	66%	75
64%	65%	74
63%	64%	73
62%	63%	72
61%	62%	71
60%	61%	70
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
49%	50%	59
48%	49%	58
47%	48%	57
46%	47%	56
45%	46%	55
44%	45%	54
43%	44%	53
42%	43%	52
41%	42%	51
40%	41%	50
0%	40%	0.

Notwithstanding the preceding sentence, if the current payment performance level of a State for a fiscal year is less than 40 percent but exceeds by at least 5 percentage points the current payment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's current payment performance level is 50 percent.

''(D) COLLECTIONS ON CHILD SUPPORT ARREARAGES.—

''(i) DETERMINATION OF ARREARAGE PAYMENT PERFORMANCE LEVEL.—The arrearage payment performance level for a State for a fiscal year is equal to the total number of cases under the State plan approved under this part in which payments of past-due child support were received during the fiscal year and part or all of the payments were distributed to the family to whom the past-due child support was owed (or, if all past-due child support owed to the family was, at the time of receipt, subject to an assignment to the State, part or all of the payments were retained by the State) divided by the total number of cases under the State plan in which there is past-due child support, expressed as a percentage.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's arrearage payment performance level is as follows:

"If the arrearage payment performance level is: At least:	But less than:	The applicable percentage is:
80%		100
79%	80%	98
78%	79%	96
77%	78%	94
76%	77%	92
75%	76%	90
74%	75%	88
73%	74%	86
72%	73%	84
71%	72%	82
70%	71%	80
69%	70%	79
68%	69%	78
67%	68%	77
66%	67%	76
65%	66%	75
64%	65%	74
63%	64%	73
62%	63%	72
61%	62%	71
60%	61%	70
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
49%	50%	59
48%	49%	58
47%	48%	57
46%	47%	56
45%	46%	55
44%	45%	54
43%	44%	53
42%	43%	52
41%	42%	51
40%	41%	50
0%	40%	0.

Notwithstanding the preceding sentence, if the arrearage payment performance level of a State for a fiscal year is less than 40 percent but exceeds by at least 5 percentage points the arrearage payment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State's arrearage payment performance level is 50 percent.

''(E) COST-EFFECTIVENESS.—

''(i) DETERMINATION OF COST-EFFECTIVENESS PERFORMANCE LEVEL.—The cost-effectiveness performance level for a State for a fiscal year is equal to the total amount collected during the fiscal year under the State plan approved under this part divided by the total amount expended during the fiscal year under the State plan, expressed as a ratio.

''(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State's cost-effectiveness performance level is as follows:

"If the cost effectiveness performance level is:		The applicable percentage is:
At least:	But less than:	
5.00		100
4.50	4.99	90
4.00	4.50	80
3.50	4.00	70
3.00	3.50	60
2.50	3.00	50
2.00	2.50	40
0.00	2.00	0.

''(c) TREATMENT OF INTERSTATE COLLECTIONS.—In computing incentive payments under this section, support which is collected by a State at the request of another State shall be treated as having been collected in full by both States, and any amounts expended by a State in carrying out a special project assisted under section 455(e) shall be excluded.

''(d) ADMINISTRATIVE PROVISIONS.—The amounts of the incentive payments to be made to the States under this section for a fiscal year shall be estimated by the Secretary at or before the beginning of the fiscal year on the basis of the best information available. The Secretary shall make the payments for the fiscal year, on a quarterly basis (with each quarterly payment being made no later than the beginning of the quarter involved), in the amounts so estimated, reduced or increased to the extent of any overpayments or underpayments which the Secretary determines were made under this section to the States involved for prior periods and with respect to which adjustment has not already been made under this subsection. Upon the making of any estimate by the Secretary under the preceding sentence, any appropriations available for payments under this section are deemed obligated.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary governing the calculation of incentive payments under this section, including directions for excluding from the calculations certain closed cases and cases over which the States do not have jurisdiction.

''(f) REINVESTMENT.—A State to which a payment is made under this section shall expend the full amount of the payment to supplement, and not supplant, other funds used by the State—

''(1) to carry out the State plan approved under this part; or

''(2) for any activity (including cost-effective contracts with local agencies) approved by the Secretary, whether or not the expenditures for the activity are eligible for reimbursement under this part, which may contribute to improving the effectiveness or efficiency of the State program operated under this part.''.

(b) TRANSITION RULE.—Notwithstanding any other provision of law—

(1) for fiscal year 2000, the Secretary shall reduce by ⅓ the amount otherwise payable to a State under section 458 of the Social Security Act, and shall reduce by ⅔ the amount otherwise payable to a State under section 458A of such Act; and

(2) for fiscal year 2001, the Secretary shall reduce by ⅔ the amount otherwise payable to a State under section 458 of the Social Security Act, and shall reduce by ⅓ the amount otherwise payable to a State under section 458A of such Act.

(c) REGULATIONS.—Within 9 months after the date of the enactment of this section, the Secretary of Health and Human Services shall prescribe regulations governing the implementation of section 458A of the Social Security Act when such section takes effect and the implementation of subsection (b) of this section.

(d) STUDIES.—

(1) GENERAL REVIEW OF NEW INCENTIVE PAYMENT SYSTEM.—

(A) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study of the implementation of the incentive payment system established by section 458A of the Social Security Act, in order to identify the problems and successes of the system.

(B) REPORTS TO THE CONGRESS.—

(i) REPORT ON VARIATIONS IN STATE PERFORMANCE ATTRIBUTABLE TO DEMOGRAPHIC VARIABLES.—Not later than October 1, 2000, the Secretary shall submit to the Congress a report that identifies any demographic or economic variables that account for differences in the performance levels achieved by the States with respect to the performance measures used in the system, and contains the recommendations of the Secretary for such adjustments to the system as may be necessary to ensure that the relative performance of States is measured from a baseline that takes account of any such variables.

(ii) INTERIM REPORT.—Not later than March 1, 2001, the Secretary shall submit to the Congress an interim report that contains the findings of the study required by subparagraph (A).

(iii) FINAL REPORT.—Not later than October 1, 2003, the Secretary shall submit to the Congress a final report that contains the final findings of the study required by subparagraph (A). The report shall include any recommendations for changes in the system that the Secretary determines would improve the operation of the child support enforcement program.

(2) DEVELOPMENT OF MEDICAL SUPPORT INCENTIVE.—

(A) IN GENERAL.—The Secretary of Health and Human Services, in consultation with State directors of programs operated under part D of title IV of the Social Security Act and representatives of children potentially eligible for medical support, shall develop a performance measure based on the effectiveness of States in establishing and enforcing medical support obligations, and shall make recommendations for the incorporation of the measure, in a revenue neutral manner, into the incentive payment system established by section 458A of the Social Security Act.

(B) REPORT.—Not later than October 1, 1999, the Secretary shall submit to the Congress a report that describes the performance measure and contains the recommendations required by subparagraph (A).

(e) TECHNICAL AMENDMENTS.—

(1) IN GENERAL.—Section 341 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 658 note) is amended—

(A) by striking subsection (a) and redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively; and

(B) in subsection (c) (as so redesignated)—

(i) by striking paragraph (1) and inserting the following:

''(1) CONFORMING AMENDMENTS TO PRESENT SYSTEM.—The amendments made by subsection (a) of this section shall become effective with respect to a State as of the date the amendments made by section 103(a) (without regard to section 116(a)(2)) first apply to the State.''; and

(ii) in paragraph (2), by striking ''(c)'' and inserting ''(b)''.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 341 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(f) ELIMINATION OF PREDECESSOR INCENTIVE PAYMENT SYSTEM.—

(1) REPEAL.—Section 458 of the Social Security Act (42 U.S.C. 658) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 458A of the Social Security Act, as added by section 201(a) of this Act, is redesignated as section 458.

(B) Section 455(a)(4)(C)(iii) of such Act (42 U.S.C. 655(a)(4)(C)(iii)), as added by section 101 of this Act, is amended—

(i) by striking ''458A(b)(4)'' and inserting ''458(b)(4)'';

(ii) by striking ''458A(b)(6)'' and inserting ''458(b)(6)''; and

(iii) by striking ''458A(b)(5)(B)'' and inserting ''458(b)(5)(B)''.

(C) Subsection (d)(1) of this section is amended by striking ''458A'' and inserting ''458''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2001.

(g) GENERAL EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall take effect on October 1, 1999.

TITLE III—ADOPTION PROVISIONS

SEC. 301. MORE FLEXIBLE PENALTY PROCEDURE TO BE APPLIED FOR FAILING TO PERMIT INTERJURISDICTIONAL ADOPTION.

(a) CONVERSION OF FUNDING BAN INTO STATE PLAN REQUIREMENT.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) by striking ''and'' at the end of paragraph (21);

(2) by striking the period at the end of paragraph (22) and inserting ''; and''; and

(3) by adding at the end the following:

''(23) provides that the State shall not—

''(A) deny or delay the placement of a child for adoption when an approved family is available outside of the jurisdiction with responsibility for handling the case of the child; or

''(B) fail to grant an opportunity for a fair hearing, as described in paragraph (12), to an individual whose allegation of a violation of subparagraph (A) of this paragraph is denied by the State or not acted upon by the State with reasonable promptness.''.

(b) PENALTY FOR NONCOMPLIANCE.—Section 474(d) of such Act (42 U.S.C. 674(d)) is amended in each of paragraphs (1) and (2) by striking ''section 471(a)(18)'' and inserting ''paragraph (18) or (23) of section 471(a)''.

(c) CONFORMING AMENDMENT.—Section 474 of such Act (42 U.S.C. 674) is amended by striking subsection (e).

(d) RETROACTIVITY.—The amendments made by this section shall take effect as if included in section 202(b) of the Adoption and Safe Families Act of 1997.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 401. TECHNICAL CORRECTIONS.

(a) Section 413(g)(1) of the Social Security Act (42 U.S.C. 613(g)(1)) is amended by striking ''Economic and Educational Opportunities'' and inserting ''Education and the Workforce''.

(b) Section 422(b)(2) of the Social Security Act (42 U.S.C. 622(b)(2)) is amended by striking ''under under'' and inserting ''under''.

(c) Section 432(a)(8) of the Social Security Act (42 U.S.C. 632(a)(8)) is amended by adding ''; and'' at the end.

(d) Section 453(a)(2) of the Social Security Act (42 U.S.C. 653(a)(2)) is amended—

(1) by striking ''parentage,'' and inserting ''parentage or'';

(2) by striking ''or making or enforcing child custody or visitation orders,''; and

(3) in subparagraph (A), by decreasing the indentation of clause (iv) by 2 ems.

(e)(1) Section 5557(b) of the Balanced Budget Act of 1997 (42 U.S.C. 608 note) is amended by adding at the end the following: ''The amendment made by section 5536(1)(A) shall not take effect with respect to a State until October 1, 2000, or such earlier date as the State may select.''.

(2) The amendment made by paragraph (1) shall take effect as if included in the enactment of section 5557 of the Balanced Budget Act of 1997 (Public Law 105–33; 111 Stat. 637).

(f) Section 473A(c)(2)(B) of the Social Security Act (42 U.S.C. 673b(c)(2)(B)) is amended—

(1) by striking ''November 30, 1997'' and inserting ''April 30, 1998''; and

(2) by striking ''March 1, 1998'' and inserting ''July 1, 1998''.

(g) Section 474(a) of the Social Security Act (42 U.S.C. 674(a)) is amended by striking ''(subject to the limitations imposed by subsection (b))''.

(h) Section 232 of the Social Security Act Amendments of 1994 (42 U.S.C. 1314a) is amended—

(1) in subsection (b)(3)(D), by striking ''Energy and''; and

(2) in subsection (d)(4), by striking ''(b)(3)(D)'' and inserting ''(b)(3)''.

The CHAIRMAN. No amendment to the committee amendment in the nature of a substitute is in order unless printed in the appropriate part of the CONGRESSIONAL RECORD.

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

AMENDMENT NO. 2 OFFERED BY MR. CARDIN

Mr. CARDIN. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CARDIN:

In the table of contents of the bill, add at the end the following:

TITLE IV—IMMIGRATION PROVISIONS

Sec. 401. Aliens ineligible to receive visas and excluded from admission for nonpayment of child support.

Sec. 402. Effect of nonpayment of child support on establishment of good moral character.

Sec. 403. Authorization to serve legal process in child support cases on certain arriving aliens.

Sec. 404. Authorization to obtain information on child support payments by aliens.

At the end of the bill, add the following:

TITLE IV—IMMIGRATION PROVISIONS

SEC. 401. ALIENS INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION FOR NONPAYMENT OF CHILD SUPPORT.

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

''(F) NONPAYMENT OF CHILD SUPPORT.—

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

''(ii) APPLICATION TO PERMANENT RESIDENTS.—Notwithstanding section 101(a)(13)(C), an alien lawfully admitted for permanent residence in the United States who has been absent from the United States for any period of time shall be regarded as seeking an admission into the United States for purposes of this subparagraph.

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

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

''(II) determines that the likelihood of the arrearage being eliminated, and all subsequent child support payments timely being made by the alien, would increase substantially if the waiver were granted.''.

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

SEC. 402. EFFECT OF NONPAYMENT OF CHILD SUPPORT ON ESTABLISHMENT OF GOOD MORAL CHARACTER.

(a) IN GENERAL.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) in paragraph (8), by striking the period at the end and inserting ''; or''; and

(2) by inserting after paragraph (8) the following:

''(9) one who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in any arrearage, unless child support payments under the judgment, decree, or order are satisfied or the alien is in compliance with an approved payment agreement.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to aliens applying for a benefit under the Immigration and Nationality Act on or after 180 days after the date of the enactment of this Act.

SEC. 403. AUTHORIZATION TO SERVE LEGAL PROCESS IN CHILD SUPPORT CASES ON CERTAIN ARRIVING ALIENS.

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

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

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

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

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

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

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

SEC. 404. AUTHORIZATION TO OBTAIN INFORMATION ON CHILD SUPPORT PAYMENTS BY ALIENS.

Section 453(h) of the Social Security Act (42 U.S.C. 653(h)) is amended by adding at the end the following:

''(4) PROVISION TO ATTORNEY GENERAL AND SECRETARY OF STATE OF INFORMATION ON PERSONS DELINQUENT IN CHILD SUPPORT PAYMENTS.—On request by the Attorney General or the Secretary of State, the Secretary of Health and Human Services shall provide the requestor with such information as the Secretary of Health and Human Services determines may aid them in determining whether an alien is delinquent in the payment of child support.''.

Amend the title so as to read: ''A bill to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes.''.

Mr. CARDIN. Madam Chairman, first I would like to thank the gentleman from Florida (Mr. SHAW) and the gentleman from Michigan (Mr. LEVIN) and the staff of the Committee on Ways and Means and also the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE), as well as the administration in helping to craft the amendment that I offer. This matter was brought to my attention by a constituent who was trying to collect child support from a foreign national. The foreign national came to our country regularly as a businessperson making considerable money off of his business ventures here in the United States. My constituent was unable to collect child support because there was no effective way of collecting child support from that foreign national. The amendment before my colleagues would correct that circumstance. It would deny a visa or a reentry to a noncustodial parent, foreign national, that is $5,000 or more in arrears in child support. It would also deny naturalization if the person is in noncompliance with a valid child support order. Lastly, the amendment would give new authority for the service of summons and court orders at our borders for foreign nationals.

Madam Chairman, this particular amendment would place a foreign national in a comparable position as we place our own citizens. If an American is $5,000 or more in arrears in child support, we deny our citizen the right to have a passport. The least we can do for foreign nationals is treat them likewise and deny them the ability to enter our country. For Americans we also deny driver's licenses and other professional certificates. I would urge my colleagues to support this amendment in order that we provide comparable abilities for enforcing child support orders by foreign nationals.

Mr. SHAW. Madam Chairman, will the gentleman yield?

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

□ 1245

Mr. SHAW. Madam Chairman, I thank the gentleman for yielding, and I thank the gentleman for offering this amendment.

Madam Chairman, this amendment is strictly within the spirit of this legislation and what we are trying to accomplish. I compliment the gentleman from Maryland (Mr. CARDIN) for bringing this to our attention, and I vigorously support his amendment.

Mr. CARDIN. Madam Chairman, reclaiming my time, I want to thank the gentleman from Florida (Mr. SHAW) for his help in developing this amendment and bringing this matter forward.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. CARDIN).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GILMAN) having assumed the chair, Mrs. EMERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3130) to provide for alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, pursuant to House Resolution 378, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SHAW. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 414, noes 1, not voting 15, as follows:

[Roll No. 39]

AYES—414

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—15

Bilirakis
Dingell
Doolittle
Ganske
Gonzalez
Harman
Kilpatrick
Klink
Luther
McDermott
Poshard
Quinn
Schiff
Shimkus
Thomas

□ 1314

Mr. NADLER changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes.''

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to a death in my family, I regret that I was unable to vote after 3:00 pm yesterday. If I had been present, I would have voted Nay on Roll Call Number 28; Yea on Roll Call Number 29, Yea on Roll Call Number 30; Present on Roll Call Number 31; Nay on Roll Call Number 32; Nay on Roll Call Number 33; Nay on Roll Call Number 34; Nay on Roll Call Number 35; Yea on Roll Call Number 36; and Yea on Roll Call Number 37, final passage of the U.S.-Puerto Rico Political Status Act.

Also, I would have voted ''Yea'' on final passage of H.R. 3130, the Child Support Performance and Incentive Act, and ''Yea'' on final passage of H.R. 2369, the Wireless Privacy Enhancement Act.