

AMENDMENT NO. 2483

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided on the Bingaman amendment numbered 2483, to be followed by a vote on or in relation to the amendment.

AMENDMENT NO. 2483, AS MODIFIED

Mr. BINGAMAN. Mr. President, I ask unanimous consent to send a modification of the amendment to the desk.

The PRESIDING OFFICER. Is there objection?

Mr. SANTORUM. Reserving the right to object, we are still in the process of reviewing the modification. If the Senator can start the debate on the amendment, after we review the modification, we hope we will have no objection to it.

Mr. BINGAMAN. I will be glad to do that, Mr. President.

This amendment is a very simple, straightforward amendment. I really do not understand how anyone can object to it. It simply puts in law a requirement that the States receiving these block grants under the family assistance block grant program that is being established in this legislation—that they develop a plan, a plan for how they are to spend that money. The plan is very general in the requirements for what would be in the plan, but we basically say the same planning requirement that Senator DOLE had proposed for the work force training block grants, that same kind of planning should occur in the case of the family assistance programs. Once a State has its program in place, this amendment, in my view, would help both Federal and State taxpayers and officials evaluate the success of the State programs through State-established goals and benchmarks.

I do not really understand any credible argument against it. The proposal here is very consistent with the provisions specified in the Government Performance and Results Act of 1993, which I know Senator ROTH had a great involvement in, to establish performance-based program management in the Federal Government. This continues to leave the decisionmaking, the substantive decisionmaking, to the States. But under the bill as it presently sits before us, there is virtually no planning required or encouraged or ensured. States need not do any long-range or strategic planning, nor do they need to establish any goals or benchmarks. There is no accountability to State or Federal taxpayers as to those goals actually being achieved.

We are talking, in this legislation, about block grants that add up to something over \$16.8 billion in Federal money each year. In my view, it is not unreasonable for us, as stewards of that Federal money, to at least ask for a written document that explains how it is to be spent.

So that is the essence of the amendment. I ask the manager of the bill if

he has had a chance to review the modification and if he sees a problem with it? If not, I ask unanimous consent, again, I be allowed to modify the amendment.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SANTORUM. We have no objection to the request. In fact, as the Senator has modified his amendment, we would be willing to accept the amendment without a rollcall vote.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2483), as modified, is as follows:

On page 12, between lines 22 and 23, insert the following:

“(2) FAMILY ASSISTANCE PROGRAM STRATEGIC PLAN.—

“(A) IN GENERAL.—A single comprehensive State Family Assistance Program Strategic Plan (hereafter referred to in this section as the ‘State Plan’) describing a 3-year strategic plan for the statewide program designed to meet the State goals and reach the State benchmarks for program activities of the family assistance program.

“(B) CONTENTS OF THE STATE PLAN.—The State plan shall include:

“(i) STATE GOALS.—A description of the goals of the 3-year plan, including outcome related goals of and benchmarks for program activities of the family assistance program.

“(ii) CURRENT YEAR PLAN.—A description of how the goals and benchmarks described in clause (i) will be achieved, or how progress toward the goals and benchmarks will be achieved, during the fiscal year in which the plan has been submitted.

“(iii) PERFORMANCE INDICATORS.—A description of performance indicators to be used in measuring or assessing the relevant output service levels and outcomes of relevant program activities.

“(iv) EXTERNAL FACTORS.—Information on those key factors external to the program and beyond the control of the State that could significantly affect the attainment of the goals and benchmarks.

“(v) EVALUATION MECHANISMS.—Information on a mechanism for conducting program evaluation, to be used to compare actual results with the goals and benchmarks and designate the results on a scale ranging from highly successful to failing to reach the goals and benchmarks of the program.

“(vi) MINIMUM PARTICIPATION RATES.—Information on how the minimum participation rates specified in section 404 will be satisfied.

“(vii) ESTIMATE OF EXPENDITURES.—An estimate of the total amount of State or local expenditures under the program for the fiscal year in which the plan is submitted.

Mr. BINGAMAN. Mr. President, I appreciate that willingness to accept the modified amendment. If that concludes debate on this issue, I suggest we go to a vote.

Mr. SANTORUM. I yield the remainder of my time.

Mr. BINGAMAN. I yield the remainder of my time as well.

The PRESIDING OFFICER. All time is yielded back. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 2483), as modified, was agreed to.

AMENDMENT NO. 2484

The PRESIDING OFFICER. Under the previous order, there will now be 10

minutes of debate equally divided on Bingaman amendment No. 2484, to be followed by a vote on or in relation to the amendment.

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, this amendment, amendment No. 2484, I gather, is at the desk. I will not ask it be read. Let me explain briefly what the amendment does.

The amendment simply provides that we will make our bill, this bill that Senator DOLE has proposed here, consistent with the House legislation on welfare reform in that we would provide \$100 million for each of fiscal years 1997 through the year 2000 to States to help them provide treatment for drug addiction and alcoholism.

Let me review the situation we have as I understand it and then invite any correction if the manager of the bill or anybody else would like to correct my impression.

This morning I put together a very simple chart which demonstrates my skill at calligraphy, but also, I think, makes the point I am trying to get at here. These, as I understand it, are proposed losses in Federal funds for drug and alcohol treatment, prevention and education, assuming this legislation is passed and assuming we go forward with other budget cuts that are contemplated.

Let me specify how I get the figures. As I understand it, the legislation we have here proposes to eliminate any funds for beneficiaries under SSI who are there by virtue of having a drug or alcohol abuse problem. So they are no longer eligible to receive SSI benefits. That is estimated to save the taxpayers \$300 million.

Payments to RMA's are also eliminated. These are the organizations, as I understand it, that provide services and do monitoring of the problems that alcoholics and drug abusers have throughout the country. That is \$100 million.

We are eliminating Medicaid eligibility for alcoholics and drug abusers. That is another \$100 million.

Then there are a series of cuts which I am informed have been voted by the Appropriations Committee, the Labor, HHS, Education Appropriations Committee, on Wednesday. I assume those will be agreed to here when they come to the full Senate. Those amount to \$108 million cut in substance abuse block grant funding, \$100 million in drug treatment demonstration programs, \$29 million in drug abuse prevention demonstrations, and \$166 million in drug-free school money which will be eliminated. The alcohol and other health programs that Health and Human Services runs we are cutting by \$242 million.

So the total reduction in Federal support to States and to beneficiaries in this area of drug and alcohol treatment prevention and education is \$1.345 billion this next year.

Mr. President, I have concerns about that kind of drastic cut. The amendment I have offered will try to help resolve some of that by at least adding in \$100 million. The \$100 million is a very, very small part of what is being lost. I think that is obvious to everybody. At least it is a good-faith effort. As I understand the agreement that has been worked out between the leadership on the Republican side and the leadership on the Democratic side, the intent is to add in \$25 million a year to offset the \$1.345 billion which is being lost. To my mind, that is not a credible effort by the Senate and it is not adequate to what we are doing. So all I am saying is, let us at least do what the House of Representatives did, let us at least provide \$100 million additional funds for substance abuse block grants in this next fiscal year and each year during the time this legislation is in law.

The issue here is not just whether you like people who are beneficiaries of this. The issue is how this impacts on the criminal problems we face in the country. I have a press release here from the Department of Justice. This is August 9.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BINGAMAN. Mr. President, I ask unanimous consent to speak for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. SANTORUM. I yield the Senator 3 minutes.

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

Mr. BINGAMAN. Mr. President, this press release from the Department of Justice, dated August 9, is entitled, "The Nation's Prison Population Grew Almost 9 Percent Last Year." When you read over on page 3 of this it says: More than a quarter of State and Federal inmates were imprisoned for drug offenses, that is 234,600 prisoners in 1993. Prisoners serving a drug sentence increased from 8 percent of the State and Federal prison population in 1980 to 26 percent in 1993. In Federal prisons—this is a startling statistic; people really should focus on this—inmates sentenced for drug law violations were the single largest group. Sixty percent in 1993 of the prisoners in our Federal prisons were there for drug law violations. That was up from 25 percent in 1980.

When you look into how we deal with the problem of more and more people going into prisons for drug offenses, the solution is in this area. The solution is in treatment, prevention, and education.

There is a publication which recently came out by the National Association of State Alcohol and Drug Abuse Directors which makes a very compelling case, that where we put these people in treatment, the incidence of criminal activity reduces very substantially. In my home State of New Mexico, they have estimated that the rate of DWI arrests in the year before treatment

was 27.8 percent in the group that received treatment, while in the 1-year post-treatment period, the rate was 9.8 percent. That is an enormous reduction.

I know that the majority leader is concerned about how it impacts on his State. The report I am referring to says that Kansas has reported a reduction in legal problems on the addiction severity index comparison data between admission and discharge for 2,700 of its clients who received treatment services in fiscal year 1993. Between admission and discharge, there was a 35 percent decrease in the severity of legal problems for clients in treatment.

Mr. President, if we are serious about dealing with the crime problem, we need to maintain some level of funding here. My amendment simply provides \$100 million in funding to offset the \$1.3 billion which is contemplated in this legislation and in the appropriations bill that I referred to.

I know that people are concerned about not spending too much money. Mr. President, this is a good investment. If we do not spend the money here, we will be spending it down the road in building more prison cells. That is the tradeoff, and I believe very strongly that we ought to at least support the House level of expenditure for this drug and alcohol treatment prevention and education.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SANTORUM. Mr. President, we are still working on this amendment, I think, between the two leaders. And if we could set this amendment aside temporarily and allow—I believe the Senator from Illinois is somewhere on the floor and may be willing to bring up his amendment at this point, and we will see if we can work this out.

Mr. BINGAMAN. Mr. President, I have no objection. I believe the Senator from Maine, Senator COHEN, wanted to speak for a few moments.

Mr. SANTORUM. There is time remaining on our side. We could allocate 2 minutes.

Mr. BINGAMAN. I have no objection to putting the amendment aside under those circumstances.

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

Under the previous order, there will now be 10 minutes of debate equally divided on the Simon amendment No. 2468, to be followed by a vote on or in relation to the amendment.

Mr. SANTORUM. Mr. President, I see the Senator from Illinois is here. I would allow him to proceed with his amendment.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2468, AS MODIFIED

Mr. SIMON. Mr. President, I ask unanimous consent to modify the amendment 2468.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

At the appropriate place, insert the following new title:

**TITLE —COMMUNITY WORKS PROGRESS ACT**

**SEC. 00. SHORT TITLE.**

This title may be cited as the "Community Works Progress Act".

**SEC. 01. FUNDING FOR COMMUNITY WORKS PROGRESS PROGRAMS.**

(a) AUTHORIZATION FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.—There is authorized \$240,000,000 for a demonstration Community Works Progress Administration up to \$240,000,000 of the amounts authorized under this section may be used for the purpose of paying grants beginning with fiscal years after fiscal year 1997 to States for the operation of community works progress programs. Such amounts shall be paid to States in accordance with the requirements of this title and shall not be subject to any requirements of part A of title IV of the Social Security Act.

(b) LIMITATIONS ON COSTS.—

(1) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amount of each grant awarded to a State may be used for administrative expenses.

(2) COMPENSATION AND SUPPORTIVE SERVICES.—Not less than 70 percent of the amount of each grant awarded to a State may be used to provide compensation and supportive services to project participants.

(3) WAIVER OF COST LIMITATIONS.—The limitations under paragraphs (1) and (2) may be waived for good cause, as determined appropriate by the Secretary.

(c) AMOUNTS REMAINING AVAILABLE FOR STATE FAMILY ASSISTANCE GRANTS.—Any amounts appropriated for making grants under this title for a fiscal year under section 403(a)(4)(A)(i) of the Social Security Act (42 U.S.C. 603(a)(2)(A)(4)(A)(i)) that are not paid as grants to States in accordance with this title in such fiscal year shall be available for making State family assistance grants for such fiscal year in accordance with subsection (a)(1) of such section.

**SEC. 01A. ESTABLISHMENT.**

In the case of any fiscal year after fiscal year 1997, the Secretary of Labor (hereafter referred to in this title as the "Secretary") shall award grants to 4 States for the establishment of community works progress programs.

**SEC. 02. DEFINITIONS.**

For purposes of this title:

(1) COMMUNITY WORKS PROGRESS PROGRAM.—The terms "community works progress program" and "program" mean a program designated by a State under which the State will select governmental and nonprofit entities to conduct community works progress projects which serve a significant public purpose in fields such as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, and child care.

(2) COMMUNITY WORKS PROGRESS PROJECT.—The terms "community works progress project" and "project" mean an activity conducted by a governmental or nonprofit entity that results in a specific, identifiable service or product that, but for this title, would not otherwise be done with existing funds and that supplements but does not supplant existing services.

(3) NONPROFIT ENTITY.—The term "nonprofit entity" means an organization—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from taxation under section 501(a) of such Code.

**SEC. \_\_\_03. APPLICATIONS BY STATES.**

(a) IN GENERAL.—Each State desiring to conduct, or to continue to conduct, a community works progress program under this title shall submit an annual application to the Secretary at such time and in such manner as the Secretary shall require. Such application shall include—

(1) identification of the State agency or agencies that will administer the program and be the grant recipient of funds for the State, and

(2) a detailed description of the geographic area in which the project is to be carried out, including such demographic and economic data as are necessary to enable the Secretary to consider the factors required by subsection (b).

**(b) CONSIDERATION OF APPLICATIONS.—**

(1) IN GENERAL.—In reviewing all applications received from States desiring to conduct or continue to conduct a community works progress program under this title, the Secretary shall consider—

(A) the unemployment rate for the area in which each project will be conducted,

(B) the proportion of the population receiving public assistance in each area in which a project will be conducted,

(C) the per capita income for each area in which a project will be conducted,

(D) the degree of involvement and commitment demonstrated by public officials in each area in which projects will be conducted,

(E) the likelihood that projects will be successful,

(F) the contribution that projects are likely to make toward improving the quality of life of residents of the area in which projects will be conducted,

(G) geographic distribution,

(H) the extent to which projects will encourage team approaches to work on real, identifiable needs,

(I) the extent to which private and community agencies will be involved in projects, and

(J) such other criteria as the Secretary deems appropriate.

**(2) INDIAN TRIBES AND URBANIZED AREAS.—**

(A) IN GENERAL.—The Secretary shall ensure that—

(i) one grant under this title shall be awarded to a State that will conduct a community works progress project that will serve one or more Indian tribes; and

(ii) one grant under this title shall be awarded to a State that will implement a community works progress project in a city that is within an Urbanized Area (as defined by the Bureau of the Census).

(B) INDIAN TRIBE.—For purposes of this paragraph, the term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C.A. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(c) MODIFICATION TO APPLICATIONS.—If changes in labor market conditions, costs, or other factors require substantial deviation from the terms of an application approved by the Secretary, the State shall submit a modification of such application to the Secretary.

**SEC. \_\_\_04. PROJECT SELECTION BOARD.**

(a) ESTABLISHMENT.—Each State that receives a grant under this title shall establish a Project Selection Board (hereafter referred to as the "Board") in the geographic area or areas identified by the State under section \_\_\_03(b)(2).

**(b) MEMBERSHIP.—**

(1) IN GENERAL.—Each Board shall be composed of 13 members who shall reside in the geographic area identified by the State under section \_\_\_03(b)(2). Subject to paragraph (2), the members of the Board shall be appointed by the Governor of the State in consultation with local elected officials in the geographic area.

(2) REPRESENTATIVES OF BUSINESS AND LABOR ORGANIZATIONS.—The Board—

(A) shall have at least one member who is an officer of a recognized labor organization; and

(B) shall have at least one member who is a representative of the business community.

(c) DUTIES OF THE BOARD.—The Board shall—

(1) recommend appropriate projects to the Governor;

(2) select a manager to coordinate and supervise all approved projects; and

(3) periodically report to the Governor on the project activities in a manner to be determined by the Governor.

(d) VETO OF A PROJECT.—One member of the Board who is described in subparagraph (A) of subsection (b)(2) and one member of the Board who is described in subparagraph (B) of such subsection shall have the authority to veto any proposed project. The Governor shall determine which Board members shall have the veto authority described under this subsection.

(e) TERMS AND COMPENSATION OF MEMBERS.—The Governor shall establish the terms for Board members and specify procedures for the filling vacancies and the removal of such members. Any compensation or reimbursement for expenses paid to Board members shall be paid by the State, as determined by the Governor.

**SEC. \_\_\_05. PARTICIPATION IN PROJECTS.**

(a) IN GENERAL.—To be eligible to participate in projects under this title, an individual shall be—

(1) receiving, eligible to receive, or have exhausted unemployment compensation under an unemployment compensation law of a State or of the United States,

(2) receiving, eligible to receive, or at risk of becoming eligible to receive, assistance under a State program funded under part A of title IV of the Social Security Act,

(3) a noncustodial parent of a child who is receiving assistance under a State program funded under part A of title IV of the Social Security Act,

(4) a noncustodial parent who is not employed, or

(5) an individual who—

(A) is not receiving unemployment compensation under an unemployment compensation law of a State or of the United States;

(B) if under the age of 20 years, has graduated from high school or is continuing studies toward a high school equivalency degree;

(C) has resided in the geographic area in which the project is located for a period of at least 60 consecutive days prior to the awarding of the project grant by the Secretary; and

(D) is a citizen of the United States.

(b) WORK ACTIVITY UNDER BLOCK GRANTS FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.—For purposes of section 404(c)(3) of the Social Security act, as added by section 101(b) of this Act, the term "work activity" includes participation in a community works progress program.

**SEC. \_\_\_06. MANDATORY PARTICIPATION.**

Able-bodied individuals who reside in a project area and who have received assistance under a State program funded under part A of title IV of the Social Security Act for more than 5 weeks shall be required to participate in a project unless—

(1) the project has no available placements; or

(2) the individual is a single custodial parent caring for a child age 5 or under and has a demonstrated inability to obtain needed child care, for 1 or more of the following reasons:

(A) Unavailability of appropriate child care within a reasonable distance of the individual's home or work site.

(B) Unavailability or unsuitability of informal child care by a relative or under other arrangements.

(C) Unavailability of appropriate and affordable formal child care arrangements.

**SEC. \_\_\_07. HOURS AND COMPENSATION.**

(a) DETERMINATION OF COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), project participants in a community works progress project shall be paid the applicable Federal or State minimum wage, whichever is greater.

(2) EXCEPTIONS.—If a participant in a community works progress project is—

(A) eligible for benefits under a State program funded under part A of title IV of the Social Security Act and such benefits exceed the amount described in paragraph (1), such participant shall be paid an amount that exceeds by 10 percent of the amount of such benefits; or

(B) eligible for benefits under an unemployment compensation law of a State or the United States such benefits exceed the amount described in paragraph (1), such participant shall be paid an amount that exceeds by 10 percent the amount of such benefits.

(b) WORK REQUIREMENTS RELATED TO PARTICIPATION.—

(1) IN GENERAL.—

(A) MAXIMUM HOURS.—In order to assure that each individual participating in a project will have time to seek alternative employment or to participate in an alternative employability enhancement activity, no individual may work as a participant in a project under this title for more than 32 hours per week.

(B) REQUIRED JOB SEARCH ACTIVITY.—Individuals participating in a project who are not receiving assistance under a State program funded under part A of title IV of the Social Security Act or unemployment compensation under an unemployment compensation law of a State or of the United States shall be required to participate in job search activities on a weekly basis.

(c) COMPENSATION FOR PARTICIPANTS.—

(1) PAYMENTS OF ASSISTANCE UNDER A STATE PROGRAM FUNDED UNDER PART A OF TITLE IV AND UNEMPLOYMENT COMPENSATION.—Any State agency responsible for making a payment of benefits to a participant in a project under a State program funded under part A of title IV of the Social Security Act or under an unemployment compensation law of a State or of the United States may transfer such payment to the governmental or nonprofit entity conducting such project and such payment shall be made by such entity to such participant in conjunction with any payment of compensation made under subsection (a).

(2) TREATMENT OF COMPENSATION OR BENEFITS UNDER OTHER PROGRAMS.—

(A) HIGHER EDUCATION ACT OF 1965.—In determining any grant, loan, or other form of assistance for an individual under any program under the Higher Education Act of 1965, the Secretary of Education shall not take into consideration the compensation and benefits received by such individual under this section for participation in a project.

(B) RELATIONSHIP TO OTHER FEDERAL BENEFITS.—Notwithstanding any other provision of law, any compensation or benefits received by an individual under this section for

participation in a community works progress project shall be excluded from any determination of income for the purposes of determining eligibility for benefits under a State program funded under part A of title IV, title XVI, and title XIX of the Social Security Act, or any other Federal or federally assisted program which is based on need.

(3) SUPPORTIVE SERVICES.—Each participant in a project conducted under this title shall be eligible to receive, out of grant funds awarded to the State agency administering such project, assistance to meet necessary costs of transportation, child care, vision testing, eyeglasses, uniforms and other work materials.

**SEC. 08. ADDITIONAL PROGRAM REQUIREMENTS.**

(a) NONDUPLICATION AND NONDISPLACEMENT.—

(1) NONDUPLICATION.—

(A) IN GENERAL.—Amounts from a grant provided under this title shall be used only for a project that does not duplicate, and is in addition to, an activity otherwise available in the State or unit of general local government in which the project is carried out.

(B) NONPROFIT ENTITY.—Amounts from a grant provided to a State under this title shall not be provided to a nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency in which such entity resides, unless the requirements of paragraph (2) are met.

(2) NONDISPLACEMENT.—

(A) IN GENERAL.—A governmental or nonprofit entity shall not displace any employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such entity of a participant in a project funded by a grant under this title.

(B) LIMITATION ON SERVICES.—

(i) DUPLICATION OF SERVICES.—A participant in a project funded by a grant under this title shall not perform any services or duties or engage in activities that would otherwise be performed by any employee as part of the assigned duties of such employee.

(ii) SUPPLANTATION OF HIRING.—A participant in a project funded by a grant under this title shall not perform any services or duties or engage in activities that will supplant the hiring of other workers.

(iii) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in a project funded by a grant under this title shall not perform services or duties that have been performed by or were assigned to any presently employed worker, employee who recently resigned or was discharged, employee who is subject to a reduction in force, employee who is on leave (terminal, temporary, vacation, emergency, or sick), or employee who is on strike or who is being locked out.

(b) FAILURE TO MEET REQUIREMENTS.—The Secretary may suspend or terminate payments under this title for a project if the Secretary determines that the governmental or nonprofit entity conducting such project has materially failed to comply with this title, the application submitted under this title, or any other terms and conditions of a grant under this title agreed to by the State agency administering the project and the Secretary.

(c) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—Each State conducting a community works progress program or programs under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants in any project conducted under such program, labor organizations, and other interested individuals concerning such program, including grievances regarding proposed place-

ments of such participants in projects conducted under such program.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance under this paragraph shall be filed not later than 6 months after the date of the alleged occurrence of the event that is the subject of the grievance.

(d) TESTING AND EDUCATION REQUIREMENTS.—

(1) TESTING.—Each participant in a project shall be tested for basic reading and writing competence prior to employment under such project.

(2) EDUCATION REQUIREMENT.—

(A) FAILURE TO SATISFACTORILY COMPLETE TEST.—Participants who fail to complete satisfactorily the basic competency test required in paragraph (1) shall be furnished counseling and instruction. Those participants who lack a marketable skill must attend a technical school or community college to acquire such a skill.

(B) LIMITED ENGLISH.—Participants with limited English speaking ability may be furnished such instruction as the governmental or nonprofit entity conducting the project deems appropriate.

(e) COMPLETION OF PROJECTS.—

(1) IN GENERAL.—A governmental or nonprofit entity conducting a project or projects under this title shall complete such project or projects within the 2-year period beginning on a date determined appropriate by such entity, the State agency administering the project, and the Secretary.

(2) MODIFICATION.—The period referred to in paragraph (1) may be modified in the discretion of the Secretary upon application by the State in which a project is being conducted.

**SEC. 09. EVALUATIONS AND REPORTS.**

(a) BY THE STATE.—Each State conducting a community works progress program or programs under this title shall conduct ongoing evaluations of the effectiveness of such program (including the effectiveness of such program in meeting the goals and objectives described in the application approved by the Secretary) and, for each year in which such program is conducted, shall submit an annual report to the Secretary concerning the results of such evaluations at such time, and in such manner, as the Secretary shall require. The report shall incorporate information from annual reports submitted to the State by governmental and nonprofit entities conducting projects under the program. The report shall include an analysis of the effect of such projects on the economic condition of the area, including their effect on welfare dependency, the local crime rate, general business activity (including business revenues and tax receipts), and business and community leaders' evaluation of the projects' success. Up to 2 percent of the amount granted to a State may be used to conduct the evaluations required under this subsection.

(b) BY THE SECRETARY.—The Secretary shall submit an annual report to the Congress concerning the effectiveness of the community works progress programs conducted under this title. Such report shall analyze the reports received by the Secretary under subsection (a).

**SEC. 10. EVALUATION.**

Not later than October 1, 2000, the Secretary shall submit to the Congress a comprehensive evaluation of the effectiveness of community works progress programs in reducing welfare dependency, crime, and teenage pregnancy in the geographic areas in which such programs are conducted.

Mr. SIMON. Mr. President, this is an amendment offered by Senator BROWN, Senator REID, and myself. This is an

amendment which would authorize, but not have a set-aside, four demonstration WPA-type projects where people would be on welfare only 5 weeks. After 5 weeks, like the WPA, the local people would pick the projects. They would have to work 4 days a week at the minimum wage. The fifth day they would have to be out trying to find a job in the private sector.

Why this is important is there is a tendency that is not going to change for the demand for unskilled labor to go down, and an awful lot of people on welfare are these people who are unskilled. We are going to pay people ultimately either for being productive or nonproductive. I think it makes much more sense to pay them for being productive.

And this is an amendment, I might add, that was passed last year. And I say to the Presiding Officer that the chief sponsor was Senator Boren. I was a cosponsor, as was Senator REID, and I think a few others on the other side also.

The idea is, let us have a demonstration. Let us see what we can do if we try this. What is going to happen—and this would be a voluntary thing—to the numbers if everyone after 5 weeks is required to work but is paid at minimum wage.

I would hope this would be accepted. It was accepted by voice vote a year ago. But if it is not accepted, I would require a vote on it.

Let me just add one other point while we are talking, Mr. President. We have heard a lot about teenage pregnancy. I took some counties in Illinois, and you see a direct correlation between teenage pregnancy and the number of people working.

The counties in California with a population over 250,000 get the same statistics. The same pattern is here.

If we really want to do something about teenage pregnancy, if we can put people to work—and I think it is not simply that they are occupied; I think it is that they have the spark of hope. Teenage pregnancy frequently comes with hopelessness. Anyway, I think it is a worthwhile experiment. I would hope we could move in this direction, and I am pleased to have some supporters on that side of the aisle as well as this side of the aisle.

I hope that we can accept this. I would be happy to answer any questions. Otherwise, I would yield the floor at this point.

Mr. SANTORUM. Mr. President, my understanding is the chairman of the Labor Committee, Senator KASSEBAUM, is still opposed to this amendment even in the modified form. It sets up a demonstration project with \$240 million in four States. I know the Senator from Kansas believes that there is adequate money under AmeriCorps and other programs existing for these kinds of projects to occur.

I do not believe the Senator will be able to make it here to debate that. But my understanding is that we object to the amendment.

Mr. SIMON. Mr. President, again, I would hope that this would be acceptable. I understand that it will require a vote now.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SANTORUM. Mr. President, I yield the remainder of my time.

Mr. SIMON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 53 seconds remaining.

Mr. SIMON. Mr. President, let me just add one other point. We talked a lot on the floor in the Senate about the crime problem. My instinct is, if we guarantee jobs to people and require work—not just guarantee but require work—we will see a change in the crime rate.

You show me an area of high unemployment—black, Hispanic, white, whatever the area—and I will show you an area of high crime. I think this makes sense. I hope it could be accepted by the body.

Mr. President, I yield the remainder of my time.

The PRESIDING OFFICER. Is all time yielded back?

Mr. SANTORUM. Mr. President, we would like to stack a couple of votes, and I see the Senator from Minnesota is here to debate his two amendments. We have one amendment I believe of the Senator from Minnesota we can agree to related to agriculture. The second one will require a vote. And then we still have outstanding the Bingham amendment which may require a vote.

How long will the Senator from Minnesota need on his first amendment on agriculture?

Mr. WELLSTONE. Mr. President, I would say to the Senator from Pennsylvania that I can do this in less than 5 minutes.

Mr. SANTORUM. And on the second amendment there will be 10 minutes equally divided? Ten minutes equally divided on the second amendment?

Mr. WELLSTONE. Mr. President, that is fine.

Mr. SANTORUM. Why not have the first vote at around 10 o'clock.

I would ask unanimous consent that the Simon amendment vote be postponed until 10 o'clock.

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

Mr. WELLSTONE. Mr. President, I wonder whether I could just—I am ready to go—suggest the absence of a quorum for 30 seconds.

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.

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

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

AMENDMENT 2503, AS MODIFIED

Mr. WELLSTONE. Mr. President, I send an amendment as modified to the desk.

The PRESIDING OFFICER. Is there objection to the modification? Without objection, the amendment is modified.

The amendment (No. 2503), as modified, is as follows:

On page 229, between lines 13 and 14, insert the following:

“(4) SUNSET OF ELECTION UPON INCREASE IN NUMBER OF HUNGRY CHILDREN.—

“(A) FINDINGS.—The Congress finds that—

“(i) on March 29, 1995 the Senate adopted a resolution stating that Congress should not enact or adopt any legislation that will increase the number of children who are hungry;

“(ii) it is not the intent of this bill to cause more children to be hungry;

“(iii) the Food Stamp Program serves to prevent child hunger; and

“(iv) a State's election to participate in the optional state food assistance block grant program should not serve to increase the number of hungry children in that State.

“(B) SUNSET.—If the Secretary of Health and Human Services makes two successive findings that the hunger rate among children in a State is significantly higher in a State that has elected to participate in a program established under subsection (a) than it would have been had there been no such election, 180 days after the second such finding such election shall be permanently and irreversibly revoked and the provisions of paragraphs (1) and (2) shall not be applicable to that State.

“(C) PROCEDURE FOR FINDING BY SECRETARY.—In making the finding described in subparagraph (B), the Secretary shall adhere to the following procedure:

“(i) Every three years, the Secretary shall develop data and report to Congress with respect to each State that has elected to participate in a program established under subsection (a) whether the child hunger rate in such State is significantly higher than it would have been had the State not made such election.

“(ii) The Secretary shall provide the report required under clause (i) to all States that have elected to participate in a program established under subsection (a), and the Secretary shall provide each State for which the Secretary determined that the child hunger rate is significantly higher than it would have been had the State not made such election with an opportunity to respond to such determination.

“(iii) If the response by a State under clause (ii) does not result in the Secretary reversing the determination that the child hunger rate in that State is significantly higher than it would have been had the State not made such election, then the Secretary shall publish a finding as described in subparagraph (B).”

Mr. WELLSTONE. Mr. President, there is some history to this amendment, and I am very pleased it has been accepted.

The history is this. Early on in this session, I came to the floor with a sense of the Senate that we would go on record saying we would take no action which could increase hunger or malnutrition among children in America. That amendment was defeated several times but then finally passed.

I believe the Senate is now on record on that question.

What this amendment says is that every 3 years, if we are going to block

grant food stamps, Health and Human Services develops data on child hunger for each State that gets food stamps as a block grant.

What we want to look at is whether or not, after moving to block grants, the malnutrition and hunger among children goes up. HHS reports back the data to Congress and also sends a report out to the States and gives States a chance to respond. But if Health and Human Services finds out, based upon this survey—and it is two 3-year increments, as a matter of fact—States have gone to block granting and what has happened is you have seen an increase in hunger among children, then in fact it is no longer a block grant and it goes back to the Federal Food Stamp Program with the national standards.

Mr. President, I think this is a kind of proof-in-the pudding amendment. If in fact there are no problems, then there are no problems, and I certainly would assume that is exactly what Senators hope for.

My view is that we could very well be making a terrible mistake. My view is that we are coming very close, or we have I think moved away from a fundamental idea that there is a minimal role for the Federal Government in making sure that every child in America, no matter how poor, no matter from what family, no matter in what region of the United States of America, has some minimal level of assistance. This is an amendment that I think provides some check on that.

I thank my colleagues on the other side for accepting this amendment, and I urge its approval.

The PRESIDING OFFICER. Does the Senator yield back his time?

Mr. WELLSTONE. I would be pleased to.

Mr. SANTORUM. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to amendment 2503, as modified.

The amendment (No. 2503), as modified, was agreed to.

Mr. WELLSTONE. Mr. President, I move to reconsider the vote.

Mr. SANTORUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2505

Mr. SANTORUM. Mr. President, I think we now move to the next Wellstone amendment and the Senator should proceed.

The PRESIDING OFFICER. Under a previous order, there will now be 10 minutes of debate equally divided on the Wellstone amendment No. 2505 to be followed by a vote on or in relation to the amendment.

Mr. WELLSTONE. Mr. President, I call up amendment 2505.

Mr. President, I think the best way for me to proceed on this—and I must say to my colleagues, I am actually puzzled; this is the amendment that I thought would be accepted without any

question—is to let me go through the findings.

Findings. The potential loss of Medicaid coverage represents a large disincentive for welfare recipients to accept jobs that offer no health insurance.

Mr. President, we all know that one of the problems when a mother wants to move from welfare to workfare is that quite often without any kind of transitional support from Medicaid she is worse off than she was before and just as importantly her children are worse off. Please remember, of the 15 million AFDC population, 9 million are children.

Whereas thousands of the Nation's employers continue to find the cost of health care out of reach; whereas the percentage of working people who receive health insurance from their employer has dipped to its lowest point since the 1980's; and whereas children are the largest proportion of the increase in the number of uninsured in recent years, it is the sense of the Senate . . .

I am really puzzled by the opposition. I would say this to Senators, that any Medicaid reform enacted by the Senate this year should require that States continue to provide Medicaid for 12 months to families that lose eligibility for welfare benefits because of more earnings or hours of employment.

Mr. President, we have said in this health care reform bill that we will have an extension of Medicaid for a year. This sense-of-the-Senate amendment just says the Senate will do what it says it is going to do.

I do not understand how there could be any opposition to this amendment. We have said that real welfare reform means there has to be this transition and there are all these proposed cuts in Medicaid. And so what this amendment just says is look, when we take up Medicaid separately, we go on record that the Senate will make sure that with that Medicaid funding there will be 1 year of transitional support.

I say to all of my colleagues, Democrats and Republicans alike, we cannot have it both ways. We cannot say that we are in favor of and we know we must provide some transitional coverage so that women and children are not in worse shape because of reform, and make a commitment to do that and now vote against the sense-of-the-Senate amendment that says we will do what we said we were going to do.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 2½ minutes.

Mr. WELLSTONE. I will reserve the remainder of my time to maybe get a sense—I am puzzled why this amendment has not been accepted.

Mr. SANTORUM addressed the Chair. The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, the opposition on this side lies in the fact that right now we are in negotiations trying to deal with the problem of Medicaid and trying to come up with solutions that will provide services, health care services to the poor in our country

and at the same time come within the reconciliation targets that are set. And we believe that if one of the options that is available to us, as has been discussed openly, is the idea of a block grant. A block grant would in fact give flexibility to the States to design their own program. And we would not be able in that situation to guarantee a transitional benefit.

So, what we want to do is maintain the flexibility for us to deal with this issue in a way that the Senate can come together to try to provide these services, health care services for the poor in our society. And one of the options on the table that we do not obviously want to foreclose is the option of doing a block grant to States to have them provide services. In fact, what we have seen in States that have gotten waivers, which would, in a sense, be similar to a block grant, States like Tennessee where we have seen a dramatic increase in the number of people covered—the Senator from Tennessee, who I do not know if he is around or on the floor, but Senator FRIST was one of the principal architects of the Tenn care plan that provided this flexibility, this flexibility from the Federal level, but allowed Tennessee to redesign their Medicaid Program to cover more people. In fact, more people are covered under Medicaid now in Tennessee and at less cost.

So we have seen State experiments that have worked in reducing health care costs and covering more people on Medicaid. And we do not want to foreclose that option for States to be able to do that in the future. And that is the reason we oppose the amendment.

Mr. WELLSTONE. Will the Senator yield for a question?

The PRESIDING OFFICER. Will the Senator yield?

Mr. SANTORUM. Yes.

Mr. WELLSTONE. Is the Senator saying there is a possibility that we would rescind what we have stated is a major provision of this welfare reform bill, namely, the requirement that States extend the Medicaid coverage for a year? Is that what the Senator is saying, that we may very well rescind what we have now passed?

Mr. SANTORUM. I think the Senator from Minnesota knows very well there are discussions with respect to Medicaid and those discussions should not be foreclosed by action taken by the Senate.

Mr. WELLSTONE. Well, Mr. President, then what my colleague from Pennsylvania has said is that this amendment—

The PRESIDING OFFICER. Does the Senator yield further?

Mr. SANTORUM. I do not yield further.

The PRESIDING OFFICER. Does the Senator reserve the remainder of his time?

Mr. SANTORUM. Yes.

Mr. WELLSTONE. Mr. President, this is amazing. I want people in the country to understand this. We have

said we are going to have this welfare reform, it is not going to be punitive. We changed this for the better. States will be required to carry Medicaid for 1 year. I have a sense of the Senate that makes it clear that in the Medicaid debate that comes up we make a commitment that we will do what we said we would do.

And now I hear my colleague from Pennsylvania say, we may very well turn around and not do that. My amendment asks the Senate to go on record that we will do what we have said we are going to do in this piece of legislation. And now I have colleagues that equivocate on this question and say, you know what? This might be a sham. We say we are going to have transitional coverage to make sure that women and children are not hurt, but that is just for now. When it comes to the Medicaid debate, we may very well take away that funding.

I do not think the Senators can have it both ways. Are we not going to live up to our word as is now stated in this provision of this piece of legislation? I hope my colleagues will overwhelmingly support this amendment because this is all about the Senate's integrity. Are we for what we say we are for? Will we live up to our commitment?

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. SANTORUM. 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.

Mr. SANTORUM. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. SANTORUM. I will yield back the remainder of our time.

Mr. WELLSTONE. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 58 seconds left.

Mr. WELLSTONE. For every Senator that is going to vote on this, I am puzzled. This amendment says:

It is the sense of the Senate that any Medicaid reform enacted by the Senate this year should require that States continue to provide Medicaid for 12 months to families who lose eligibility for welfare benefits because of more earnings or hours of employment.

That is exactly what we said we are going to do for reform in this bill. Otherwise, there will not be any funding and then this will be truly punitive.

So we should go on record voting for what we said we were going to do. I hope every Senator will vote for this amendment.

I yield back the remainder of my time.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2484

Mr. SANTORUM. Mr. President, it is my understanding that we have not been able to reach an agreement on the Bingham amendment, which would then require a rollcall vote. I do not see anybody else on our side looking for time. All I would suggest is, the Bingham amendment deals with a subject we have dealt with in the Daschle-Dole compromise. The Daschle-Dole compromise provided \$100 million for drug treatment over the next 2 years. It was a compromise between what Senator COHEN and Senator BINGAMAN had sought, which was \$100 million per year. We came up with \$100 million over the next 2 years. It was intended to be a compromise.

As compromises are, we compromise, and hopefully when you compromise you do not go forward and offer the amendment that we compromised on. But, unfortunately, that has occurred in this case. It is going to cost \$300 million more for this drug treatment. And I hope that, given the fact that this bill is far under the reconciliation target that we need to meet to balance the budget, this is another \$300 million that we will have to take out of Medicaid or Medicare or somewhere else in the Finance Committee. And I think the Finance Committee has a hard enough burden as it is without adding more money for drug treatment for people, for people who are taken care of with \$50 million a year for the first 2 years.

Obviously, this is something that we can come back and visit in the future. But we are well over. And I hope that Senators will recognize that we have got some tough decisions to make in the future. This is going to make it much tougher.

I yield back the remainder of my time.

I ask unanimous consent that votes occur in the order in which they were debated, starting at 10 a.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2484, AS MODIFIED

Mr. BINGAMAN. Mr. President, could I ask a question of the manager? The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, we have made some modification in the amendment to accommodate concerns that were raised on the other side. Is it permissible for me to send the modification of the amendment and have that voted on?

Mr. SANTORUM. Reserving the right to object—

The PRESIDING OFFICER. The Senator is seeking unanimous consent to modify his amendment?

Mr. BINGAMAN. Yes. I do seek unanimous consent to modify the amendment.

Mr. SANTORUM. 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.

Mr. SANTORUM. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. SANTORUM. Mr. President, we have no objection to the modification of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment, as modified, is as follows:

On page 127, between lines 2 and 3, insert the following new subsection:

(d) SUPPLEMENTAL FUNDING FOR ALCOHOL AND SUBSTANCE ABUSE TREATMENT PROGRAMS.—

(1) IN GENERAL.—Out of any money in the Treasury not otherwise appropriated, there are hereby appropriated to supplement State and Tribal programs funded under section 1933 of the Public Health Service Act, \$100,000,000 for each of the fiscal years 1997 through 2000.

(2) ADDITIONAL FUNDS.—Amounts appropriated under paragraph (1) shall be in addition to any funds otherwise appropriated for allotments under section 1933 of the Public Health Service Act and shall be allocated pursuant to such section 1933.

(3) USE OF FUNDS.—A State or Tribal government receiving an allotment under this subsection shall consider as priorities, for purposes of expending funds allotted under this subsection, activities relating to the treatment of the abuse of alcohol and other drugs.

Mr. BINGAMAN. Mr. President, I ask for the yeas and nays on the modified amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is all time yielded back?

Mr. SANTORUM. I yield back the remainder of the our time.

The PRESIDING OFFICER. the question is on agreeing to the Bingham amendment No. 2484, as modified.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. HATCH] is necessarily absent.

The PRESIDING OFFICER (Mr. DEWINE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 41, nays 58, as follows:

[Rollcall Vote No. 429 Leg.]

YEAS—41

Akaka	Feinstein	Kerry
Biden	Ford	Lautenberg
Bingaman	Glenn	Leahy
Boxer	Graham	Levin
Bradley	Harkin	Lieberman
Bryan	Heflin	Mikulski
Bumpers	Hollings	Moseley-Braun
Cohen	Inouye	Murray
Conrad	Jeffords	Nunn
Dodd	Johnston	Pell
Dorgan	Kennedy	Pryor
Exon	Kerrey	

Reid	Rockefeller	Simon
Robb	Sarbanes	Wellstone

NAYS—58

Abraham	Faircloth	McConnell
Ashcroft	Feingold	Moynihan
Baucus	Frist	Murkowski
Bennett	Gorton	Nickles
Bond	Gramm	Packwood
Breaux	Grams	Pressler
Brown	Grassley	Roth
Burns	Gregg	Santorum
Byrd	Hatfield	Shelby
Campbell	Helms	Simpson
Chafee	Hutchison	Smith
Coats	Inhofe	Snowe
Cochran	Kassebaum	Specter
Coverdell	Kempthorne	Stevens
Craig	Kohl	Thomas
D'Amato	Kyl	Thompson
Daschle	Lott	Thurmond
DeWine	Lugar	Warner
Dole	Mack	
Domenici	McCain	

NOT VOTING—1

Hatch

So the amendment (No. 2484) was rejected.

Mr. DOLE. Mr. President, I ask unanimous consent the next two votes be 10-minute votes.

The PRESIDING OFFICER. Without objection, the next two votes will be 10-minute votes.

VOTE ON AMENDMENT 2468, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the Simon amendment, No. 2468, as modified.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 63, as follows:

[Rollcall Vote No. 430 Leg.]

YEAS—37

Akaka	Feinstein	Moseley-Braun
Boxer	Harkin	Murray
Bradley	Heflin	Nunn
Breaux	Hollings	Pell
Brown	Inouye	Pryor
Bryan	Johnston	Reid
Bumpers	Kennedy	Robb
Byrd	Kerry	Rockefeller
Conrad	Kohl	Sarbanes
Daschle	Lautenberg	Simon
Dodd	Levin	Wellstone
Dorgan	Lieberman	
Feingold	Mikulski	

NAYS—63

Abraham	Ford	Lugar
Ashcroft	Frist	Mack
Baucus	Glenn	McCain
Bennett	Gorton	McConnell
Biden	Graham	Moynihan
Bingaman	Gramm	Murkowski
Bond	Grams	Nickles
Burns	Grassley	Packwood
Campbell	Gregg	Pressler
Chafee	Hatch	Roth
Coats	Hatfield	Santorum
Cochran	Helms	Shelby
Cohen	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Jeffords	Snowe
D'Amato	Kassebaum	Specter
DeWine	Kempthorne	Stevens
Dole	Kerrey	Thomas
Domenici	Kyl	Thompson
Exon	Leahy	Thurmond
Faircloth	Lott	Warner

So the amendment (No. 2468), as modified, was rejected.

VOTE ON AMENDMENT NO. 2505

The PRESIDING OFFICER. The question now occurs on the Wellstone

amendment, No. 2505. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 431 Leg.]

YEAS—49

Akaka	Feinstein	Mikulski
Baucus	Ford	Moseley-Braun
Biden	Glenn	Moynihan
Bingaman	Graham	Murray
Boxer	Harkin	Nunn
Bradley	Heflin	Pell
Breaux	Hollings	Pryor
Bryan	Inouye	Reid
Bumpers	Johnston	Robb
Byrd	Kennedy	Rockefeller
Cohen	Kerrey	Sarbanes
Conrad	Kerry	Simon
Daschle	Kohl	Simon
Dodd	Lautenberg	Snowe
Dorgan	Leahy	Specter
Exon	Levin	Wellstone
Feingold	Lieberman	

NAYS—51

Abraham	Frist	Mack
Ashcroft	Gorton	McCain
Bennett	Gramm	McConnell
Bond	Grams	Murkowski
Brown	Grassley	Nickles
Burns	Gregg	Packwood
Campbell	Hatch	Pressler
Chafee	Hatfield	Roth
Coats	Helms	Santorum
Cochran	Hutchison	Shelby
Coverdell	Inhofe	Simpson
Craig	Jeffords	Smith
D'Amato	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Dole	Kyl	Thompson
Domenici	Lott	Thurmond
Faircloth	Lugar	Warner

So the amendment (No. 2505) was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. SANTORUM. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 2550

Mr. DOLE. I ask we temporarily set aside the Kennedy amendment No. 2564 and move to the Kohl amendment No. 2550.

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

Under the previous order, there will now be 10 minutes of debate equally divided on the Kohl amendment No. 2550, followed by a vote on or in relation to the amendment.

Mr. KOHL. I thank the Chair.

Mr. President, I ask unanimous consent at this time that Senator LEAHY be added as an original cosponsor to this amendment No. 2550.

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

Mr. KOHL. Mr. President, we should not need to debate this amendment for very long. It is straightforward. This amendment would exempt the food stamp benefits that go to children, the elderly and disabled from the optional State block grant program set up in the bill.

I want to emphasize to my colleagues that the House in its welfare reform

bill did not choose to block grant food stamps at all.

The argument for this amendment is simple. If it is not broke, do not fix it. Welfare is broke, financially and philosophically, but by "welfare," what we have always meant are the federally driven programs that pay benefits to able-bodied adults who are not working.

Most of us and most Americans want to see the welfare programs redesigned to emphasize moving recipients to work rather than paying them to stay home. And many of us believe that such work-based welfare programs can best be managed at the State and local level where officials understand the local economy and the specific needs of those in the community who are without jobs.

But Federal nutrition programs that serve the elderly, the disabled and children are not broken. In all the meetings that I have held throughout Wisconsin on welfare reform, no one has complained to me about Federal programs that have provided a hot meal to elderly retirees or a school lunch to children. No one has suggested that we ought to make these populations work for their food stamps.

So we should not lump food stamps to the elderly, disabled and the children in with the welfare programs that so many Americans want ended. In ending welfare as we know it, we should not end successful nutrition programs that keep our children, the disabled, and the elderly from going hungry. This amendment would still leave States with the ability to take as a block grant food stamps and money that go to adults that can and should work. However, children, the elderly, and the disabled would retain the assurance that nutritional assistance and Federal nutrition standards will be there when they are needed. And, again, I want to remind my colleagues that the House did not block grant food stamps at all.

This amendment has been endorsed by the Children's Defense Fund, the Food Research & Action Center, and Bread for the World. I ask unanimous consent that letters I have in support from these antihunger groups be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

BREAD FOR THE WORLD (A CHRISTIAN CITIZENS' MOVEMENT IN THE USA),

*Silver Spring, MD, September 11, 1995.*

DEAR SENATOR KOHL: Bread for the World, a nation-wide Christian citizen's movement against hunger, opposes the optional food stamps block grant found in the Work Opportunity Act of 1995, S. 1120. We hope there will be attempts to remove the Food Stamps Program from the welfare reform legislation and urge you to support an amendment that would do so. However, in the absence of such an amendment, we would support your amendment to exempt children, the elderly and disabled from the optional food stamps block grant.

Current nutrition programs need to be strengthened in order to assure access to a nutritious diet for every person. Bread for the World supports proposals by the Department of Agriculture to make improvements in the Food Stamp Program. But deep funding cuts and the option to block grant would inevitably spawn more hunger in this country, particularly for children.

The Food Stamps Program is this nation's leading defense against hunger in this country and ensures those in need access to an adequate diet. The program targets some of the most vulnerable members of society, including children and elderly persons. Over eighty percent of benefits go to households with children and sixteen percent of food stamp households contain at least one elderly person.

Tufts University released a study in July of this year showing that the federal Food Stamp Program greatly impacts diets of poor children in this country. The study found that food stamp participation reduces dietary deficiencies among poor children by 30-50% for certain nutrients, and over 70% for others. Over half of all food stamp recipients are children.

We strongly believe that federal standards on eligibility and benefit levels are important to the food stamps program to ensure it is available on an equitable basis for all who need it. However, at the very minimum, we must as a nation ensure that our children do not go hungry.

Sincerely,

DAVID BECKMANN,  
*President.*

FOOD RESEARCH  
& ACTION CENTER,

*Washington, DC, September 11, 1995.*

DEAR SENATOR: We write to urge your support for the Kohl amendment to S. 1120 (amendment #2550) which could exempt the elderly, disabled persons, and children from the proposed optional food stamp block grant. FRAC supports this amendment as necessary to protect the ability of the Food Stamp Program to serve the most vulnerable in our society.

FRAC strongly opposes the optional food stamp block grant as it would eliminate the assurance of assistance for all eligible persons in need when they need assistance. The Food Stamp Program has been successful in alleviating hunger precisely because of its ability to respond automatically, especially in times of recession or natural disaster.

It is because of the vital role the Food Stamp Program plays in feeding the most vulnerable among us, particularly children, the elderly and the disabled, that FRAC strongly supports the amendment to exclude these populations from a block grant. We thank you for your consideration.

The Food Research and Action Center.

CHILDREN'S DEFENSE FUND,  
*Washington, DC, September 12, 1995.*

Hon. HERB KOHL,  
*U.S. Senate, Washington, DC.*

DEAR SENATOR KOHL: I am writing in support of your amendment, #2550, to the welfare reform bill currently being debated on the Senate floor. The amendment would exempt children and people who are elderly or disabled from the proposed optional food stamp block grant.

While we oppose the proposed optional food stamp block grant, if the block grant is passed this amendment would be a significant step in the right direction towards protecting vulnerable children from hunger.

Thank you for your leadership on this issue.

Sincerely yours,  
MARIAN WRIGHT EDELMAN.



Mr. KOHL. So, Mr. President, I urge the Senate to support this change to guarantee that children, the elderly, and the disabled do not go hungry. I urge my colleagues to support the Kohl-Leahy amendment.

I thank the President.

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Aside from the administrative nightmare that would be created for the States to give them a block grant for some people and an entitlement for others and the administrative problem, this costs \$1.4 billion over the next 7 years.

As we have said many times, we are well under our reconciliation targets. This is money that is going to have to come out of other programs. We simply cannot afford this amendment. I urge rejection of the Kohl amendment.

#### LEAVE OF ABSENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that I be excused from attending the Senate for the remainder of this day.

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

#### FAMILY SELF-SUFFICIENCY ACT

The Senate continued with the consideration of the bill.

Mr. SANTORUM. I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. KOHL. Mr. President, I would like to emphasize to my colleagues that the House, which passed a very small welfare reform bill, which in many respects is really good, took a look at food stamps. They decided that the country could not afford, from a humanitarian and social point of view, to block grant food stamps at all.

Now we have decided we should block grant food stamps. I agree that for the population that we are attempting to move from welfare into work we should block grant food stamps and be very different how we parcel out food stamps. But when we talk about children, the disabled, and the elderly, to block grant food stamps, it seems to me, is not what welfare reform is all about and not what we are trying to accomplish here. And that is why I am arguing that this population should be exempt from having their food stamps block granted and ultimately rationed out to them when that is not the intention of what this welfare reform bill is to accomplish.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE. Mr. President, I have no quarrel with the Senator from Wisconsin, but it is about \$1.4 billion. We tried to accommodate some of the concerns on child care. And we have lost some savings on this side. And every time we accommodate one of these amendments, it means we are going to have

to cut somewhere else in Medicare to reach the budget request because I understand we are going to be scored on this next week. And we are going to have to take our lumps, because we have made some accommodations.

So I hope we can defeat this amendment.

The PRESIDING OFFICER. Who yields time?

Does the Senator yield back his time?

Mr. KOHL. I yielded back my time.

VOTE ON AMENDMENT NO. 2550

The PRESIDING OFFICER. All time is yielded back. All time has expired.

The question is on agreeing to amendment No. 2550.

Mr. KOHL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 432 Leg.]

YEAS—47

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Murray
Breaux	Heflin	Nunn
Bryan	Hollings	Pell
Bumpers	Inouye	Pryor
Byrd	Jeffords	Reid
Cohen	Johnston	Robb
Conrad	Kennedy	Rockefeller
Daschle	Kerrey	Sarbanes
Dodd	Kerry	Simon
Dorgan	Kohl	Wellstone
Exon	Lautenberg	

NAYS—53

Abraham	Gorton	Moynihan
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Packwood
Brown	Gregg	Pressler
Burns	Hatch	Roth
Campbell	Hatfield	Santorum
Chafee	Helms	Shelby
Coats	Hutchison	Simpson
Cochran	Inhofe	Smith
Coverdell	Kassebaum	Snowe
Craig	Kempthorne	Specter
D'Amato	Kyl	Stevens
DeWine	Lott	Thomas
Dole	Lugar	Thompson
Domenici	Mack	Thurmond
Faircloth	McCain	Warner
Frist	McConnell	

So, the amendment (No. 2550) was rejected.

AMENDMENT NO. 2564, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided on the Kennedy amendment No. 2564, as modified, to be followed by a vote on or in relation to the amendment.

Mr. DOLE. Mr. President, as I understand it, I think we can accept the amendment by the Senator from Massachusetts.

I ask unanimous consent that the amendment by Senator GRAMM be modified.

I send the modification to the desk.

Mr. HARKIN. Reserving the right to object. I might ask the leader, this is a modification of what?

Mr. DOLE. Of an amendment Senator GRAMM will offer and have a rollcall vote on. It is a modification suggested by Senator KASSEBAUM, chairman of the Labor Committee.

Mr. HARKIN. May I review that first? I reserve the right to object.

Mr. GRAMM. We are going to vote on it and debate it.

Mr. HARKIN. I would like to look at it.

Mr. DOLE. We have been letting everybody modify their amendments on that side, I might say.

Mr. HARKIN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2617, AS MODIFIED

Mr. DOLE. Mr. President, I renew the request with reference to Gramm amendment No. 2617. I ask unanimous consent that the amendment be so modified.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2617), as modified, is as follows.

At the appropriate place, insert the following:

#### SEC. . RESTRICTIONS ON TAXPAYER FINANCED LEGAL CHALLENGES.

(a) IN GENERAL.—No legal aid organization or other entity that provides legal services and which receives Federal funds may challenge (or act as an attorney on behalf of any party who seeks to challenge) in any legal proceeding—

(1) the legal validity—

(A) under the United States Constitution—

(i) of this Act or any regulations promulgated under this Act; and

(ii) of any law or regulation enacted as promulgated by a State pursuant to this Act;

(B) under this Act or any regulation adopted under this Act of any State law or regulation; and

(C) under any State Constitution of any law or regulation enacted or promulgated by a State pursuant to this Act; and

(2) the conflict—

(A) of this Act or any regulations promulgated under this Act with any other law or regulation of the United States; and

(B) of any law or regulation, enacted or promulgated by a State pursuant to this Act with any law or regulation of the United States.

(b) LEGAL PROCEEDING DEFINED.—For purposes of this section, the term "legal proceeding" includes—

(1) a proceeding—

(A) in a court of the United States;

(B) in a court of a State; and

(C) in an administrative hearing in a Federal or State agency; and

(2) any activities related to the commencement of a proceeding described in subparagraph (A).