

First, it requires the Secretaries of HHS and Labor to design and implement a Standardized Medical Support Notice. State child support agencies will be required to use this standardized form to communicate the issuance of a medical support order, and employers will be required to accept the form as a "Qualified Medical Support Order" under ERISA. Second, the Secretaries will jointly establish a medical support working group to identify and make recommendations for the removal of other barriers to effective medical support. Third, the Secretary of Labor is required to submit a report containing recommendations for any additional ERISA changes necessary to improve medical support enforcement.

Safeguard of new employee information. This provision imposes a fine of \$1,000 for each act of unauthorized access to, disclosure of, or use of information in the National Directory of New Hires. It also requires that data entered into the National Director of New Hires be deleted 24 months after date of entry for individuals who have a child support order. For an individual who does not have a child support order, the data must be deleted after 12 months.

General Accounting Office study on program improvements. The General Accounting Office (GAO) is required to report to Congress on the feasibility of implementing an instant check system for employers to use in identifying individuals with child support orders. The report is also to include a review of the use of the Federal Parent Locator Service, including the Federal Case Registry of Child Support Orders and the National Directory of New Hires, and the adequacy of privacy protections.

Technical and conforming amendments. There are several technical and conforming amendments made. The two most noteworthy amendments deal with data collection in the calculation of the adopting incentive payments and collection of Social Security numbers and are described below.

(1) The new provision would give the states an additional five months to report data needed to calculate adoption incentive payments and the Secretary an additional four months to approve the data.

(2) The 1996 welfare reform law requires states to collect Social Security numbers on applications for state licenses for purposes of matching in child support cases by January 1, 1998. The "Illegal Immigration Reform and Immigration Responsibility Act of 1996" required states to collect Social Security numbers on applications for state licenses for purposes of checking the identity of immigrants by October 1, 2000. This amendment would conform the differing requirements by changing the date for child support cases to October 1, 2000, or such earlier date as the state selects.

Title V of the House bill regarding immigration provisions is not included in the substitute.

COMPARISON OF SENATE AND HOUSE PENALTIES

Example of a state with \$100 million IV-D grant:

1. Penalties faced if compliance is achieved in 1998: (Year 1) (Assumes did not submit December 31, 1997 letter to HHS).

House

FY 1998: \$1 million (\$4 million reduced by 75%)
Total: \$1 million

Senate

FY 1998: \$0
Total: \$0

2. Penalties faced if compliance is achieved in 1999: (Year 2).

House

FY 1998: \$4 million

FY 1999: \$2 million (\$8 million reduced by 75%)

Total: \$6 million

Senate

FY 1998: \$3.2 million (\$4 million reduced by 20%)

FY 1999: \$0

Total: \$3.2 million

3. Penalties faced if compliance is achieved in FY 2000: (Year 3).

House

FY 1998: \$4 million

FY 1999: \$8 million

FY 2000: \$4 million (\$16 million reduced by 75%)

Total: \$16 million

Senate

FY 1998: \$4 million

FY 1999: \$6.4 million (\$8 million reduced by 20%)

FY 2000: \$0

Total: \$10.4 million

4. Penalties faced if compliance is achieved in 2001: (Year 4).

House

FY 1998: \$4 million

FY 1999: \$8 million

FY 2000: \$16 million

FY 2001: \$5 million (\$20 million reduced by 75%)

Total: \$33 million

Senate

FY 1998: \$4 million

FY 1999: \$8 million

FY 2000: \$16 million

FY 2001: \$0

Total: \$26 million

5. Penalties faced if compliance is achieved in 2002: (Year 5).

House

FY 1998: \$4 million

FY 1999: \$8 million

FY 2000: \$16 million

FY 2001: \$20 million

FY 2002: \$5 million (\$20 million reduced by 75%)

Total: \$53 million

Senate

FY 1998: \$4 million

FY 1999: \$8 million

FY 2000: \$16 million

FY 2001: \$30 million

FY 2002: \$0

Total: \$58 million

ADOPTION AND SAFE FAMILIES ACT

Mr. COATS. Mr. President, I note that the "Child Support Performance and Incentive Act of 1998" contains a provision which amends the "Adoption and Safe Families Act of 1997." This provision deals with how the provision on elimination of geographic barriers to adoption is enforced. It is my understanding that this amendment does not affect the other provisions in the new law on reasonable efforts or the termination of parental rights.

It is my understanding that the purpose of the new law was to clarify federal policy regarding the protection of children in foster care. The adoption law makes clear that the health and safety of children must always be of paramount concern in any decision affecting the removal of children from their homes or the reunification of children with their families.

To receive foster care and adoption assistance funds, States are generally required to make reasonable efforts to

maintain children in their own homes or to reunify children and families when possible. However, it is my understanding that under the new law, the federal government does not require States to make such efforts in cases where a court finds that a parent has killed or assaulted a child or subjected the child to extreme forms of abuse or neglect. At the same time, the new law does not prevent a State from making efforts to preserve or reunify a family in such cases, as long as the child's health and safety are the paramount considerations. Is my understanding correct?

Mr. ROTH. Yes, that is correct. In addition, the adoption law establishes a new requirement that States must initiate termination of parental rights proceedings in specific cases that are outlined in the law. However, the law only requires States to initiate such proceedings and does not mandate the outcome. Moreover, the law provides that States are not required to initiate termination of parental rights in certain cases, including when there is a compelling reason to conclude that such proceedings would not be in the child's best interest. Thus, the State retains the discretion to make case-by-case determinations regarding whether to seek termination of parental rights.

Ms. COLLINS. I ask unanimous consent that the bill be deemed read a third time and passed, that the title amendment be agreed to, and the motion to reconsider be laid upon the table, and any statements relating to the bill appear at this point in the RECORD.

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

The bill (H.R. 3130) was deemed read the third time and passed.

The title was amended so as to read:

An Act 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, and for other purposes.

A SPECIAL COMMITTEE TO ADDRESS THE YEAR 2000 TECHNOLOGY PROBLEM

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate resolution 208, submitted earlier today by Senator LOTT.

The PRESIDING OFFICER. Without objection. The clerk will report the resolution.

The assistant legislative clerk read as follows:

A resolution (S. Res. 208) to establish a special committee of the Senate to address the year 2000 technology problem.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Ms. COLLINS. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements related to the resolution appear at this point in the RECORD.

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

The resolution (S. Res. 208) was agreed to, as follows:

S. RES. 208

Resolved,

SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.

(a) ESTABLISHMENT.—There is established a special committee of the Senate to be known as the Special Committee on the Year 2000 Technology Problem (hereafter in this resolution referred to as the “special committee”).

(b) PURPOSE.—The purpose of the special committee is—

(1) to study the impact of the year 2000 technology problem on the Executive and Judicial Branches of the Federal Government, State governments, and private sector operations in the United States and abroad;

(2) to make such findings of fact as are warranted and appropriate; and

(3) to make such recommendations, including recommendations for new legislation and amendments to existing laws and any administrative or other actions, as the special committee may determine to be necessary or desirable.

No proposed legislation shall be referred to the special committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(c) TREATMENT AS STANDING COMMITTEE.—For purposes of paragraphs 1, 2, 7(a)(1)–(2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The special committee shall consist of 7 members of the Senate—

(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 3 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

The Chairman and Ranking Minority Member of the Appropriations Committee shall be appointed ex-officio members.

(2) VACANCIES.—Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee and shall be filled in the same manner as original appointments to it are made.

(3) SERVICE.—For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the special committee shall not be taken into account.

(b) CHAIRMAN.—The chairman of the special committee shall be selected by the Majority Leader of the Senate and the vice chairman of the special committee shall be selected by the Minority Leader of the Senate. The vice chairman shall discharge such responsibilities as the special committee or the chairman may assign.

SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the special committee is authorized, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel;

(3) to hold hearings;

(4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(5) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(6) to take depositions and other testimony;

(7) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and

(8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS FOR WITNESSES.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(c) SUBPOENAS.—Subpoenas authorized by the special committee may be issued over the signature of the chairman after consultation with the vice chairman, or any member of the special committee designated by the chairman after consultation with the vice chairman, and may be served by any person designated by the chairman or the member signing the subpoena.

(d) OTHER COMMITTEE STAFF.—The special committee may use, with the prior consent of the chairman of any other Senate committee or the chairman of any subcommittee of any committee of the Senate and on a nonreimbursable basis, the facilities or services of any members of the staff of such other Senate committee whenever the special committee or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the special committee to make the investigation and study provided for in this resolution.

(e) USE OF OFFICE SPACE.—The staff of the special committee may be located in the personal office of a Member of the special committee.

SEC. 4. REPORT AND TERMINATION.

The special committee shall report its findings, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date.

SEC. 5. FUNDING.

(a) IN GENERAL.—From the date this resolution is agreed to through February 29, 2000, the expenses of the special committee incurred under this resolution shall not exceed \$575,000 for the period beginning on the date of adoption of this resolution through February 28, 1999, and \$575,000 for the period of March 1, 1999 through February 29, 2000, of which amount not to exceed \$200,000 shall be available for each period for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946.

(b) PAYMENT OF BENEFITS.—The retirement and health benefits of employees of the special committee shall be paid out of the contingent fund of the Senate.

ate completes its business today, it stand in adjournment until 10 a.m. on Friday, April 3, and immediately following the prayer, the routine requests through the morning hour be granted, and that the Senate begin a period for the transaction of morning business until the hour of 12 noon, with Senators permitted to speak therein for up to 10 minutes each, with the following exceptions: Senator DEWINE for 1 hour, and Senator DASCHLE for 1 hour.

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

PROGRAM

Ms. COLLINS. Mr. President, tomorrow the Senate will be in a period for morning business from 10 a.m. until 12 noon. It is hoped that at 12 noon the Senate will be able to proceed to the consideration of Senate bill 414, the international shipping bill.

In addition, the Senate may consider any executive or legislative business cleared for Senate action. As previously announced, there will be no rollcall votes during tomorrow's session.

When the Senate reconvenes following the Easter holidays, the Senate will resume consideration of the Coverdell A+ Education Act. Also, as announced, the next rollcall votes will occur on that legislation on Tuesday, April 21, at a time to be announced by the majority leader.

Mr. FORD. Will the acting leader yield?

Ms. COLLINS. I am happy to yield.

Mr. FORD. We are attempting to get an answer on a question I have. I don't want to hold the Senate here any longer, but there is a possibility. Could we have a quorum call, if the Senator would like to leave, with a motion that when I get my answer we will go out, or something like that? I will be more than pleased to do that.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

**ADJOURNMENT UNTIL 10 A.M.
TOMORROW**

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 10:54 p.m., adjourned until Friday, April 3, 1998, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 2, 1998:

**ORDERS FOR FRIDAY, APRIL 3,
1998**

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Sen-