meet Federal child support data processing requirements; to the Committee on Finance.

By Mr. MOYNIHAN (for himself and Mr. KERREY):

S. 1792. A bill to reduce social security payroll taxes, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM:

S. 1793. A bill to amend the Internal Revenue Code of 1986 to reform the Internal Revenue Service, and for other purposes; to the Committee on Finance.

By Mr. HARKIN:

S. 1794. A bill to provide for the adjudication of certain claims against the Government of Iraq and to ensure priority for United States veterans filing such claims; to the Committee on the Judiciary.

By Mr. HAGEL (for himself, Mr. GRAMS, Mr. ROBERTS, Mr. CHAFEE, and Mr. DOMENICI):

S. 1795. A bill to reform the International Monetery Fund and to authorize United States participation in a quota increase and the New Arrangements to Borrow of the International Monetary Fund, and for other purposes; to the Committee on Foreign Relations.

By Mr. BINGAMAN (for himself, Mr. INOUYE, and Mrs. MURRAY):

S. 1796. A bill to amend the Higher Education Act to 1965 to increase postsecondary education opportunities for Hispanic students and other student populations underrepresented in postsecondary education; to the Committee on Labor and Human Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MACK (for himself, Mrs. FEINSTEIN, Mr. LOTT, Mr. DASCHLE, Mr. HATCH, Mr. LEAHY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. BAUCUS, Mr. BENNETT, Mr. BIDEN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BRYAN, Mr. CAMPBELL, Mr. CHAFEE, Mr. CLELAND, Mr. COCHRAN, Ms. COLLINS, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENZI, Mr. FAIRCLOTH, Mr. FORD, Mr. FRIST, Mr. GLENN, Mr. GORTON, Mr. GRAMM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mrs. HUTCHISON, Mr. KOHL, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MOYNIHAN, Ms. MOSELEY-BRAUN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. REED, Mr. ROBB, Mr. ROCKEFELLER, Mr. SARBANES, Mr. SESSIONS, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. TORRICELLI, Mr. WARNER, Mr. WELLSTONE, and Mr. COATS):

S. Res. 198. A resolution designating April 1, 1998, as ''National Breast Cancer Survivors' Day''; to the Committee on the Judiciary.

By Mr. NICKLES (for himself, Mr. DODD, Mr. BIDEN, Mr. HELMS, Mr. LIEBERMAN, Mr. LEVIN, Mr. KYL, Mr. KERREY, Mr. D'AMATO, Mr. ABRAHAM, Mr. WELLSTONE, Mr. GRAMS, Mr. INHOFE, Mr. CLELAND, and Mr. COVERDELL):

S. Con. Res. 85. A concurrent resolution calling for an end to the violent repression of the people of Kosovo; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1791. A bill to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements; to the Committee on Finance.

THE CHILD SUPPORT PERFORMANCE ACT OF 1998

Mrs. FEINSTEIN. Mr. President, I am introducing today the Child Support Performance Act of 1998. This legislation decreases penalties for those 14 states who did not make the child support enforcement system deadline last October.

This legislation decreases the overall penalties to 4% of the child support administrative funds in the first year, and increases the penalties by 4% each year up to 20%. However, if the state meets the benchmark goals it set out with HHS at the beginning of the year, 75% of the penalties would be forgiven each year. This provision encourages states to set realistic goals for the year and recognizes their progress each year instead of the all or nothing approach under current law.

The current penalties for not having the child support enforcement system up and running are enormous. States would be penalized all their TANF (AFDC) funding and their child support administration funds for the year.

The total loss in TANF funds and child support administrative funds from the 14 states amount to over $8 billion per year. More specifically, California would lose $4 billion. Illinois would lose $654 million. Michigan would lose $857 million. Pennsylvania would lose $794 million.

There is enough blame to go around for the states' failures to meet the child support enforcement systems deadline.

The lengthy private sector contractor procurement and federal approval processes; many vendors' inability to complete work to specifications within the time allowed; the long time needed to convert large caseloads into a new system; the difficulties inherent in a single system conversion in large states like California.

All of us would agree that the huge financial penalties imposed on 14 or more states would cause hardship to the children and families in the affected states. However, since over 30% of all child support cases are interstate collection cases, the penalties would have a nationwide impact.

What this means is that children in Kansas or Georgia will not be able to get child support from parents in California, Pennsylvania or the other 12 states who face the devastating penalties.

For the 14 states who face such devastating prospects, without my legislation, the rigid one statewide system requirement and the harsh penalty imposed on states would impoverish 19 million families with children nationwide.

Let me also point out the unfairness of current penalties on Los Angeles County. For California, 25% of the penalty will be borne by LA County, the largest county in the nation, serving 550,000 families. Despite the fact that LA County completed its system by the October deadline and could be certified as recognized by HHS in its March 2, 1998 proposed rules, LA County will be penalized along with the rest of California.

This is unfair and wrong. As I propose in my legislation, when counties have met the system requirement by building their own system with separate HHS funding, their portion should be exempted from the total penalties imposed on a state.

The House of Representatives recently passed CLAY SHAW'S legislation, H.R. 3130, that lowered the penalties for those states who did not meet the October 1st deadline last year. Representative SHAW's bill lowers the penalties but remains very harsh for those states who missed the deadline but who are on their way to becoming certified within a year or two.

Under Shaw's bill, California alone would face $12 million in penalty in the first year and up to $60 million in the forth year, denying 2.36 million impoverished families in California of their child support. It will not hurt the state, but only those families we are trying to help.

In other big states like Illinois, approximate 730,000 families with children may not get their child support because the state faces $2.7 million in penalties during the first year, and up to $13.5 million in the fourth year.

For Michigan, 1.5 million families with children may not get their child support because the state faces $3.27 million in penalties during the first year, up to $16.3 million in the fourth year.

Some, argue that these cuts are necessary to punish the states for not coming into compliance, but the reality is, that again only hurts the families with children.

Mr. President, the bottom line is, if we don't have child support enforcement systems up and running, children and families don't get their child support. 14 states do not have a child support enforcement system and imposing harsh penalties will not encourage states to perform better but debilitate their ability to serve.

Thank you, Mr. President. I urge all the members to support this legislation and I ask unanimous consent that a copy of the bill be printed in the RECORD.

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

S. 1791

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 Act of 1998''.

SEC. 2. ALTERNATIVE PENALTY PROCEDURE APPLICABLE TO FEDERAL CHILD SUPPORT DATA PROCESSING REQUIREMENTS.

(a) IN GENERAL.—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 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) 12 percent of the penalty base, in the case of the 3rd such fiscal year;

''(IV) 16 percent of the penalty base, in the case of the 4th such fiscal year; or

''(V) 20 percent of the penalty base, in the case of the 5th 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, minus the applicable share of such amount which would otherwise be payable to any county to which the Secretary granted a waiver under the Family Support Act of 1988 (Public Law 100-485; 102 Stat. 2343) for 90 percent enhanced Federal funding to develop an automated data processing and information retrieval system provided that such system was implemented prior to October 1, 1997.

''(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, 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 and, by June 1, 1998, the Secretary has provided the certification as a result of a review conducted pursuant to the request.

''(ii) If a State with respect to which a reduction is made under this paragraph for a fiscal year achieves compliance with the milestones in the corrective compliance plan for that year 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)(i) Subject to clause (ii), 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).

''(ii) The requirement under clause (i) to impose a separate and independent penalty amount for a fiscal year for a failure to comply with section 454(24)(B) shall not apply in the case of any State that the Secretary determines has achieved, by such date as the Secretary may specify, compliance with the milestones of the corrective compliance plan submitted by the State that the Secretary determines are necessary for the State to progress toward certification under section 454(24)(B).''.

(b) INAPPLICABILITY OF PENALTY UNDER TANF PROGRAM.—Section 409(a)(8)(A)(i)(III) of such Act (42 U.S.C. 609(a)(8)(A)(i)(III)) is amended by inserting ''(other than section 454(24))'' before the semicolon.

SEC. 3. 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 the calculation of distribution of collected support is according to the requirements of section 457;

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

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

''(V) complete the alternative system in no more time than it would take to complete 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 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.''.

By Mr. HARKIN:

S. 1794. A bill to provide for the adjudication of certain claims against the Government of Iraq and to ensure priority for United States veterans filing such claims; to the Committee on the Judiciary.

THE GULF WAR VETERANS' IRAQI CLAIMS PROTECTION ACT OF 1998.

Mr. HARKIN. Mr. President, I rise today to introduce important legislation for the men and women of our armed forces who served in the Persian Gulf during operation Desert Shield and Desert Storm.

The U.S. Government has $1.3 billion in impounded Iraqi funds from the Gulf War. U.S. businesses, the U.S. government, private citizens and over 3,000 American veterans have currently filed over $5 billion in claims against these funds. No criteria exists for dispersing these funds and no system of priorities is in place to ensure a fair settlement.

I believe the U.S. should protect those who safe guarded the interests of America during the Gulf War by ensuring their ability to file for claims against the impounded Iraqi money. My legislation, ''The Gulf War Veterans' Iraqi Claims Protection Act of 1998,'' will put to rest, once and for all, lingering concerns about who should have priority in receiving these funds.

This legislation will:

Grant priority status to all retired, reserve or active duty members of the U.S. Armed Forces who may wish to file claims arising out of Iraq's invasion of Kuwait;

Establish a fund in the U.S. Treasury for payment of these claims; and

Create a formula for payments based on priority status.

Mr. President, no one disputes that many U.S. businesses and many American non-veteran citizens have legitimate claims to this money. However, I firmly believe that our Gulf War veterans, who risked their lives for their country and our freedom, deserve the highest priority in having their claims resolved. I hope all of my colleagues will join me in supporting our Gulf War veterans by supporting this legislation.

I have a copy of a letter from the Veterans of Foreign Wars (VFW) in support of this legislation which I ask

unanimous consent be printed in the RECORD along with the text of the legislation.

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

S. 1794

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 ''Gulf War Veterans' Iraqi Claims Protection Act of 1998''.

SEC. 2. ADJUDICATION OF CLAIMS.

(a) CLAIMS AGAINST IRAQ.—The United States Commission is authorized to receive and determine the validity and amounts of any claims by nationals of the United States against the Government of Iraq.

(b) DECISION RULES.—In deciding claims under subsection (a), the United States Commission shall apply, in the following order

(1) applicable substantive law, including international law; and

(2) applicable principles of justice and equity.

(c) PRIORITY CLAIMS.—Before deciding any other claim against the Government of Iraq, the United States Commission shall, to the extent practical, decide all pending non-commercial claims of active, retired, or reserve members of the United States Armed Forces, retired former members of the United States Armed Forces, and other individuals arising out of Iraq's invasion and occupation of Kuwait or out of the 1987 attack on the USS Stark.

(d) APPLICABILITY OF INTERNATIONAL CLAIMS SETTLEMENT ACT.—To the extent they are not inconsistent with the provisions of this Act, the provisions of title I (other than section 2(c)) and title VII of the International Claims Settlement Act of 1949 (22 U.S.C. 1621–1627 and 1645–1645o) shall apply with respect to claims under this Act.

SEC. 3. CLAIMS FUNDS.

(a) IRAQ CLAIMS FUND.—The Secretary of the Treasury is authorized to establish in the Treasury of the United States a fund (hereafter in this Act referred to as the ''Iraq Claims Fund'') for payment of claims under section 2(a). The Secretary of the Treasury shall cover into the Iraq Claims Fund such amounts as are allocated to such fund pursuant to subsection (b).

(b) ALLOCATION OF PROCEEDS FROM IRAQI ASSET LIQUIDATION.—

(1) IN GENERAL.—The President shall allocate funds resulting from the liquidation of assets pursuant to section 4 in the manner the President determines appropriate between the Iraq Claims Fund and such other accounts as are appropriate for the payment of claims of the United States Government, subject to the limitation in paragraph (2).

(2) LIMITATION.—The amount allocated pursuant to this subsection for payment of claims of the United States Government may not exceed the amount which bears the same relation to the amount allocated to the Iraq Claims Fund pursuant to this subsection as the sum of all certified claims of the United States Government bears to the sum of all claims certified under section 2(a). As used in this paragraph, the term ''certified claims of the United States Government'' means those claims of the United States Government which are determined by the Secretary of State to be outside the jurisdiction of the United Nations Commission and which are determined to be valid, and whose amount has been certified, under such procedures as the President may establish.

SEC. 4. AUTHORITY TO VEST IRAQI ASSETS.

The President is authorized to vest and liquidate as much of the assets of the Government of Iraq in the United States that have been blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) as may be necessary to satisfy claims under section 2(a), as well as claims of the United States Government against Iraq which are determined by the Secretary of State to be outside the jurisdiction of the United Nations Commission.

SEC. 5. REIMBURSEMENT FOR ADMINISTRATIVE EXPENSES.

(a) DEDUCTION.—In order to reimburse the United States Government for its expenses in administering this Act, the Secretary of the Treasury shall deduct 1.5 percent of any amount covered into the Iraq Claims Fund.

(b) DEDUCTIONS TREATED AS MISCELLANEOUS RECEIPTS.—Amounts deducted pursuant to subsection (a) shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 6. PAYMENTS.

(a) IN GENERAL.—The United States Commission shall certify to the Secretary of the Treasury each award made pursuant to section 2. The Secretary of the Treasury shall make payment, out of the Iraq Claims Fund, in the following order of priority to the extent funds are available in such fund:

(1) Payment of $10,000 or the principal amount of the award, whichever is less.

(2) For each claim that has priority under section 2(c), payment of a further $90,000 toward the unpaid balance of the principal amount of the award.

(3) Payments from time to time in ratable proportions on account of the unpaid balance of the principal amounts of all awards according to the proportions which the unpaid balance of such awards bear to the total amount in the Iraq Claims Fund that is available for distribution at the time such payments are made.

(4) After payment has been made of the principal amounts of all such awards, pro rata payments on account of accrued interest on such awards as bear interest.

(5) After payment has been made in full of all the awards payable out of the Iraq Claims Fund, any funds remaining in that fund shall be transferred to the general fund of the Treasury of the United States.

(b) UNSATISFIED CLAIMS.—Payment of any award made pursuant to this Act shall not extinguish any unsatisfied claim, or be construed to have divested any claimant, or the United States on his or her behalf, of any rights against the Government of Iraq with respect to any unsatisfied claim.

SEC. 7. AUTHORITY TO TRANSFER RECORDS.

The head of any Executive agency may transfer or otherwise make available to the United States Commission such records and documents relating to claims authorized to be adjudicated by this Act as may be required by the United States Commission in carrying out its functions under this Act.

SEC. 8. STATUTE OF LIMITATIONS; DISPOSITION OF UNUSED FUNDS.

(a) STATUTE OF LIMITATIONS.—Any demand or claim for payment on account of an award that is certified under this Act shall be barred one year after the publication date of the notice required by subsection (b).

(b) PUBLICATION OF NOTICE.—

(1) IN GENERAL.—At the end of the 9-year period specified in paragraph (2), the Secretary of the Treasury shall publish a notice in the Federal Register detailing the statute of limitations provided for in subsection (a) and identifying the claim numbers and awardee names of unpaid certified claims.

(2) PUBLICATION DATE.—The notice required by paragraph (1) shall be published 9 years after the last date on which the Secretary of the Treasury covers into the Iraq Claims Fund amounts allocated to that fund pursuant to section 3(b).

(c) DISPOSITION OF UNUSED FUNDS.—

(1) DISPOSITION.—At the end of the 2-year period beginning on the publication date of the notice required by subsection (b), the Secretary of the Treasury shall dispose of all unused funds described in paragraph (2) by depositing in the Treasury of the United States as miscellaneous receipts any such funds that are not used for such additional payments.

(2) UNUSED FUNDS.—The unused funds referred to in paragraph (1) are any remaining balance in the Iraq Claims Fund.

SEC. 9. DEFINITIONS.

As used in this Act:

(1) EXECUTIVE AGENCY.—The term ''Executive agency'' has the meaning given that term by section 105 of title 5, United States Code.

(2) GOVERNMENT OF IRAQ.—The term ''Government of Iraq'' includes agencies, instrumentalities, and controlled entities (including public sector enterprises) of that government.

(3) UNITED NATIONS COMMISSION.—The term ''United Nations Commission'' means the United Nations Compensation Commission established pursuant to United Nations Security Council Resolution 687 (1991).

(4) UNITED STATES COMMISSION.—The term ''United States Commission'' means the Foreign Claims Settlement Commission of the United States.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, March 18, 1998.

Hon. TOM HARKIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR HARKIN: On behalf of the VFW and its 2.1 million members I thank you for taking the initiative to introduce The Gulf War Veterans' Iraqi Claims Protection Act of 1998. The bill will ensure that individual veterans claims are given a priority for receiving compensation from Iraqi assets frozen in the United States by our Government.

The VFW has consistently taken the position since 1993 that veterans of Desert Shield and Desert Storm should have priority status regarding compensation from Iraq for injury and illness they received in line of duty.

Again, thank you for your show of strong support on behalf of all veterans, especially those who went to the Persian Gulf, fought the war, and in some cases suffered personal injuries, material losses, and even death. It will be our pleasure to participate in any manner necessary to further assist you in this effort.

Sincerely,

JOHN E. MOON,
Commander-in-Chief.

By Mr. HAGEL (for himself, Mr. GRAMS, Mr. ROBERTS and Mr. CHAFEE, and Mr. DOMENICI):

S. 1795. A bill to reform the International Monetary Fund and to authorize United States participation in a quota increase and the New Arrangements to Borrow of the International Monetary Fund, and for other purposes; to the Committee on Foreign Relations.

THE INTERNATIONAL MONETARY FUND REFORM ACT

Mr. HAGEL. Mr. President, today I am joining with Senators GRAMS, ROBERTS, CHAFEE, and DOMENICI in introducing the International Monetary Fund Reform Act. This legislation is the product of weeks of work and negotiation we have undertaken to develop

a package of very tough—but achievable—reforms for the IMF. We all agree that there must be IMF reform. But relevant, workable, and achievable reforms are what we must put in place.

It's in America's national interest for Congress to move swiftly to support the full $18 billion request for the IMF. Our actions—or inactions—will have real short-term and long-term economic consequences for America's interests in Asia and around the world. This morning, I chaired a hearing in the Foreign Relations Committee that showed how important the IMF is to American agriculture and our ability to build and keep markets overseas. We cannot discount the importance of the message our actions or inactions here will send. A stable Asian marketplace is in America's interest.

We are introducing this legislation today so that all our colleagues can review the compromise language we have put together. As the debate on this issue unfolds, we intend to remain actively involved.

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

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

S. 1795

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 ''International Monetary Fund Reform Act of 1998''.

SEC. 2. DEFINITION.

For purposes of this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on International Relations and the Committee on Banking and Financial Service of the House of Representatives.

TITLE I—INTERNATIONAL MONETARY FUND

SEC. 101. PARTICIPATION IN QUOTA INCREASE.

The Bretton Woods Agreements Act (22 U.S.C. 286–286mm) is amended by adding at the end the following:

''SEC. 61. QUOTA INCREASE.

''(a) IN GENERAL.—The United States Governor of the Fund may consent to an increase in the quota of the United States in the Fund equivalent to 10,622,500,000 Special Drawing Rights.

''(b) SUBJECT TO APPROPRIATIONS.—The authority provided by subsection (a) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.''.

SEC. 102. CONDITIONS FOR RELEASE OF FUNDS.

(a) LIMITATIONS ON FUNDING.—Notwithstanding any other provision of law, any funds appropriated or otherwise made available for an increase in the quota of the United States in the International Monetary Fund pursuant to this title shall not be available for such increase until the Secretary of the Treasury makes the certifications described in subsection (b) and (c) to the appropriate congressional committees.

(b) CERTIFICATION REGARDING TRANSPARENCY.—The certification described in this subsection means a certification by the Secretary of the Treasury to the appropriate congressional committees that the United States is taking all necessary and appropriate steps to—

(1) ensure that the internal processes of the IMF becomes open and transparent;

(2) strengthen the ability of all countries, Congress, and the public to obtain timely and accurate information about the decision making process and other internal processes of the IMF;

(3) obtain routine release to the public of IMF documents, including official working papers, past evaluations, all Letters of Intent, and Policy Framework Papers.

(4) provide for greater accessibility, for both policymakers and members of the public, of the IMF and its staff; and

(5) obtain timely and complete publication of the Article IV consultations conducted by the IMF for each member country.

(c) CERTIFICATION REGARDING FUTURE LENDING STANDARDS.—The certification described in this subsection means a certification by the Secretary of the Treasury of the appropriate congressional committees that the International Monetary Fund routinely seeks, as a standard condition for lending and other uses of the Fund's resources, that borrower countries be required to—

(1) comply with the borrower country's international trading obligations including, if applicable, with the standards of the World Trade Organization;

(2) comply with appropriate international banking and financial standards and not engage in the pattern or practice of improper government-directed lending to favored industries, enterprises, parties, or institutions; and

(3) have or be developing bankruptcy laws and procedures to provide for liquidation and restructuring of businesses, and make progress toward assuring nondiscriminatory treatment of domestic and foreign creditors, debtors, and other concerned persons.

(d) REPORT.—Not later than October 1, 1998, and not later than March 1 of each year thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report describing the steps taken by the United States to achieve the objectives set forth in subsection (b) and progress made toward achieving such objectives.

TITLE II—NEW ARRANGEMENTS TO BORROW

SEC. 201. NEW ARRANGEMENTS TO BORROW.

Section 17 of the Bretton Woods Agreements Act (22 U.S.C. 286e–2 et seq.) is amended—

(1) in subsection (a)—

(A) by striking ''and February 24, 1983'' and inserting ''February 24, 1983, and January 27, 1997''; and

(B) by striking ''4,250,000,000'' and inserting ''6,712,000,000'';

(2) in subsection (b), by striking ''4,250,000,000'' and inserting ''6,712,000,000''; and

(3) in subsection (d)—

(A) by inserting ''or the Decision of January 27, 1997,'' after ''February 24, 1983,''; and

(B) by inserting ''or the New Arrangements to Borrow, as applicable'' before the period at the end.

By Mr. BINGAMAN (for himself, Mr. INOUYE, and Mrs. MURRAY):

S. 1796. A bill to amend the Higher Education Act to 1965 to increase post-secondary education opportunities for Hispanic students and other student populations underrepresented in post-secondary education; to the Committee on Labor and Human Resources.

THE HIGHER EDUCATION FOR THE 21ST CENTURY ACT

Mr. BINGAMAN. Mr. President, I am glad to be here today to introduce the Higher Education for the 21st Century Act, which is also cosponsored by Senators INOUYE and MURRAY.

THE IMPORTANCE OF IMPROVING POST-SECONDARY EDUCATION FOR HISPANIC AND NATIVE AMERICANS

Improving the quality and availability of postsecondary opportunities for Hispanics and Native Americans is one of my top priorities during the reauthorization of the Higher Education Act.

I was one of the authors and lead supporters of the original Hispanic Serving Institutions proposal that was enacted in 1992.

I also authored the Educational Equity for Land Grant Status Act of 1994, and the Tribally Controlled, Post—Secondary Vocational Institutions Program that helps institutions such as Crownpoint.

EXAMPLES FROM NEW MEXICO

Like others, I have many of these institutions in my state:

Hispanic serving institutions such as Albuquerque Technical Vocational Institute and Santa Fe Community College, and

Tribal colleges such as Crownpoint Institute of Technology, the Southwest Indian Technical institute, and the Institute for American Indian Arts.

As I will describe, these institutions are essential lifelines for so many Hispanic and Native American students who aspire to post-secondary education.

STRONG BIPARTISAN SUPPORT FOR HISPANIC SERVING INSTITUTIONS AND TRIBAL COLLEGES AND UNIVERSITIES

I am also glad to report to that the proposals contained in this legislation has the support of a broad, bipartisan group of members in both the House and Senate, as well as the Administration:

In the last two weeks, 19 Senators from both sides of the aisle joined in sending letters to the Labor Committee expressing their strong support for these goals.

Over 30 Members of the House have joined to cosponsor companion legislation, HR 2495.

The Administration has proposed parallel provisions in its recommendations for the reauthorization of the Higher Education Act.

HOW THE CURRENT TITLE III WORKS

Under current law, there are only limited provisions for HSIs, and no provisions at all for Tribal Colleges.

Title III, called ''Strengthening Institutions'' is intended to provide grants to colleges that serve large populations of low-income and minority students, enabling them to improve the quality of their programs:

There are several special provisions to support Historically Black Colleges;

There is a small provision that allows some HSIs that meet highly restrictive eligibility requirements to receive funds; and

There is no special provision for the particular needs of Tribal Colleges.

STREAMLINING AND EXPANDING HISPANIC SERVING INSTITUTIONS

While they make up only about 3 percent of all colleges and universities, HSIs educate over half of all Hispanic Americans nationwide.

In fact, HSIs account for over 45 percent of the Associate's degrees earned by Hispanics nationwide, and almost 50 percent of Bachelor's degrees.

Though the current HSI program is very successful, there are several aspects that I believe should be improved. This bill would:

Increase the HSI authorization from $45 to $100 million;

Create a new Part C within Title III specifically for HSIs; and,

Eliminate cumbersome and inequitable data collection requirements about parents' educational attainment.

CREATING NEW OPPORTUNITIES FOR TRIBAL COLLEGES AND UNIVERSITIES

This bill also helps tribal colleges and universities (or ''TCUs''), by creating a funding stream that would enable them to compete for similar grants under the Higher Education Act.

At present, there are 30 tribal colleges in 12 states serving over 25,000 students from 200 tribes, which continue to be among the most underfunded institutions of higher education in the nation.

However, Tribal Colleges or Universities have been hampered by a legacy of inadequate and unstable funding, because they do not have large resource bases to draw on and generally do not receive State funding.

This bill:

Creates a new Part D within Title III specifically for TCUs;

Establishes an FY99 authorization level of $50 million; and

Includes ALL tribal colleges—including those land grant institutions such as Crownpoint Institute of Technology that are currently excluded from the Tribal Community Colleges Act.

WHY HSIS AND TCUS NEED THESE PROGRAMS

One of the main reasons these changes are needed has to do with the limited educational opportunities and disproportionately low educational achievement of both Hispanics and Native Americans in most parts of the country.

Over 40 percent of Hispanic students do not complete a bachelor's degree, and 30 percent of young Hispanics have not graduated from high school.

Only 8.9 percent of American Indian and Alaska Native Youth earn 4 year bachelor's degrees or higher academic degrees compared to 20.3% of the Nation as a whole.

This is not to say that there aren't needy students at all types of institutions around the country but simply to point out that American Indian and Hispanic students—and the colleges that educate them—are among the most needy.

UNCLEAR PROGRESS ON THESE ISSUES IN THE LABOR COMMITTEE

Despite the strong support for these changes, it is unclear at present if the House Education Committee or the working group in the Labor Committee will agree to make significant changes.

In the House Education Committee there has been some notable progress, including a new $10 million section for Tribal Colleges and an increased authorization level for HSIs.

However, in recent Labor Committee drafts there have been only minor changes for HSIs, and no action at all to support tribal colleges.

CONCLUSION

This Act contains changes that have tremendous importance both symbolically and substantively that will provide opportunities Congress to lead the way in helping the most needy institutions helping the most disadvantaged students.

Knowing that Senator JEFFORDS and Senator KENNEDY and other members of the Labor Committee are longstanding supporters of tribal colleges and HSIs, I am hoping that the Committee will be persuaded of the need to make these changes.

I urge my colleagues to lend their support to this Act, and call on my friends in the Labor Committee to include these provisions in the reauthorization of the Higher Education Act.

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

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

S. 1796

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Higher Education for the 21st Century Act''.

(b) REFERENCES.—Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed as an amendment or repeal of a section or other provision, the reference shall be considered to be made to that section or provision in the Higher Education Act of 1965 (20 U.S.C. 1001 et seq).

SEC. 2. HISPANIC-SERVING INSTITUTIONS.

(a) IN GENERAL.—Title III (20 U.S.C. 1051 et seq.) is amended—

(1) by redesignating parts C and D (20 U.S.C. 1065 et seq. and 1066 et seq.) as parts E and F, respectively;

(2) by redesignating section 331 (20 U.S.C. 1065) as section 341;

(3) by redesignating sections 351, 352, 353, 354, 356, 357, 358, and 360 (20 U.S.C. 1066, 1067, 1068, 1069, 1069b, 1069c, 1069d, and 1069f) as sections 361, 362, 363, 364, 365, 366, 367, and 368, respectively;

(4) by repealing section 316 (20 U.S.C. 1059c); and

(5) by inserting after part B the following:

''PART C—HISPANIC-SERVING INSTITUTIONS

''SEC. 331. FINDINGS.

''Congress makes the following findings:

''(1) The disparity in educational opportunity between Hispanics and other Americans has become increasingly apparent. Hispanic student participation in higher education has remained basically stagnant with only 8 percent of Hispanic students attending higher education, and with Hispanic students experiencing a high school drop out rate in excess of 30 percent. Hispanics have the lowest college participation rates of any major race or ethnic group and attain degrees at a much lower rate than white students.

''(2) Efforts to correct this severe underrepresentation of Hispanics in postsecondary education have been woefully inadequate. All too often, responses that could be found were targeted too broadly, constructed too narrowly, or underfunded. With the single exception of the Pell Grant program, Federal higher education programs severely underserve Hispanics.

''(3) Hispanic-serving institutions of higher education have contributed significantly to providing equal educational opportunities for Hispanic students, particularly students from low-income and educationally disadvantaged families. Hispanic-serving institutions serve a unique function within the Nation's higher education community. While constituting only 3 percent of the Nation's higher education institutions, they served more than half of all Hispanic students enrolled in postsecondary education.

''(4) Hispanic-serving institutions shoulder the burden of providing high-quality educational opportunities for the fastest growing segment of the Nation's population. This population has the Nation's highest secondary school drop out rate and an exceedingly low level of participation in Federal higher education intervention programs such as Upward Bound. It also has historically been subjected to educational, economic, and political discrimination. Absent the existence of these necessary and critical institutions, Hispanic students would be less likely to have access to the benefits of postsecondary education. However, many Hispanic-serving institutions lack adequate institutional and financial resources to fully meet the growing postsecondary educational needs of this target population.

''(5) Providing financial assistance to eligible Hispanic-serving institutions to enable them to strengthen their institutional, academic, and fiscal resources, and to increase their services for Hispanic and other low-income, educationally disadvantaged students will increase the institutions' viability and self-sufficiency and will enable Hispanic-serving institutions to meet better the critical 21st century needs of the Nation.

''SEC. 332. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary shall provide grants and related assistance to Hispanic-serving institutions to enable such institutions to improve and expand their capacity to serve Hispanic students and other low-income individuals.

''(b) AUTHORIZED ACTIVITIES.—

''(1) TYPES OF ACTIVITIES AUTHORIZED.—Grants awarded under this section shall be used by Hispanic-serving institutions of higher education to assist such institutions to plan, develop, undertake, and carry out programs.

''(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—Such programs may include—

''(A) purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes;

''(B) renovation and improvement in classroom, library, laboratory, and other instructional facilities;

''(C) support of faculty exchanges, and faculty development and faculty fellowships to assist in attaining advanced degrees in their field of instruction;

''(D) curriculum development and academic instruction;

''(E) purchase of library books, periodicals, microfilm, and other educational materials;

''(F) funds and administrative management, and acquisition of equipment for use in strengthening funds management;

''(G) joint use of facilities such as laboratories and libraries; and

''(H) academic tutoring and counseling programs and student support services.

''SEC. 333. GRANTS FOR GRADUATE AND PROFESSIONAL PROGRAMS.

''(a) IN GENERAL.—The Secretary shall provide grants and related assistance to Hispanic-serving institutions with graduate and professional programs to enable such institutions to improve and expand graduate and professional opportunities for Hispanic students and other students underrepresented in graduate education.

''(b) AUTHORIZED ACTIVITIES.—Grants awarded under this section shall be used by Hispanic-serving institutions—

''(1) to recruit Hispanic students and other students underrepresented in graduate education to enroll in graduate and professional programs;

''(2) to provide stipends for such students;

''(3) to increase the capacity of the institution to serve such students by increasing faculty or counselling services for such students; or

''(4) to expand the number of Hispanic and other underrepresented graduate and professional students that can be served by the institution by expanding courses and institutional resources.

''SEC. 334. APPLICATION PROCESS.

''(a) INSTITUTIONAL ELIGIBILITY.—Each Hispanic-serving institution desiring to receive assistance under this part shall submit to the Secretary such enrollment data as may be necessary to demonstrate that the institution is a Hispanic-serving institution as defined in section 336, along with such other data and information as the Secretary may by regulation require.

''(b) APPLICATIONS.—Any institution which is determined by the Secretary to be a Hispanic-serving institution (on the basis of the data and information submitted under subsection (a)) may submit an application for assistance under this part to the Secretary. Such application shall include—

''(1) a 5-year plan for improving the assistance provided by the Hispanic-serving institution to Hispanic students and other low-income individuals; and

''(2) such other information and assurance as the Secretary may require.

''(c) PRIORITY.—With respect to applications for assistance under section 332, the Secretary shall give priority to applications that contain satisfactory evidence that such institution has entered into or will enter into a collaborative arrangement with at least one local educational agency to provide such agency with assistance (from funds other than funds provided under this part) in reducing Hispanic dropout rates, improving Hispanic rates of academic achievement, and increasing the rates at which Hispanic secondary school graduates enroll in higher education.

''SEC. 335. SPECIAL RULE.

''No Hispanic-serving institution that is eligible for and receives funds under this part may receive funds under part A or B during the period for which funds under this part are awarded.

''SEC. 336. DEFINITIONS.

''For purposes of this part:

''(1) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' means an institution of higher education which—

''(A) is an eligible institution under section 312(b);

''(B) at the time of application, has an enrollment of undergraduate full-time equivalent students that is at least 25 percent Hispanic students; and

''(C) provides assurances that not less than 50 percent of its Hispanic students are low-income individuals.

''(2) LOW-INCOME INDIVIDUAL.—The term 'low-income individual' means an individual from a family whose taxable income for the preceding year did not exceed 150 percent of an amount equal to the poverty level determined by using criteria of poverty established by the Bureau of the Census.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 368(a) (as redesignated by subsection (a)(3)) (20 U.S.C. 1069f(a)) is amended—

(1) in paragraph (1)—

(A) by striking ''(A)'' after ''PART A.—'';

(B) by striking ''(other than section 316)''; and

(C) by striking subparagraph (B);

(2) by redesignating paragraph (3) as paragraph (4);

(3) in paragraph (4) (as redesignated by paragraph (2))—

(A) by striking ''C.—'' and inserting ''E.—''; and

(B) by striking ''part C,'' and inserting ''part E,''; and

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

''(3) PART C.—(A) There are authorized to be appropriated to carry out part C (other than section 332), $80,000,000 for fiscal year 1999, and such sums as may be necessary for each of the 4 succeeding fiscal years.

''(B) There are authorized to be appropriated to carry out section 332, $20,000,000 for fiscal year 1999, and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

SEC. 3. AMERICAN INDIAN TRIBAL COLLEGES AND UNIVERSITIES.

(a) AMENDMENT.—Title III (20 U.S.C. 1051 et seq.) is amended by inserting after part C (as added by section 2(a)(5)) the following:

''PART D—STRENGTHENING AMERICAN INDIAN TRIBAL COLLEGES AND UNIVERSITIES

''SEC. 351. FINDINGS AND PURPOSE.

''(a) FINDINGS.—Congress makes the following findings:

''(1) Indian tribes are domestic dependent nations, which exercise inherent sovereign authority over their members and territories, and as governments, Indian tribes have the authority to administer educational institutions.

''(2) Historically, the education system in the United States has encouraged American Indian and Alaska Native students to forgo their Native language and culture in favor of Western language and culture, and those educational practices have been damaging to Indian students and their communities.

''(3) In general, American Indian and Alaska Native youth have a lower economic status than students in the Nation as a whole, and roughly twice as many American Indian and Alaska Native youth live below the poverty line as compared to youth in the general population.

''(4) In general, American Indian and Alaska Native youth have a lower educational attainment level than youth in the Nation as a whole, and only 8.9 percent of American Indian and Alaska Native students earn 4-year bachelor's degrees or higher academic degrees compared to 20.3 percent of the students in the Nation as a whole.

''(5) Tribal Colleges or Universities have been established by tribal governments to make postsecondary educational opportunities available in American Indian communities, including general equivalency diplomas (GED's), remedial instruction, and academic, vocational, and technical programs similar to those offered by public and private colleges and universities.

''(6) In addition, Tribal Colleges or Universities fulfill unique and vitally important missions of preserving, recording, teaching, and fostering Native languages and cultures.

''(7) Tribal Colleges or Universities are well suited to serve American Indian communities because Tribal Colleges or Universities are physically located in the communities that they serve and are attuned to Native languages and cultures.

''(8) Tribal Colleges or Universities have been hampered by a lack of adequate and stable funding resources because, unlike State land-grant institutions, Tribal Colleges or Universities do not have large resource bases to draw on, and Tribal Colleges or Universities generally do not receive State funding. This lack of funding seriously threatens the continued viability of some of these institutions.

''(9) Based on the United States unique trust responsibility to American Indians, financial assistance to establish, support, and strengthen the physical plants, financial management, academic resources, and endowments of the Tribal Colleges or Universities is appropriate to enhance these institutions and to expand the capacity of these institutions to serve American Indian students.

''(b) PURPOSE.—It is the purpose of this part to improve the academic quality, technological capacity, instructional management, and fiscal stability of eligible Tribal Colleges or Universities in order to strengthen the ability of Tribal Colleges or Universities to make a substantial contribution to the higher education resources of the Nation.

''SEC. 352. DEFINITIONS.

''For the purposes of this part—

''(1) the term 'Indian' means a person who is a member of an Indian tribe;

''(2) the term 'Indian tribe' means any Indian or Alaska native tribe, band, nation, pueblo, village, or community that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians;

''(3) the term 'Tribal College or University' means an institution of higher education which is formally controlled, or has been formally sanctioned, or chartered, by the governing body of an Indian tribe or tribes, or which meets the criteria for eligibility set forth in section 354(a); and

''(4) the term 'institution of higher education' means an institution of higher education as defined by section 1201(a), except that clause paragraph (2) of such section shall not be applicable.

''SEC. 353. GRANTS TO INSTITUTIONS; GENERAL AUTHORIZATION AND USE OF FUNDS.

''(a) GRANTS.—From the amounts made available under section 368(a)(4) for any fiscal year, the Secretary shall make grants, to Tribal Colleges or Universities that meet the requirements of subsection (a) of section 354 and have applications approved by the Secretary, to carry out the activity described in subsection (b).

''(b) AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—Grant funds under this section may be used for any of the following purposes:

''(A) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

''(B) Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

''(C) Support of faculty exchanges, faculty development, and faculty fellowships to assist faculty in attaining advanced degrees in their field of instruction.

''(D) Academic instruction in disciplines in which American Indians are underrepresented.

''(E) Purchase of library books, periodicals, and other educational materials, including telecommunications program material.

''(F) Tutoring, counseling, and student service programs designed to improve academic success.

''(G) Funds management, administrative management, and acquisition of equipment for use in strengthening funds management.

''(H) Joint use of facilities, such as laboratories and libraries.

''(I) Establishing or improving a development office to strengthen or improve contributions from alumni and the private sector.

''(J) Establishing or enhancing a program of teacher education designed to qualify students to teach in elementary or secondary schools, with a particular emphasis on teaching American Indian children and youth, that shall include, as part of such program, preparation for teacher certification.

''(K) Establishing community outreach programs which will encourage American Indian elementary school and secondary school students to develop the academic skills and the interest to pursue postsecondary education.

''(L) Investing in the technological improvement of the Tribal College or University's administration of funds made available to students under title IV.

''(M) Other activities proposed in the application submitted pursuant to section 354 that are approved by the Secretary as part of the review and acceptance of such application.

''(2) ENDOWMENT FUND.—

''(A) IN GENERAL.—A Tribal College or University may use not more than 20 percent of the grant funds provided under this part to establish or increase an endowment fund at the institution.

''(B) MATCHING REQUIREMENT.—In order to be eligible to use grant funds in accordance with subparagraph (A), the Tribal College or University shall provide matching funds from non-Federal sources, in an amount equal to not less than 50 percent of the Federal funds used in accordance with paragraph (1), for the establishment or increase of the endowment fund.

''(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a Tribal College or University that proposes to carry out a program that strengthens the technological capabilities of institutions, as determined by the Secretary.

''(d) PLANNING GRANTS.—The Secretary may award a grant under this part to a Tribal College or University for a period of 1 year for the purpose of preparing a technological needs assessment, a plan, and an application for a grant under this section.

''SEC. 354. ELIGIBILITY AND APPLICATIONS.

''(a) ELIGIBILITY.—To be eligible to receive assistance under this part, an institution shall meet the following criteria:

''(1) INSTITUTION.—An institution shall—

''(A) receive assistance under the Tribally Controlled Community College Assistance Act of 1978;

''(B) receive assistance under part H of title III of the Carl D. Perkins Vocational and Applied Technology Education Act;

''(C) receive assistance under the Act of November 2, 1921 (commonly known as the 'Snyder Act') (42 Stat. 208, chapter 115; 25 U.S.C. 13);

''(D) receive assistance under the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act; or

''(E) receive funding under the Equity in Educational Land Grant Status Act of 1994.

''(2) ACCREDITATION.—An institution that is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority for the quality of training offered, or is, according to such an agency or association, making reasonable progress toward accreditation.

''(b) APPLICATION.—Any institution desiring to receive assistance under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may by regulation reasonably require. Each such application shall include—

''(1) a 5-year plan for improving the assistance provided by the Tribal College or University to Indian students, increasing the rates at which Indian secondary school students enroll in higher education, and increasing overall postsecondary retention rates for Indian students; and

''(2) measurable goals for the institution's proposed activities, including a plan for how the institution intends to achieve the goals.

''(c) SPECIAL RULE.—For the purposes of this part, a Tribal College or University that is eligible for and receives funds under this part shall not receive funds under part A during the period for which the funds under this part are awarded.''.

(b) CONFORMING AMENDMENTS.—Part F (as redesignated by section 2(a)(1)) (20 U.S.C. 1066 et seq.) is amended—

(1) in section 361(b)(1) (as redesignated by section 2(a)(3)) (20 U.S.C. 1066(b)(1)), by striking ''part C)'' and inserting ''part E)'';

(2) in section 361(b)(6) (as redesignated by section 2(a)(3)) (20 U.S.C. 1066(b)(6)), by striking ''section 357'' and inserting ''section 366, except that for purposes of part D, paragraphs (2) and (3) of such section shall not apply'';

(3) in section 362 (as redesignated by section 2(a)(3)) (20 U.S.C. 1067), by striking ''part A'' each place the term appears and inserting ''part A, C, or D'';

(4) in section 363(a)(2) (as redesignated by section 2(a)(3)) (20 U.S.C. 1068(a)(2)), by striking ''Native American colleges and universities'' and inserting ''American Indian Tribal Colleges and Universities'';

(5) in section 363(a)(3)(A) (as redesignated by section 2(a)(3)) (20 U.S.C. 1068(a)(3)(A)), by inserting after ''special consideration for grants awarded under part B'' the following: '', and of the types of activities referred to in section 353 that should receive special consideration for grants awarded under parts C and D'';

(6) in section 365(a) (as redesignated by section 2(a)(3)) (20 U.S.C. 1069b(a)), by inserting '', C, or D'' after ''institution eligible under part B'';

(7) in section 366 (as redesignated by section 2(a)(3)) (20 U.S.C. 1069c)—

(A) by striking ''The funds'' and inserting ''(a) IN GENERAL.—''; and

(B) by adding at the end the following new subsection:

''(b) EXCEPTION.—For purposes of part D of this title, paragraphs (2) and (3) of subsection (a) shall not apply.'';

(8) in section 368(a) (as redesignated by section 2(a)(3)) (20 U.S.C. 1069f(a)), by inserting after paragraph (3) (as added by section 2(b)(4)) the following:

''(4) PART D.—There are authorized to be appropriated to carry out part D, $50,000,000 for fiscal year 1999 and such sums as may be necessary for each of the four succeeding fiscal years.''; and

(9) in section 368(e) (as redesignated by section 2(a)(3)) (20 U.S.C. 1069f(e))—

(A) by striking ''(3)'' and inserting ''(4)'';

(B) by striking ''part C'' and inserting ''part E''; and

(C) by striking ''section 331'' and inserting ''section 341''.

ADDITIONAL COSPONSORS

S. 195

At the request of Mrs. HUTCHISON, the names of the Senator from Mississippi [Mr. LOTT], the Senator from Delaware [Mr. BIDEN], the Senator from Idaho [Mr. CRAIG], and the Senator from Pennsylvania [Mr. SPECTER] were withdrawn as cosponsors of S. 195, a bill to abolish the National Endowment for the Arts and the National Council on the Arts.

At the request of Mr. D'AMATO, his name was withdrawn as a cosponsor of S. 195, supra.

S. 351

At the request of Mrs. MURRAY, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 351, a bill to provide for teacher technology training.

S. 567

At the request of Mr. SMITH, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 567, a bill to permit revocation by members of the clergy of their exemption from social security coverage.

S. 614

At the request of Mr. BREAUX, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 614, a bill to amend the Internal Revenue Code of 1986 to provide flexibility in the use of unused volume cap for tax-exempt bonds, to provide a $20,000,000 limit on small issue bonds, and for other purposes.

S. 887

At the request of Ms. MOSELEY-BRAUN, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 887, a bill to establish in the National Service the National Underground Railroad Network to Freedom program, and for other purposes.

S. 1260

At the request of Mr. GRAMM, the names of the Senator from Kansas [Mr. BROWNBACK], the Senator from Arizona [Mr. MCCAIN], and the Senator from Arkansas [Mr. HUTCHINSON] were added as cosponsors of S. 1260, a bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

S. 1283

At the request of Mrs. HUTCHISON, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 1283, a bill to award Congressional gold medals to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred collectively as the ''Little Rock Nine'' on the occasion of the 40th anniversary of the integration of the Central High School in Little Rock, Arkansas.

S. 1334

At the request of Mr. BOND, the name of the Senator from New Jersey [Mr.