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).

AMENDMENT NO. 2564, AS MODIFIED

Mr. KENNEDY. Mr. President, I send a modification to the desk of my amendment No. 2564.

The PRESIDING OFFICER. The Senator has that right. The amendment is so modified.

The amendment (No. 2564), as modified, is as follows:

On page 292, line 5, strike ''and''.

On page 292, line 11, strike the period and insert a semicolon.

On page 292, between lines 11 and 12, insert the following new subparagraphs:

''(F) the Head Start program (42 U.S.C. 9801); and

(G) programs specified by the Attorney General, in the Attorney General's sole and unreviewable discretion after consultation with appropriate Federal agencies and departments, which (i) delivers services at the community level, including through public or private nonprofit agencies; (ii) do not condition the provision of assistance, the amount of assistance provided, or the cost of assistance provided on the individual recipient's income or resources; and (iii) are necessary for the protection of life, safety, or public health.''

Mr. DOLE. Mr. President, we are prepared to accept the Kennedy amendment No. 2564, as modified.

The PRESIDING OFFICER. Do the Senators wish to debate the amendment?

Mr. KENNEDY. Mr. President, I want to thank the Senator from Wyoming for his able assistance in working out this compromise.

Mr. President, we all agree that illegal aliens should not be eligible for Federal programs. The only exception is when the assistance is in the nature of emergency services. Both the Dole bill and the Democratic bill underscore this policy.

But the situation is very different with respect to legal immigrants. They are lawfully in this country, and they make substantial contributions to our communities and to our Nation. They work, they create jobs, they pay taxes, they promote family values, and they contribute to the sciences, the arts and culture.

In fact, legal immigrants contribute $25 to $35 billion more in taxes each year than they take out in services, including the educational costs of their children.

We all want to get tough on illegal immigration. But the Dole proposal does so in a way that turns countless churches, synagogues, and community groups into immigration police. If they receive Government funds to operate soup kitchens, food pantries, battered women's shelters, rape crisis centers, and many other community services, they must now check a needy client's immigration status before they can provide assistance.

This means that priests, ministers, rabbis, social workers, teachers, family crisis counselors, and community health workers must become immigration police and check for green cards before they can offer help or carry out their humanitarian work.

Imagine a shattered young girl, brutally raped and requiring immediate care and counseling at a rape crisis center. If the center is even partially funded with Government money, under this bill, the center must first determine if the traumatized young victim is a citizen or noncitizen. They must find out whether she is here legally or illegally. If she is illegal, they can't help her.

In addition, if she is a legal immigrant, they must determine if she has a sponsor, find out what the sponsor's income is, and determine whether deeming the sponsor's income makes her eligible or ineligible for Government-funded help.

This same lengthy and complicated process would be repeated countless times all across the country. Priests must check the immigration status of the homeless and hungry at church soup kitchens. Social workers must check the status of battered women seeking protection. Teachers must check the status of children enrolling in Head Start programs. Rabbis must check the status of the elderly for assistance to the homebound.

For example, in 1993, Catholic charities provided services to needy people across America—citizens and noncitizens alike—including food pantries, soup kitchens, homeless shelters, family counseling programs, and other valuable community assistance. More than 60 percent of the funding for these services came from Federal, State, and local governments. This assistance is provided on the basis of need. As a result, under the Dole bill, Catholic Charities would be required to check immigration status before they help anyone.

We all agree that Head Start programs give children an effective early start toward a more successful and fulfilling future. But under the Dole bill, Head Start teachers would have to check children's green cards before they enter the program.

The Department of Health and Human Services offers a partial list of noncash programs under its jurisdiction which would be affected by the harsh features of the Dole bill. Significant portions of these programs are administered by community-based organizations, churches, and other nonprofit groups, who would be required by the bill to check the immigration status of their clients. The list includes:

Programs serving abused and neglected children and preventing family and domestic violence. Programs providing critical public health services to women and children, including maternal and child health.

Early childhood development programs. Youth development and violence prevention programs.

The Dole bill exempts school lunches, WIC, emergency Medicaid and certain other noncash programs. But if we are to avoid forcing the Nation's clergy and teachers and social workers to become immigration police by demanding green cards of their clients, we need to do more.

Rather than list individually the additional programs which should be exempted from the bill, my amendment leaves the decision to the Attorney General in consultation with the head of the agency or department administering the assistance program. In that way, before a program is exempted from the bill, the law enforcement perspective of the Attorney General, together with the benefits perspective of the agency providing the assistance, will determine the decision.

I believe my amendment represents a responsible compromise on this issue, and I urge its adoption.

Mr. SIMPSON. As I understand it, this amendment is intended to cover those few programs involving little cost in which an individual income determination is not required.

Mr. KENNEDY. That is correct. My amendment is intended to cover programs which are in the interest of the community and are needed for the fundamental health or safety of the immigrant or the community. In giving the authority to make the determination to the Attorney General, it is my expectation that decisions regarding which programs to designate under this authority will be made with immigration law enforcement interests in mind as well.

The kinds of program which I would envision being designated under this amendment are soup kitchens, battered women's shelters, rape crisis centers, and other similar programs. It will not cover entitlement programs.

The PRESIDING OFFICER. The question is on agreeing to the Kennedy amendment No. 2564, as modified.

The amendment (No. 2564), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. DOLE. The next amendment is by Senator SIMON and Senator GRAHAM of Florida.

AMENDMENT NO. 2509

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate, equally divided, on the Simon-Graham amendment No. 2509, to be followed on a vote on or in relation to the amendment.

Mr. SIMON. Mr. President, if I may have the attention of the floor manager on this, Senator GRAHAM of Florida has become a chief sponsor of this amendment and is trying to work out an amendment. I do not know whether he is successful in that or not.

I yield to the Senator from Florida.

Mr. GRAHAM. Mr. President, as my colleague has just explained, the basic thrust of this amendment is to maintain the status quo and the rules of the game under which those people who are currently in the country as legal immigrants, playing by the rules as they were at the time they entered the country, particularly as it relates to

that group of legal immigrants who are attending educational institutions and depend upon their access to things like guaranteed loans to be able to finance their education. There has been some discussion of possibly limiting the scope of this amendment to be more specifically focused on that one issue. As of this point, there does not appear to be interest in that limitation. But I will state to my colleagues that that is an extremely important part of what this legislation would do.

It really means the ability for thousands of students across the country to be able to continue their education and continue their pursuit of the American dream—coming to America, getting an education, becoming a fully self-supporting citizen.

I yield to my colleague.

Mr. SIMON. Mr. President, I ask for the attention of my colleagues here. Every change we have made in immigration in the past has been prospective, not retroactive. That is the way it should be. To say that if, for example, Senator DEWINE was the chief sponsor for an immigrant named Senator FORD, and he agrees to be responsible for 3 years, that is the way it should be. When we change that to 5 years, we should do it prospectively, not retroactively. That is No. 1.

The second point is that we should not go back to Senator DEWINE and say, sorry, you agreed to 3 years, now we are going to make it 5.

This is the point the Senator from Florida has made which is very important. There are thousands of students who are legal immigrants in this country, who are going to become citizens, and without this amendment, they cannot get any benefits in this country, and they are going to have to leave school. Without this amendment, they lose all education assistance. I do not think that makes sense for this country. So I am pleased to cosponsor this amendment with Senator GRAHAM. I think it is important, and I hope it will be adopted.

Mr. GRAHAM. How much time remains, Mr. President?

The PRESIDING OFFICER. The Senator has 1 minute 35 seconds.

Mr. GRAHAM. Mr. President, I would like to reserve that to close.

The PRESIDING OFFICER. Who yields time?

Mr. DOLE. Mr. President, we have a matter involving the Senator from Wyoming, Senator SIMPSON. He will be here momentarily. We are also trying to determine the cost of this amendment. I understand it is about half a billion dollars.

Mr. SIMPSON. Mr. President, might I inquire as to the time for the Senator from Wyoming?

The PRESIDING OFFICER. The Senator from Wyoming has 4 minutes and 29 seconds.

Mr. SIMPSON. Mr. President, again, as in last night's activity, a difficult and emotional issue, couched in the terms of immigration and welfare—either we do something or we do not. It is very simple.

The Dole welfare reform bill would for 5 years require the deeming of a sponsor's income and resources in the case of a sponsored immigrant seeking public assistance. Immigration law is riddled with compassionate loopholes and people are fed up.

We must place sensible controls on these continuing conditions or Americans will be in terminable compassion fatigue.

This 5-year deeming period is consistent with the 5-year deeming period for SSI, which we did last year. It is exactly the same as that 5 years. It is exactly the 5-year deeming period for AFDC and food stamps proposed by the President of the United States in his own welfare reform bill, the President's proposal. The sponsor's assets and income are deemed to be those of the immigrants when you come to the United States.

The only immigrants affected by this 5-year deeming period are those who have already entered within the last 5 years and who apply for or are already receiving public assistance of some form or amount. Please hear that. Remember, please—and you cannot miss this point—the people who are admitted as immigrants to the United States, to this very generous land, are here only after their sponsors convinced the visa officer that the immigrant would not require public assistance at any time—not just for 5 years or the first 3 years or any year, but at any time, and that they would not become a public charge.

Under the Graham-Simon amendment, sponsored immigrants who have entered within the past 5 years could continue to receive assistance under programs which they already benefit and could apply for and receive assistance under many other programs immediately, and several others in less than 3 years.

Most other Americans would certainly question that fairness, when their own children cannot get in those programs because they happen to be native born.

Keep in mind, now, these persons were admitted only—only—because they were able to convince, to make a promise to the visa officer that they would not become a public charge, and the law says ''at any time.''

This amendment would therefore have the purpose of relieving the immigrants and his or her sponsor from that promised obligation to give the required assistance, and the good old American taxpayers would then take over to the tune of $623 million over 5 years.

I want to emphasize that clearly again. Before an immigrant can be admitted, it must be established that he or she is not likely to become a public charge, that the real contract the immigrant and the sponsor have with the American people, the real promise of America, is keeping promises. Whether the affidavit of support is for 3 years or 5 years is much beside the point. The understanding was the immigrant would not become a burden on the public of the United States, especially not in his first 5 years in the United States.

What would the American taxpayers say if they knew we were admitting persons as immigrants who they knew would then be covered under this amendment, would be able to receive public assistance so soon after their arrival, even within 3 years?

My colleague from Florida is honestly concerned about college students in his State who are recent immigrants who may want to receive public-funded college assistance. It is good and in our national interest that the newcomers seek to improve themselves through additional education and training, but the agreement of admission, the promise made was that the immigrants and his or her sponsor would take care of the cost of that education and not the American taxpayers.

A sponsor is a sponsor is a sponsor. If the Senator says that we must maintain the status quo and not change the rules of the game, there is a good way to do it: reject this amendment because the rule of the game is the newcomer must be self-supported, not likely at any time to become a public charge. Those are the words of the immigration law.

The PRESIDING OFFICER. The Senator from Florida has 1 minute and 25 seconds. All time is expired on the other side.

Mr. GRAHAM. This amendment keeps the status quo, particularly as it relates to students who are using Federal programs, such as the guaranteed student loan to continue their education.

The Senator from Wyoming talks about holding sponsors responsible. If we had been able to hold sponsors responsible, we would not have to have the change in the law that is contained in the underlying amendment. The fact is that we have a policy which has been to set a period of time within which we would deem the sponsors' income. We are now about to change that in a prospective manner.

Our previous policies relative to changing immigration law as it relates to legal immigrants have always been to do it for the future, not to change the rules of the game for those people who are here in America today.

I believe this goes to two fundamental principles. One is we play by the rules of the game as those rules were set when the game begins. If you change the rules, you do it for the next game.

Second, we want to encourage these people to get an education so that they can become, to the maximum possible extent, participants in the American dream, participants in building their families, communities, and this Nation.

I urge the adoption of this amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the Simon-Gramm amendment No. 2509. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Alaska [Mr. STEVENS] is necessarily absent.

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

The result was announced—yeas 35, nays 64, as follows:

[Rollcall Vote No. 433 Leg.]

YEAS—35

Akaka	Graham	Mikulski
Bingaman	Hatfield	Moseley-Braun
Boxer	Inouye	Moynihan
Breaux	Johnston	Murray
Bumpers	Kennedy	Nunn
Chafee	Kerrey	Pell
Conrad	Kerry	Pryor
Daschle	Lautenberg	Sarbanes
Dodd	Leahy	Simon
Dorgan	Levin	Specter
Feinstein	Lieberman	Wellstone
Glenn	Mack	

NAYS—64

Abraham	Faircloth	Lugar
Ashcroft	Feingold	McCain
Baucus	Ford	McConnell
Bennett	Frist	Murkowski
Biden	Gorton	Nickles
Bond	Gramm	Packwood
Bradley	Grams	Pressler
Brown	Grassley	Reid
Bryan	Gregg	Robb
Burns	Harkin	Rockefeller
Byrd	Hatch	Roth
Campbell	Heflin	Santorum
Coats	Helms	Shelby
Cochran	Hollings	Simpson
Cohen	Hutchison	Smith
Coverdell	Inhofe	Snowe
Craig	Jeffords	Thomas
D'Amato	Kassebaum	Thompson
DeWine	Kempthorne	Thurmond
Dole	Kohl	Warner
Domenici	Kyl	
Exon	Lott	

NOT VOTING—1

Stevens

So the amendment (No. 2509) was rejected.

Mr. DOLE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2568

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided on the Graham amendment No. 2568 to be followed by a vote on or in relation to the amendment.

Mr. GRAHAM. Mr. President, I ask unanimous consent that Senator PRYOR be added as a cosponsor of this amendment.

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

Mr. GRAHAM. Mr. President, the structure of this bill establishes objectives that States are to meet, particularly in the area of placement of people in work, 25 percent in 1996 rising to 50 percent in the year 2000. Those are laudable objectives.

There are also some very serious sanctions against States that do not meet those objectives. A State is subject, for instance, to losing 5 percent of its Federal grant if in any year it fails to meet the standard that has been set.

What is the problem? The problem is that we are distributing to States wildly different amounts of Federal resources in which to meet those consistent objectives. We are telling, for instance, the State of Mississippi that it will have to use 88 percent of its Federal money in order to meet the mandates of this bill. Other States will be able to meet the mandates for less than 35 percent of the Federal money that will be made available.

That seems inherently unfair, to have 50 States, each of which has a much different position at the starting line in terms of the kind of support they are going to meet but then say that each one has to get to the finish line at exactly the same point and, if they fail to do so, be subject to significant financial personality.

What this amendment says is that the Secretary of HHS should look at the national standards and make adjustments based on the amount of Federal support that each State will receive and the number of minor children in poverty in that State, so that if we are going to have the starting line different from State to State we at least ought to have the finish line adjusted to those States' realistic capabilities. If we do not do this, I can tell you without question there are going to be substantial numbers of States that will be almost subject to automatic penalty. There will be virtually no chance that they can reach the same finish line, the same standard, for instance, of job placement, with the heavy commitments that that means in terms of training, support services, and child care, as the more advantaged States.

It is a simple, straightforward amendment of fairness.

I urge its adoption.

The PRESIDING OFFICER. Who yields time?

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I hope Members listen to this because this is a gutting amendment. I heard a lot of comments on the other side of the aisle, even from the President, about how the Republican bill was weak on work. What the amendment of the Senator from Florida does is eliminate all the work requirements. What he does is say that it makes all the participation rates of people getting into work voluntary. It eliminates any of the work requirement.

This is the 1988 act back with you again, which, of course, required work but did not sanction anybody if they did not work.

What has happened? Four percent of the welfare recipients work in this country today. This is the nuclear bomb on this bill which would basically say no one will have to work; you will not be penalized as a State if you do not get people to work. It makes work completely voluntary on the part of the States. Anyone who has come up here and said they are for welfare recipients to work, if you vote for this amendment, you are not for welfare recipients to have to go to work.

I reserve the remainder of my time.

Mr. GRAHAM. Mr. President, I must say that I range between being somewhat offended by that description or concerned about our colleague's ability to read the English language because that is not what this does.

The amendment retains the participation levels as stated in the bill. Then it directs the Secretary of HHS to make such adjustments in the rate. That is, a State, instead of being asked to meet a 50-percent standard, may be asked to meet a 55-percent standard, if it is one that is receiving a substantial amount of funds above the national average, as happens to be the case with the State of our colleague who just spoke, or it might be something less than 50 percent if you are getting substantially less than the national average in terms of Federal resources.

It just seems to me patently unfair to start 50 States in such different positions in terms of their Federal resources per poor child and then say but at the end of the day they all have to get to the same end position. We retain the mandatory provision. We retain all of the requirements to work.

I am proud to come from a State which has one of the demonstration projects which has already gotten in the first few months of operation almost 10 percent of its welfare beneficiaries in jobs, and it is moving toward the goal of having 50 percent of its welfare beneficiaries to work.

I support that as an important principle, but I also recognize there are resources required to reach those objectives, and if you have made a decision that we are going to allocate resources in a differential manner, then I think fairness says we have to look at what will constitute success in a differential manner. Failure to do so is just going to mean that those who start poor are going to not only end poor but they are going to be beaten around the head and neck with penalties and sanctions because they have failed to achieve unrealistic objectives given the resources that were provided.

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

Mr. SANTORUM. Mr. President, I will read from the Senator's amendment.

> A State to which a grant is made under section 403 shall make every effort to achieve the national work participation rate goals.

This is not a mandate—shall make every effort to achieve the goal. It does not mandate that they have to participate. They do not get sanctioned if in fact they do not meet these participation rate goals.

It is the 1988 act all over again which says we want you to do it, but if you do not do this you do not get any sanction. This is the nonwork amendment. And I urge its defeat. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. SANTORUM addressed the Chair.

Mr. GRAHAM addressed the Chair.

Mr. SANTORUM. Mr. President, I can reclaim my time?

Mr. GRAHAM addressed the Chair.

Mr. SANTORUM. I yield my remaining time to the Senator from Colorado.

Mr. GRAHAM. Mr. President, could I ask one question of either the Senator from Pennsylvania or the Senator from Colorado.

Would they please read the last page of the amendment.

Mr. SANTORUM. Mr. President, if I can can respond to the Senator from Florida, what it says is that the Secretary shall consult with the States and establish a goal. It does not say what that goal is. It could be 2 percent. It could be 5 percent. It does not say anything about any kind of goal of 35 or 50 percent, which is what this bill does. You make it all arbitrary.

Mr. GRAHAM. I guess the Senator will not understand it then.

Mr. SANTORUM. It eliminates the participation rates that are in the bill today. And I yield the remainder of my time to the Senator from Colorado.

Mr. BROWN. Mr. President, I know the distinguished Senator from Florida has very good intentions, and he is known as a very thoughtful Member. I merely would add this for Members' consideration.

In the 1988 act, we billed that as a requirement to either work or train or go to school, and what happened is without penalties we ended up with only 4 percent of the entire population in welfare in this Nation in work programs. In other words, when given an option and without penalties, work did not happen.

The surest way to end the potential of getting people back in the mainstream by getting real work experience is to eliminate the penalties for not complying with the work requirement. If you leave this without a strong penalty for not working, you will eliminate our ability to get people back into the mainstream.

I am convinced this may be the most important amendment that we have considered. I hope the body will vote resoundingly to retain those strong penalties because, believe me, without them our experience indicates it will not happen.

I yield back the remainder of the time.

The PRESIDING OFFICER. All time has expired.

The question occurs on agreeing to the Graham amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Alaska [Mr. STEVENS] is necessarily absent.

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

The result was announced—yeas 23, nays 76, as follows:

[Rollcall Vote No. 434 Leg.]

YEAS—23

Akaka	Ford	Lautenberg
Bingaman	Graham	Mikulski
Bradley	Heflin	Nunn
Breaux	Inouye	Pell
Bryan	Johnston	Pryor
Bumpers	Kennedy	Sarbanes
Daschle	Kerrey	Simon
Feinstein	Kerry	

NAYS—76

Abraham	Feingold	McCain
Ashcroft	Frist	McConnell
Baucus	Glenn	Moseley-Braun
Bennett	Gorton	Moynihan
Biden	Gramm	Murkowski
Bond	Grams	Murray
Boxer	Grassley	Nickles
Brown	Gregg	Packwood
Burns	Harkin	Pressler
Byrd	Hatch	Reid
Campbell	Hatfield	Robb
Chafee	Helms	Rockefeller
Coats	Hollings	Roth
Cochran	Hutchison	Santorum
Cohen	Inhofe	Shelby
Conrad	Jeffords	Simpson
Coverdell	Kassebaum	Smith
Craig	Kempthorne	Snowe
D'Amato	Kohl	Specter
DeWine	Kyl	Thomas
Dodd	Leahy	Thompson
Dole	Levin	Thurmond
Domenici	Lieberman	Warner
Dorgan	Lott	Wellstone
Exon	Lugar	
Faircloth	Mack	

NOT VOTING—1

Stevens

So the amendment (No. 2568) was rejected.

Mr. SANTORUM. Mr. President, I move to reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

UNANIMOUS-CONSENT AGREEMENT

Mr. SANTORUM. Mr. President, I ask unanimous consent, notwithstanding the consent of September 14, that a vote occur on the Dole modification following the debate, and following the disposition of the two leaders' amendments, one of which will be a Dole motion to strike the Bradley amendment, the underlying Dole amendment No. 2280, as amended, be deemed agreed to.

Mr. BRADLEY. Reserving my right to object, is there a time for debate on the motion to strike the Bradley amendment?

Mr. SANTORUM. There is no time limit at this point. We will be willing to enter into a time agreement, but there is no time limit.

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

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Gramm amendment No. 2617 be moved ahead of the Gramm amendment 2615, as modified.

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

AMENDMENT NO. 2617

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes for debate equally divided on the Gramm amendment No. 2617, to be followed by a vote on or in relation to the amendment.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, the amendment before us is a very, very simple amendment. Let me just relate some facts about the amendment.

On January 1, 1995, Indiana started a welfare reform pilot program in which welfare recipients were required to work or lose their benefits. The Legal Services Corporation of Indiana filed a lawsuit to block the implementation of that law.

On October 1, 1991, Michigan, the first State in the Nation ever to comprehensively reform welfare, began its program to deny general assistance to nonworking, able-bodied, single adults without children. The Legal Services Corporation of Michigan filed a lawsuit to try to block the implementation of that law.

In 1992, the New Jersey Family Development Act, which among other things, denied additional AFDC payments to mothers for children conceived while on welfare. Five federally funded New Jersey Legal Services grantees filed lawsuits to block the implementation of that law.

In 1994, Pennsylvania law ended welfare benefits for nonworking, able-bodied recipients. The Legal Services Corporation in Pennsylvania filed a lawsuit to block the implementation of that law.

Not one single State in the Union has tried to reform welfare, has tried to implement a mandatory work requirement, has tried to set up a limit on the amount of time you can be on welfare, or has tried to deny additional benefits to people on welfare who have additional children without being challenged at the taxpayers' expense.

Not one such State action has failed to be challenged by Legal Services Corporation in the courts. These lawsuits have been long and protracted. They have been funded by Federal taxpayer funds.

So this amendment says, very simply, this: No Federal taxpayer funds shall be used to block the implementation of this welfare reform bill, any State welfare reform bill, or any regulation emanating from those laws.

Now, let me make it clear. Legal Services Corporation can fund a lawsuit where a recipient argues that the rules or the law are not being fairly implemented with regard to their claim. But taxpayer funding from the Federal Government cannot be used to try to overturn the law or overturn the regulation.

It is a very simple amendment. I urge my colleagues to vote for it. I reserve the remainder of my time.

Mr. KENNEDY. Mr. President, I yields myself 2½ minutes. First of all, this is not just about Federal funds. The Senator's amendment includes all funds. It says if any advocacy group for disability or for children, as well as at Legal Services, receives a nickel from Legal Services, they cannot challenge any provision under this act, which is targeted on the most vulnerable individuals.

Now, we have provisions in here dealing with adoption. We have provisions in here on child support. We have provisions in here on day care, and we have requirements on the States to make sure that those provisions are going to be effective.

Under the Gramm amendment, if a mother in any of our States found that the State law was insufficient for the purposes of this law, she would be precluded from going ahead and challenging that rule or regulation or State law that otherwise should be meeting the requirements of this law. I mean, that absolutely makes no sense. Here we are putting in provisions on child care, provisions on disability, provisions affecting older Americans, making States go ahead and develop their own laws to implement those, and we are saying, even here, if they are not strong enough, we are denying any of the advocacy groups that they receive a nickel of Legal Services money or private money, if they receive a nickel of Legal Services money from protecting those vulnerable people.

The Senator from Texas usually talks about the ''strings'' that are going on as a requirement of various Federal programs. He is putting strings on the private sector. In my State, in Boston, MA, about 35 percent of the funds for Legal Services in Boston are Legal Services funds. But the others come from the private sector. He is saying you cannot even use a nickel of the private sector funds, from private companies, from private individuals, to protect the most vulnerable in our society. Child support, adoption, disability—his amendment would deny that. We will have a chance to debate this issue next week on the Appropriations Committee on Commerce. Why do it now?

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM. Mr. President, I am going to be the concluding speaker on the amendment. I ask Senator KENNEDY to go ahead and use his time.

I reserve the remainder of my time.

Mr. KENNEDY. I will yield a minute—how much time do I have.

The PRESIDING OFFICER. Two minutes 30 seconds.

Mr. KENNEDY. I yield 20 seconds to Senator BIDEN.

Mr. BIDEN. I will be very brief. This is the wrong place to consider this. As the Senator from Massachusetts pointed out, the committee is going to be taking up this question about the whole scope of Legal Services. I know that my friend from Texas has a problem with the entire entity of Legal Services. He would like to wipe it all out, period, under any circumstances, for any reason. This is not the place to do this.

I respectfully urge my colleagues to vote against it, or if it is a tabling motion, vote to table it. Let us fight this out on the whole of the future of Legal Services, not on a welfare bill.

Mr. KENNEDY. I yield a minute to the Senator from Iowa.

Mr. HARKIN. Mr. President, this does not just go to Legal Services representing poor people. This goes to protection and advocacy groups representing disabled citizens of the United States. Many times, Legal Services entities in our States provide funds to protection and advocacy groups which we have set up under the law. These are legal entities set up to represent and to help people with disabilities to get through administrative procedures and legal proceedings.

If you read the amendment of the Senator from Texas, it says that no legal aid organization, or other entity—other entity—so protection and advocacy groups for the disabled would be cut out. If you look at the last paragraph, defined is ''legal proceeding.'' In a court of the United States, court of the State, in an administrative hearing, in a Federal or State act. You might as well tell every disabled person in this country that they have no right to go into a court or no right to go into an administrative hearing to challenge the validity of a State regulation.

For the life of me, I cannot understand why the Senator from Texas would want to pick on the most vulnerable in our society. Forget just about Legal Services. Focus on the disabled. This is going to cut every disabled person in this country of low-income means. Obviously, if you have the money, if you have the money, you can hire any lawyer you want. If you are disabled and poor, you will not be able to challenge the validity or legality of any regulation in any State regardless of how onerous it may be. For that reason, it ought to be defeated.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I have spoken before in the debate——

Mr. KENNEDY. Mr. President, how much time remains?

The PRESIDING OFFICER. There are 30 seconds.

Mr. KENNEDY. I yield 15 seconds to the Senator from Minnesota.

Mr. WELLSTONE. I actually will defer to the Senator from Maryland. We defeated a similar amendment last session.

I yield to the Senator from Maryland.

Mr. SARBANES. Mr. President, I do not understand how you can profess to be a nation that believes in equal justice under the law and not make legal services available to people who are too poor to afford them. How do you make our legal system work, and how do you make the rule of law equitable and have a real system of justice?

I very strongly oppose the amendment of the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas has 2 minutes remaining.

Mr. GRAMM. Mr. President, first of all, current law allows any Legal Services Corporation grantee in America to file a lawsuit on behalf of any client, using taxpayers' funds, regardless of whether or not the individual is being treated fairly under the Federal law or the State law or Federal regulations or State regulations emanating from the law. But what my amendment says is that taxpayer funding cannot be used to try to block the implementation of laws that the American people are for in overwhelming numbers.

It is time that we stop taxpayer funds from being used to circumvent the will of the people who pay those taxes.

Second, the lamenting that we are not funding advocacy groups—if they want to advocate, God bless them, but let them advocate with their own money, not the taxpayers' money.

Finally, State law and Federal law cannot be challenged with Federal taxpayer money, but that does not keep the ACLU from challenging it. It does not keep private groups from doing it.

My amendment is very, very simple. It stops what is going on all over America. Federal tax dollars, through the Legal Services Corporation, are being used to try to block every effort to force able-bodied welfare recipients to go to work. Every effort to try to reform welfare has been challenged using taxpayer money. I want to bring that to an end. If people oppose welfare reform, let them run for public office or put up their own money to challenge it in the court. But do not take the money of the people who do the work, pay the taxes, and pull the wagon in America to try to stop the implementation of law, which they strongly support.

I urge my colleagues to vote for this amendment.

Mr. HEFLIN. Mr. President, I move to table the amendment and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Oklahoma [Mr. NICKLES] and the Senator from Alaska [Mr. STEVENS] are necessarily absent.

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

The result was announced—yeas 51, nays 47, as follows:

[Rollcall Vote No. 435 Leg.]

YEAS—51

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

NAYS—47

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

NOT VOTING—2

Nickles	Stevens

So the motion to lay on the table the amendment (No. 2617), as modified, was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2615, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate, equally divided, on the Gramm amendment No. 2615, as modified, to be followed by a vote on or in relation to the amendment.

The amendment (No. 2615), as modified, is as follows:

On page 792, strike lines 1 through 22 and insert the following:

SEC. 1202. REDUCTIONS IN FEDERAL BUREAUCRACY.

(a) IN GENERAL.—The Secretary of Health and Human Services shall reduce the Federal workforce within the Department of Health and Human Services by an amount equal to the sum of—

(1) 75 percent of the full-time equivalent positions at each such Department that relate to any direct spending program, or any program funded through discretionary spending, that has been converted into a block grant program under this Act and the amendments made by this Act; and

(2) an amount equal to 75 percent of that portion of the total full-time equivalent departmental management positions at each such Department that bears the same relationship to the amount appropriated for the programs referred to in paragraph (1) as such amount relates to the total amount appropriated for use by each such Department.

(b) REDUCTIONS IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—Notwithstanding any other provision of this Act, the Secretary of Health and Human Services shall take such actions as may be necessary, including reductions in force actions, consistent with sections 3502 and 3595 of title 5, United States Code, to reduce the full-time equivalent positions within the Department of Health and Human Services—

(1) by 245 full-time equivalent positions related to the program converted into a block grant under the amendment made by section 101(b); and

(2) by 60 full-time equivalent managerial positions in the Department.

The PRESIDING OFFICER. Who yields time?

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Does the Senator from Texas wish to modify his amendment?

Mr. GRAMM. I believe, Mr. President, the amendment has already been modified.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

Mr. GRAMM. Mr. President, this is a very important principle. The number of positions that are affected by the amendment are relatively small, but let me explain why the principle is important.

We are in the process, in this welfare reform bill, of doing something that we have not done in 40 years. Rather than power and decisionmaking authority residing Washington, we are sending it back to the States, counties, cities and to the people.

We are, in fact, in this bill, eliminating a Federal program known as AFDC [aid to families with dependent children]. We will be debating, later, the elimination of Federal job training programs where the money for those programs will be given back to the States. We will allow each State to conduct job training in such a way that the State believes will be most successful within its borders.

Here is the question. Given that we are eliminating Federal programs, what about the people who are employed by the Federal Government to run those programs? What happens to the jobs in AFDC when we eliminate AFDC? What happens to the jobs in these training programs when we eliminate the training programs?

What I am proposing is a very modest amendment. I am sure it will be strongly opposed by people who believe that immortality in a temporal sense is defined as a Government program or a Government position. But what I am saying is this: If you eliminate a program, you cannot keep more than 25 percent of the people who work directly on that program even though they have nothing to do. Second, you have to take the overhead of the department that the program is part of and you have to reduce that overhead proportionately because that program no longer exists.

I think we have a legitimate right to be concerned—when giving power back to the States and eliminating Federal programs—about all of these Government employees who were running the old programs remaining Government employees and undercutting what the States are doing.

In any other city in America, this would be an amendment in which anybody who opposed it would be laughed out of the room. Unfortunately, this is Washington, DC. We are talking about Government positions.

And what I am saying is simply this: If you eliminate a Government program, you have to eliminate at least 75 percent of the positions. I think it ought to be 100 percent. You also have to lower the overhead for that portion of the program by 75 percent.

It is an eminently reasonable amendment. It may make too much sense to be given consideration in the U.S. Senate. We shall see. But I wanted to offer it.

I reserve the remainder of my time.

Mr. GLENN. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER (Mr. Grams). The Senator from Ohio is recognized.

Mr. GLENN. Mr. President, that all sounds very good. In transferring this back to the States there will be a block grant except for one thing. For people in Washington, DC, we have loaded down the department with all sorts of requirements for monitoring and evaluation and advice to prevent some of the abuse of the States, among other things. With just a casual look at what current responsibilities are, the responsibilities of the Federal Government still remain.

Under the Dole bill, it indicates that the Dole bill expands the jobs in Washington, not contracts. Less than 1 percent of the total staff administering welfare is employed at the Federal level—State, Federal, and local. Administrative costs account for less than 1,000 of the total 4(a) and 4(f) expenditures.

We have assumed new responsibilities under the Dole bill to provide technical assistance to hundreds of tribes to design and implement new cash assistance programs; also, to gather, compile, evaluate, and disseminate data on a larger scale and with greater case specific variables.

We are assuming new program analysis, and dissemination of information responsibilities. This is particularly true in the child support enforcement area.

We have put all sorts of monitoring requirements on here that, if anything, a case could be made for needing more people to do it.

Let me break this down more. Technical assistance to States: We have a whole series of new requirements under the Dole bill which most of us do not disagree with at all.

Under tribal issues, supporting tribal efforts in designing assistance programs; reviewing and approving temporary assistance plans; we are collecting and evaluating some data collected

from the States, including all sorts of things that we were not required to do before. Under data collection and evaluation where there are five requirements now in existing law, under the Dole bill we now have 16 different—in other words 11 brandnew—data collection and evaluation requirements on this.

In other words, on HHS we are giving them all these things to do and saying but it is an unfunded mandate. We are not going to give you the money to do this. We are going to cut the position to do the things we are telling you to do which does not make any sense at all to do this.

I could go on with this if we had an hour or so. I would like to go into each one of these in detail. Policy and planning accounts, the same thing; accountability, all of these things. We do not want to cut back on accountability now. We have to review State and tribal audits, review and rank State performance, establish penalties, and administer appeals process.

We are going to have to develop and program outcome measures at the same time we are cutting the people that are required to do all these things. And for each of these I have a paragraph reference in the bill itself.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Ohio has 2 minutes.

Mr. GLENN. I yield at this point 30 seconds to the Senator from New York.

Mr. MOYNIHAN. Mr. President, the Senator from Ohio has pointed out clearly something I find painful. In the very long time that I have been in this city I have never seen legislation imposing more regulatory requirements on State governments by the Federal Government than this bill.

And I would simply respond, if I may. In a little bit of a caricature a couple of days ago when one of the these new regulatory provisions came along, I stood on this side of the aisle and said, ''Mr. President, as one who dearly loves Federal regulations imposed on States in minute, indecipherable detail, I accept this amendment with great gusto.''

I could not say it better. It is going to be a great generation for regulators, but not very great for poor people and certainly not great for poor children.

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

Mr. GRAMM. How much time is left?

The PRESIDING OFFICER. The Senator from Ohio has 35 seconds remaining.

Mr. GRAMM. Mr. President, I yield 1 minute to the distinguished Senator from Missouri.

The PRESIDING OFFICER. Just a reminder that the amendment that is offered by the Senator from Texas has been modified.

The Senator from Missouri.

Mr. ASHCROFT. Thank you Mr. President.

I rise in support of the amendment. One of the taxes on poor Americans, people who are truly needy, is a bureaucratic tax. As a Governor, I can testify that the more the bureaucracy proliferates in Washington the greater the percentage of the resource at the State level that has to be used to respond to the bureaucracy in Washington rather than to meet the needs of the truly needy.

I believe, to the extent that we can reduce the bureaucratic tax on the poor which is represented by Washington bureaucrats who are no longer needed because we cut the program, that we ought to do that, and for that reason I believe Senator GRAMM's amendment is in order and ought to be supported by Members of this body.

The PRESIDING OFFICER. Who yields time?

Mr. GLENN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 35 seconds.

Mr. GLENN. Read the Dole bill. It puts more requirements on the Federal Government. I went through some of it here, a whole host of them, and at the same time we are saying we give an unfunded mandate to HHS we say you have to do more, you have to do more analysis, do all of these additional things that are listed right here. This is not fictitious stuff. We say you have to do a lot more in the way of analyzing, and so on. Yet, we are going to cut the people who do it. How on Earth are we going to prevent abuse in these programs if we do that kind of Government operation? It does not make any sense at all. It will not work this way. We are setting up a recipe for disaster, if we do it that way.

Thank you, Mr. President.

Mr. GRAMM. Mr. President, let me remind my colleagues that we are eliminating this Federal program, that the money is going back to the States, and they are going to run the program. Yet, the Senator from Ohio says that a case can be made supporting the need for more employees in Washington, even once we have eliminated the program. There is nothing so immortal as a Government program.

We celebrate here our giving back of funds to the States to run the program, and yet we are arguing that we have to preserve the Federal jobs in a program that no longer exists. No wonder the American people are outraged that Government grows like a cancer.

My amendment is a very modest amendment. It says you have eliminated the program. Eliminate 75 percent of its jobs. It seems to me that we ought to eliminate 100 percent of them, but instead, I say keep 25 percent of the people in an agency that no longer carries out a function, a function that is now run by the State.

I see this as a very modest amendment. We ought to be eliminating every one of these positions, and I urge my colleagues to vote for this amendment.

Mr. GLENN. Mr. President, I move to table the amendment and 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.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment No. 2615. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Oklahoma [Mr. NICKLES] and the Senator from Alaska [Mr. STEVENS] are necessarily absent.

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

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

[Rollcall Vote No. 436 Leg.]

YEAS—49

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

NAYS—49

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

NOT VOTING—2

Nickles	Stevens

So the motion to table the amendment (No. 2615), as modified, was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment.

Mr. GLENN. 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.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

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

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative 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.

Mr. DOLE. I ask unanimous consent that the pending matter be set aside.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MOTION TO STRIKE AMENDMENT NO. 2496

Mr. DOLE. Mr. President, I intend to make a motion to strike the previously agreed to amendment No. 2496, which was offered by the Senator from New Jersey, Senator BRADLEY.

The PRESIDING OFFICER. Under the previous order, the Senator is authorized to make that motion.

Mr. DOLE. First, I want to apologize to my friend from New Jersey. I was so anxious to be accommodating, because I always have been, but I took the amendment before I realized that it had some points that were not what I thought they were. I do not suggest that he said anything, but I did not read it carefully enough.

What the Bradley amendment would do is amend the plans that States must submit to receive Federal block grants. It does three things. It requires the State to define who is eligible and who is not eligible for cash assistance, and this creates the invitation for welfare litigation against the States over who is eligible for assistance. It creates an individual entitlement by requiring States to provide benefits to all individuals that the States deem eligible.

This amendment shifts the time limit from the Federal Government to the State government. The cycle of dependency created by the entitlement must be broken. We do not want to shift that from the Federal to the State government.

Finally, the amendment creates an unfunded mandate by possibly requiring States to provide unmatched funds to individuals. We do not want to create additional unfunded mandates.

The point of this exercise, all the debate we have had, is to provide States with the needed flexibility to address welfare reform and not to create a possible unfunded mandate on the States or, as I said, second, another entitlement. We do not know what the cost of this amendment could possibly be. For the reasons stated, I should not have accepted the amendment.

I now move to strike the amendment, and after the debate I will ask for the yeas and nays.

Mr. BRADLEY. Mr. President, I do say to the distinguished majority leader that I was a little surprised when he said he would accept the amendment. I thought it was perfectly appropriate, because I would not characterize the amendment exactly as he has characterized the amendment.

It does not create a Federal entitlement. It, first, does not add any additional spending. It does not touch the block grant. CBO has told us that it would not result in a penny of additional Federal outlays.

Second, it does not entitle anyone to anything. A State can deny any individual—practically any person—benefits. It can deny benefits if you do not work. A State can deny benefits if you have additional children. It can deny benefits if you do not comply with the requirements of your individual agreement. The State can deny benefits, under this proposal, practically for anything. But what the State cannot do under this amendment is deny you benefits for no reason at all if you are a poor family who is eligible under the State's own rules.

To those who object to this amendment, I just simply would like to ask, what is it that you want States to be able to do that they would not be able to do under this amendment? I, frankly, cannot imagine. I cannot imagine why States should not be required simply to say what their rules are for eligibility, what the benefits are, and who gets cut off, and then simply follow the rules.

The only right that is created here is not a right to money, it is a right to know what the rules are. How do you determine who gets any benefits, unless the State has written rules that clearly state who is eligible? How do we decide that someone who fits the category of eligibility should not be given benefits if there are no rules?

So I simply say that this is a very straightforward amendment. It is an attempt to add clarity to what will be a confused policy in States. I think it illustrates, once again, the problem of a block grant with no rules to implement the block grant. This came through in very vivid terms yesterday when we had an amendment—a well-intentioned amendment—that said in order to reduce illegitimacy, which is what all of us would like to do, a State that reduced illegitimacy would get a bonus, but the amendment read that the State would have to reduce illegitimacy without increasing abortions.

So those are both pretty good intentions. But what that means, as I read that amendment, is that every woman in a State has to be asked if she has had an abortion.

Otherwise, how do you determine how many abortions were performed in the State? The result of the amendment is a direct involvement of the State government in the lives of every woman in the State asking the question, have you or have you not had an abortion?

Unless that is asked to every woman, how do you determine whether abortions have gone up or gone down? If you do not know whether abortions have gone up or gone down, how do you determine the offset against the illegitimacy rate?

Mr. President, that amendment is another illustration of the problem with a block grant that has no requirement of any rule.

This amendment would simply say that the State has to establish rules of eligibility and has to apply those rules of eligibility for every person who fits into that category. It is as simple as that.

This is, again, not a new Federal entitlement. It is simply common sense.

Mr. President, I am ready, if the majority leader would like to make the motion to strike at this time, to have the vote on the motion to strike.

Mr. DOLE. I make a motion to strike the amendment numbered 2496.

The Bradley amendment amends the plan that States must submit to receive Federal funds under the new block grant.

Specifically, the amendment does three things:

It requires the State to define who is eligible and who is ineligible for cash assistance. This creates the invitation for welfare litigation against the States over who is eligible for assistance.

It creates an individual entitlement by requiring States to provide benefits to all individuals that the States deem eligible. This amendment shifts the entitlement from the Federal Government to the State government. The cycle of dependency that is created by the entitlement must be broken.

Finally, the Bradley amendment creates an unfunded mandate on the States by possibly requiring States to provide unmatched funds to individuals.

Mr. President, the point of this exercise is to provide States with the needed flexibility to address welfare reform, not to create another unfunded mandate on the States.

The PRESIDING OFFICER. The motion has been made. Is there further debate?

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

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays have been ordered.

The question is on the motion to strike the previously agreed-to Bradley amendment.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Dole amendment be set aside in order to accommodate one final amendment. It would be my understanding I will offer this amendment and then we would have two votes, perhaps three votes stacked, at least two votes, following debate on the Daschle amendment.

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

AMENDMENT NO. 2682 TO NO. 2280

(Purpose: To permit States to provide noncash assistance to children ineligible for aid because of the 5-year time limitation)

Mr. DASCHLE. Mr. President, I will be very brief.

We have had a good debate about a number of issues relating to welfare. The one that I do not think we have talked enough about, and I will be brief as we talk about it this afternoon, is what happens to children under circumstances that are not of their control. I believe we have to ensure, regardless of what else we do, that children do not pay for the mistakes or circumstances of their parents. Of the 14

million people on AFDC, 9 million are children. They did not ask to be born into these circumstances. They cannot get their parents out of these circumstances. Most importantly, these 9 million children are part of our future.

We talk a lot about State flexibility, but the pending bill does not allow States to provide any assistance to children after 5 years.

What my amendment does is simply say we will not prohibit the States from providing care for children if they so desire. If ever there was an argument for State flexibility, this is it. We are simply giving States the option to assist poor children, clothe children, or help children to stay off the streets. We are not telling States they have to do it; we are simply saying we will not prevent them from doing it.

You have heard a lot about making people get out of the cart and pull it. That is right. We should make people get out of the cart and pull it when they can take responsibility. Able-bodied adults should work. But children, infants, and toddlers cannot be expected to pull the cart.

This really just gives States the opportunity to recognize that fact. The amendment is very simple. It provides States with flexibility. It allows States to use block grant funds to provide vouchers for goods and services for children and their needs once the time limit hits, to ensure that children are protected. I do not understand why Washington should make such a critical decision about what is best for a State when it comes to children.

We have talked about flexibility. We have talked about the need to protect kids. It would seem to me that simply saying we will not prohibit the States from issuing vouchers if they choose to do so and see it as in their best interests is reasonable. I think we ought to allow them to do that.

Once the time limit hits, hopefully families will be off welfare, but we do not know. Maybe yes, maybe no. Children, however, did not cause this situation. Children cannot rectify it.

This amendment is pretty harmless, but the ramifications for children could be great if we do not have this State option. Nine million kids—it is simply a matter of giving the States the flexibility.

I yield the floor.

The PRESIDING OFFICER. Did the Senator seek to call up the amendment?

Mr. DASCHLE. I have an amendment at the desk that I call up.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] for Mr. KENNEDY, for himself and Mr. DASCHLE proposes an amendment numbered 2682 to amendment No. 2280.

Mr. DASCHLE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 40, between lines 16 and 17, insert the following new paragraph:

''(4) NON-CASH ASSISTANCE FOR CHILDREN.—Nothing in paragraph (1) shall be construed as prohibiting a State from using funds provided under section 403 to provide aid, in the form of in-kind assistance, vouchers usable for particular goods or services as specified by the State, or vendor payments to individuals providing such goods or services, to the minor children of a needy family.''.

Mr. DOLE. Mr. President, I say very briefly, maybe I misunderstood. We thought this was part of the agreement. We increased the hardship exemption from 15 to 20 percent because this was a request earlier of the Senator from South Dakota. We could not agree on that.

We thought we agreed to raise the hardship exemption which would take care of some of these cases. I hope the amendment would not be adopted.

We thought we had an agreement, and we want to stick with that agreement. Maybe the Senator from South Dakota had a different interpretation, but I am still willing to leave the hardship exemption at 20 percent, but if we have an agreement—if not, maybe it ought to go back to 15 percent.

In any event, I hope we defeat this amendment and also strike the amendment of the Senator from New Jersey, Senator BRADLEY.

The PRESIDING OFFICER. Is there further debate?

Mr. DOLE. I yield back our time.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays have been ordered.

The PRESIDING OFFICER. Does the Senator from South Dakota wish to offer his second amendment before the rollcall begins?

Mr. DASCHLE. Mr. President, that concludes my list of amendments. I have no others to offer.

MOTION TO STRIKE AMENDMENT NO. 2496

Mr. DOLE. I ask unanimous consent that we return to the motion to strike the Bradley amendment.

The PRESIDING OFFICER. The motion has been made to return to the motion to strike the Bradley amendment. Without objection, it is so ordered.

The question is on agreeing to the motion to strike the amendment numbered 2496.

Mr. DOLE. I ask that these be strictly 10-minute votes. We have Members on each side that want to leave.

The PRESIDING OFFICER. A reminder to the Senators that these will be strictly held at 10 minutes for each vote.

The question now is on agreeing to the motion to strike the Bradley amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. BOND], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Oklahoma [Mr. NICKLES], the Senator from Alaska [Mr. STEVENS], and the Senator from Wyoming [Mr. THOMAS] are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. THOMAS] would vote ''yea.''

Mr. FORD. I announce that the Senator from California [Mrs. BOXER] is necessarily absent.

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

The result was announced—yeas 50, nays 44, as follows:

[Rollcall Vote No. 437 Leg.]

YEAS—50

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

NAYS—44

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

NOT VOTING—6

Bond	Chafee	Stevens
Boxer	Nickles	Thomas

So the motion to strike the amendment (No. 2496) was agreed to.

VOTE ON AMENDMENT NO. 2682

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota, No. 2682. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Missouri [Mr. BOND], the Senator from Rhode Island [Mr. CHAFEE], the Senator from Oklahoma [Mr. NICKLES], the Senator from Wyoming [Mr. SIMPSON], the Senator from Alaska [Mr. STEVENS], and the Senator from Wyoming [Mr. THOMAS], are necessarily absent.

I further announce that, if present and voting, the Senator from Wyoming [Mr. THOMAS], would vote ''nay.''

Mr. FORD. I announce that the Senator from California [Mrs. BOXER], and the Senator from Iowa [Mr. HARKIN] are necessarily absent.

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

The result was announced—yeas 44, nays 48, as follows:

[Rollcall Vote No. 438 Leg.]

YEAS—44

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

NAYS—48

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

NOT VOTING—8

Bond	Harkin	Stevens
Boxer	Nickles	Thomas
Chafee	Simpson	

So, the amendment (No. 2682) was rejected.

Mr. DOLE. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 2526

Mr. FRIST. Mr. President, I ask unanimous consent I be added as a cosponsor to Senator SHELBY's amendment No. 2526 relating to an adoption tax credit which was approved yesterday.

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

AMENDMENT NO. 2568

Mr. KERRY. Mr. President, I strongly support the objective of moving just as many adult recipients or potential recipients of welfare into work and self-sufficiency as we possibly can.

I have some large questions about some of the specific provisions and methodologies employed in the bill before us, and have supported amendments designed to increase their effectiveness and fairness. I am concerned that because most of those amendments have failed, in several important respects the bill will have a punitive effect and will leave many jobless adults without work; without adequate help in preparing to compete for, secure, and keep employment; and therefore with incomes inadequate to support themselves and their children. I also am concerned that as we act to have the Federal Government relinquish its primary responsibility for dealing with the needs of impoverished families and impose a much greater responsibility in that respect on State governments than they previously have borne, we have in several key ways failed to provide the states with adequate resources to meet their newly expanded responsibilities.

Nonetheless, I support the bill's objective of moving Americans from welfare to work, and do not want to weaken the bill's ability to produce that outcome.

I regret that the amendment of the Senator from Florida has been mischaracterized as weakening the bill's ability to move welfare recipients off the rolls and into work, because that is not its intention, nor would that be its effect. The Senator's amendment leaves intact the very same work participation standards contained in the underlying Dole bill. It leaves intact the penalties the bill provides for States that fail to meet the standards that apply to them.

The amendment simply seeks to treat States more fairly in applying work participation standards than does the underlying bill, in recognition of the fact that the formulas for funding distribution contained in the bill result in considerable variation among the States in the amounts of Federal block grant funding per poor minor child the States receive. To achieve that end, the amendment provides for the Federal Government to ''adjust the national participation rate [standards]'' as they will apply to each State each year so that they ''reflect the level of federal funds [each] state is receiving * * * and the average number of minor children in families having incomes below the poverty line that are estimated for the state for the fiscal year.''

This does not give the Federal Government carte blanche to waive the work participation requirement contained in the bill. This does not eviscerate that requirement. The requirement remains. The penalty to be imposed on a State for failing to meet it still remains. The amendment only injects the ability for some human judgment to be applied in securing fairness among the States in applying the work participation requirement when the Secretary determines that the funding a State is receiving is not adequate to reasonably permit it to meet the national work participation standards set by the bill. No matter which party controls the administration at any point, political reality will not permit any administration to disregard the strongly evident intent of the Congress that all States be subject to work participation requirements assuming this bill becomes law.

I support a strong work requirement. I support providing States with sufficient resources to enable them to meet that requirement. And I support this amendment to let good judgment be reflected in imposition of the work requirement on the States.

Mr. DOLE. Mr. President, it is my understanding, now that we have completed action on all the amendments, with the exception of the Gramm amendment No. 2615—there was a motion to table that amendment. It was 49–49. It was not tabled. I think we have agreed that that vote can occur Tuesday.

AMENDMENT NO. 2683

(Purpose: To make modifications to amendment No. 2280)

Mr. DOLE. I am now prepared, if the Democratic leader is prepared, the two of us, to send up the modification.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment No. 2683.

Mr. DOLE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment (No. 2683) is as follows:

On page 17, strike lines 13 through 22 and insert the following:

''(A) IN GENERAL.—For purposes of paragraph (1)(A), a State family assistance grant for any State for a fiscal year is an amount equal to the sum of—

''(i) the total amount of the Federal payments to the State under section 403 (other than Federal payments to the State described in section subparagraphs (A), (B) and (C) of section 419(a)(2)) for fiscal year 1994 (as such section 403 was in effect during such fiscal year), plus

''(ii) the total amount of the Federal payments to the State under subparagraphs (A), (B) and (C) of section 419(a)(2),

as such payments were reported by the State on February 14, 1995, reduced by the amount, if any, determined under subparagraph (B), and for fiscal year 2000, reduced by the percent specified under section 418(a)(3), and increased by an amount, if any, determined under paragraph (2)(D).

On page 77, line 21, strike the end quotation marks and the second period.

One page 77, between lines 21 and 22, insert the following new section:

''SEC. 419. AMOUNTS FOR CHILD CARE.

''(a) CHILD CARE ALLOCATION—

''(1) IN GENERAL.—From the amount appropriated under section 403(a)(4)(A) for a fiscal year, the Secretary shall set aside an amount equal to the total amount of the Federal payments for fiscal year 1994 to States under section—

''(A) 402(g)(3)(A) of this Act (as such section was in effect before October 1, 1995) for amounts expended for child care pursuant to paragraph (1) of such section;

''(B) 403(l)(1)(A) of this Act (as so in effect) for amounts expended for child care pursuant to section 402(g)(1)(A) of this Act, in the case of a State with respect to which section 1108 of this Act applies; and

''(C) 403(n) of this Act (as so in effect) for child care services pursuant to section 402(i) of this Act.

''(2) DISTRIBUTION.—From amounts setaside for a fiscal year under paragraph (1), the Secretary shall pay to a State an amount equal to the total amounts of Federal payments for fiscal year 1994 to the State under section—

''(A) 402(g)(3)(A) of this Act (as such section was in effect before October 1, 1995)for

amounts expended for child care pursuant to paragraph (1) of such section;

''(B) 403(l)(1)(A) of this Act (as so in effect) for amounts expended for child care pursuant to section 402(g)(1)(A) of this Act, in the case of a State with respect to which section 1108 of this Act applies; and

''(C) 403(n) of this Act (as so in effect) for child care services pursuant to section 402(i) of this Act.

''(3) USE OF FUNDS.—Amounts received by a State under paragraph (2) shall only be used to provide child care assistance under this part.

''(4) For purposes of paragraphs (1) and (2), Federal payments for fiscal year 1994 means such payments as reported by the State on February 14, 1995.

''(b) ADDITIONAL APPROPRIATION.—

''(1) IN GENERAL.—There are authorized to be appropriated and there are appropriated, $3,000,000,000 to be distributed to the States during the 5-fiscal year period beginning in fiscal year 1996 for the provision of child care assistance.

''(2) DISTRIBUTION.—

''(A) IN GENERAL.—The Secretary shall use amounts made available under paragraph (1) to make grants to States. The total amount of grants awarded to a State under this paragraph shall be based on the formula used for determining the amount of Federal payments to the State for fiscal year 1994 under section 403(n) (as such section was in effect before October 1, 1995) for child care services pursuant to section 402(i) as such amount relates to the total amount of such Federal payments to all States for such fiscal year.

''(B) FISCAL YEAR 2000.—With respect to the last quarter of fiscal year 2000, if the Secretary determines that any allotment to a State under this subsection will not be used by such State for carrying out the purpose for which the allotment is available, the Secretary shall make such allotment available for carrying out such purpose to 1 or more other States which apply for such funds to the extent the Secretary determines that such other States will be able to use such additional allotments for carrying out such purposes. Such available allotments shall be reallocated to a State pursuant to section 402(i) (as such section was in effect before October 1, 1995) by substituting 'the number of children residing in all States applying for such funds' for 'the number of children residing in the United States in the second preceding fiscal year'. Any amount made available to a State from an appropriation for a fiscal year in accordance with the preceding sentence shall, for purposes of this part, be regarded as part of such State's payment (as determined under this subsection) for such year.

''(3) AMOUNT OF FUNDS.—The Secretary shall pay to each eligible State in a fiscal year an amount equal to the Federal medical assistance percentage for such State for such fiscal year (as defined in section 1905(b)) of so much of the expenditures by the State for child care in such year as exceed the State set-aside for such State under subsection (a) for such year and the amount of State expenditures in fiscal year 1994 that equal the non-Federal share for the programs described in subparagraphs (A), (B) and (C) of subsection (a)(1).

''(4) BUDGET SCORING.—Notwithstanding section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985, the baseline shall assume that no grant shall be made under this subsection after fiscal year 2000.

''(c) ADMINISTRATIVE PROVISIONS.—

''(1) STATE OPTION.—For purposes of section 402(a)(1)(B), a State may, at its option, not require a single parent with a child under the age of 6 to participate in work for more than an average of 20 hours per week during a month and may count such parent as being engaged in work for a month for purposes, of section 404(c)(1) if such parent participates in work for an average of 20 hours per week during such month.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide an entitlement to child care services to any child.

On Page 17, line 22, insert before the period the following: '', and increased by an amount (if any) determined under subparagraph (D).''

On Page 18, between lines 21 and 22, insert the following:

''(D) AMOUNT ATTRIBUTABLE TO STATE PLAN AMENDMENTS.—

''(1) IN GENERAL.—For purposes of subparagraph (A), the amount determined under this subparagraph is an amount equal to the Federal payment under section 403(a)(5) to the State for emergency assistance in fiscal year 1995 under any State plan amendment made under section 402 during fiscal year 1994 (as such sections were in effect before the date of the enactment of the Work Opportunity Act of 1995) subject to the limitation in clause (ii).

''(ii) LIMITATION.—Amounts made available under clause (i) to all States shall not exceed $800 million. If amounts available under this subparagraph are less than the total amount of emergency assistance payments referred to in clause (i), the amount payable to a State shall be equal to an amount which bears the same relationship to the total amount available under this clause as the State emergency assistance payment bears to the total amount of such payments.

On page 25, line 18, insert ''In the case of amounts paid to the State that are set aside in accordance with section 419(9), the State may reserve such amounts for any fiscal year only for the purpose of providing without fiscal year limitation child care assistance under this part.'' after the end period.

Beginning on page 315, strike line 6 and all that follows through page 576, line 12 (renumber subsequent titles and section numbers accordingly).

On page 29, between lines 17 and 18, insert the following:

''(d) CONTINGENCY FUND.—

''(1) ESTABLISHMENT.—There is hereby established in the Treasury of the United States a fund which shall be known as the 'Contingency Fund for State Welfare Programs' (hereafter in this section referred to as the 'Fund').

''(2) DEPOSITS INTO FUND.—Out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated for fiscal years 1996, 1997, 1998, 1999, and 2000, such sums as are necessary for payment to the Fund in a total amount not to exceed $1,000,000,000.

''(3) COMPUTATION OF GRANT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Treasury shall pay to each eligible State in a fiscal year an amount equal to the Federal medical assistance percentage for such State for such fiscal year (as defined in section 1905(b)) of so much of the expenditures by the State in such year under the State program funded under this part as exceed the historic expenditures for such State.

''(B) LIMITATION.—The total amount paid to a State under subparagraph (A) for any fiscal year shall not exceed an amount equal to 20 percent of the annual amount determined for such State under the State program funded under this part (without regard to this subsection) for such fiscal year.

''(C) METHOD OF COMPUTATION, PAYMENT, AND RECONCILIATION.—

''(i) METHOD OF COMPUTATION.—The method of computing and paying such amounts shall be as follows:

''(I) The Secretary of Health and Human Services shall estimate the amount to be paid to the State for each quarter under the provisions of subparagraph (A), such estimate to be based on a report filed by the State containing its estimate of the total sum to be expended in such quarter and such other information as the Secretary may find necessary.

''(II) The Secretary of Health and Human Services shall then certify to the Secretary of the Treasury the amount so estimated by the Secretary of Health and Human Services.

''(ii) METHOD OF PAYMENT.—The Secretary of the Treasury shall thereupon, through the Fiscal Service of the Department of the Treasury and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Secretary of Health and Human Services, the amount so certified.

''(iii) METHOD OF RECONCILIATION.—If at the end of each fiscal year, the Secretary of Health and Human Services finds that a State which received amounts from the Fund in such fiscal year did not meet the maintenance of effort requirement under paragraph (5)(B) for such fiscal year, the Secretary shall reduce the State family assistance grant of such State for the succeeding fiscal year by such amounts.

''(4) USE OF GRANT.—

''(A) IN GENERAL.—An eligible State may use the grant—

''(i) in any manner that is reasonably calculated to accomplish the purpose of this part; or

''(ii) in any manner that such State used amounts received under part A or F of this title, as such parts were in effect before October 1, 1995.

''(B) REFUND OF UNUSED PORTION.—Any amount of a grant under this subsection not used during the fiscal year shall be returned to the Fund.

''(5) ELIGIBLE STATE.—

''(A) IN GENERAL.—For purposes of this subsection, a State is an eligible State with respect to a fiscal year, if

''(i)(I) the average rate of total unemployment in such State (seasonally adjusted) for the period consisting of the most recent 3 months for which data for all States are published equals or exceeds 6.5 percent, and

''(II) the average rate of total unemployment in such State (seasonally adjusted) for the 3-month period equals or exceeds 110 percent of such average rate for either (or both) of the corresponding 3-month periods ending in the 2 preceding calendar years; and

''(ii) has met the maintenance of effort requirement under subparagraph (B) for the State program funded under this part for the fiscal year.

''(B) MAINTENANCE OF EFFORT.—The maintenance of effort requirement for any State under this subparagraph for any fiscal year is the expenditure of an amount at least equal to 100 percent of the level of historic State expenditures for such State (as determined under subsection (a)(5)).

''(6) ANNUAL REPORTS.—The Secretary of the Treasury shall annually report to the Congress on the status of the Fund.

On page 40, line 13, strike ''15'' and insert ''20''.

At the appropriate place, insert the following:

SEC. . ABSTINENCE EDUCATION.

(a) INCREASE IN FUNDING.—Section 501(a) of the Social Security Act (42 U.S.C. 701(a)) is amended in the matter preceding paragraph (1) by striking ''fiscal year 1990 and each fiscal year thereafter'' and inserting ''fiscal years 1990 through 1995 and $761,000,000 for fiscal year 1996 and each fiscal year thereafter''.

(b) ABSTINENCE EDUCATION.—Section 501(a)(1) of such Act (42 U.S.C. 701(a)(1) is amended—

(1) in subparagraph (c), by striking ''and'' at the end;

(2) in subparagraph (D), by adding ''and'' at the end; and

(3) by adding at the end the following new subparagraph:

''(E) to provide abstinence education, and at the option of the State, where appropriate, mentoring, counseling, and adult supervision to promote abstinence from sexual activity, with a focus on those groups which are most likely to bear children out-of-wedlock.''.

(c) ABSTINENCE EDUCATION DEFINED.—Section 501(b) of such Act (42 U.S.C. 701(b)) is amended by adding at the end the following new paragraph:

''(5) ABSTINENCE EDUCATION.—For purposes of this subsection, the term 'abstinence education' shall mean an educational or motivational program which—

''(A) has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity;

''(B) teaches abstinence from sexual activity outside marriage as the expected standard for all school age children;

''(C) teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems;

''(D) teaches that a mutually faithful monogamous relationship in context of marriage is the expected standard of human sexual activity;

''(E) teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects;

''(F) teaches that bearing children out-of-wedlock is likely to have harmful consequences for the child, the child's parents, and society;

''(G) teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and

''(H) teaches the importance of attaining self-sufficiency before engaging in sexual activity.''.

(d) SET-ASIDE.—

(1) IN GENERAL.—Section 502(c) of such Act (42 U.S.C. 702(c)) is amended in the matter preceding paragraph (1) by striking ''From'' and inserting ''Except as provided in subsection (e), from''.

(2) SET-ASIDE.—Section 502 of such Act (42 U.S.C. 702) is amended by adding at the end the following new subsection:

''(e) Of the amounts appropriated under section 501(a) for any fiscal year, the Secretary shall set aside $75,000,000 for abstinence education in accordance with section 501(a)(1)(E).

On page 29, between lines 15 and 16, insert the following:

''(f) ADDITIONAL AMOUNT FOR STUDIES AND DEMONSTRATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated and there are appropriated for each fiscal year described in subsection (a)(1) an additional $20,000,000 for the purpose of paying—

''(A) the Federal share of any State-initiated study approved under section 410(g);

''(B) an amount determined by the Secretary to be necessary to operate and evaluate demonstration projects, relating to part A of title IV of this Act, that are in effect or approved under section 1115 as of October 1, 1995, and are continued after such date;

''(C) the cost of conducting the research described in section 410(a); and

''(D) the cost of developing and evaluating innovative approaches for reducing welfare dependency and increasing the well-being of minor children under section 410(b).

''(2) ALLOCATION.—Of the amount appropriated under paragraph (1) for a fiscal year—

''(A) 50 percent shall be allocated for the purposes described in subparagraphs (A) and (B) of paragraph (1), and

''(B) 50 percent shall be allocated for the purposes described in subparagraphs (C) and (D) of paragraph (1).

On page 29, line 16, strike ''(f)'' and insert ''(g)''.

On page 57, beginning on line 22, strike all through page 60, line 2, and insert the following:

''(a) IN GENERAL.—The Secretary, in consultation with State and local government officials and other interested persons, shall develop a quality assurance system of data collection and reporting that promotes accountability and ensures the improvement and integrity of programs funded under this part.

''(b) STATE SUBMISSIONS.—

''(1) IN GENERAL.—Not later than the 15th day of the first month of each calendar quarter, each State to which a grant is made under section 403(f) shall submit to the Secretary the data described in paragraphs (2) and (3) with respect to families described in paragraph (4).

''(2) DISAGGREGATED DATA DESCRIBED.—The data described in this paragraph with respect to families described in paragraph (4) is a sample of monthly disaggregated case record data containing the following:

''(A) The age of the adults and children (including pregnant women) in each family.

''(B) The marital and familial status of each member of the family (including whether the family is a 2-parent family and whether a child is living with an adult relative other than a parent).

''(C) The gender, educational level, work experience, and race of the head of each family.

''(D) The health status of each member of the family (including whether any member of the family is seriously ill, disabled, or incapacitated and is being cared for by another member of the family).

''(E) The type and amount of any benefit or assistance received by the family, including—

''(i) the amount of and reason for any reduction in assistance, and

''(ii) if assistance is terminated, whether termination is due to employment, sanction, or time limit.

''(F) Any benefit or assistance received by a member of the family with respect to housing, food stamps, job training, or the Head Start program.

''(G) The number of months since the family filed the most recent application for assistance under the program and if assistance was denied, the reason for the denial.

''(H) The number of times a family has applied for and received assistance under the State program and the number of months assistance has been received each time assistance has been provided to the family.

''(I) The employment status of the adults in the family (including the number of hours worked and the amount earned).

''(J) The date on which an adult in the family began to engage in work, the number of hours the adult engaged in work, the work activity in which the adult participated, and the amount of child care assistance provided to the adult (if any).

''(K) The number of individuals in each family receiving assistance and the number of individuals in each family not receiving assistance, and the relationship of each individual to the youngest child in the family.

''(L) The citizenship status of each member of the family.

''(M) The housing arrangement of each member of the family.

''(N) The amount of unearned income, child support, assets, and other financial factors considered in determining eligibility for assistance under the State program.

''(O) The location in the State of each family receiving assistance.

''(P) Any other data that the Secretary determines is necessary to ensure efficient and effective program administration.

''(3) AGGREGATED MONTHLY DATA.—The data described in this paragraph is the following aggregated monthly data with respect to the families described in paragraph (4):

''(A) The number of families.

''(B) The number of adults in each family.

''(C) The number of children in each family.

''(D) The number of families for which assistance has been terminated because of employment, sanctions, or time limits.

''(4) FAMILIES DESCRIBED.—The families described in this paragraph are—

''(A) families receiving assistance under a State program funded under this part for each month in the calendar quarter preceding the calendar quarter in which the data is submitted;

''(B) families applying for such assistance during such preceding calendar quarter; and

''(C) families that became ineligible to receive such assistance during such preceding calendar quarter.

''(5) APPROPRIATE SUBSETS OF DATA COLLECTED.—The Secretary shall determine appropriate subsets of the data describe in paragraphs (2) and (3) that a State is required to submit under paragraph (1) with respect to families described in subparagraphs (B) and (C) of paragraph (4).

''(6) SAMPLING AND OTHER METHODS.—The Secretary shall provide the States with such case sampling plans and data collection procedures as the Secretary deems necessary to produce statistically valid estimates of each State's program performance. The Secretary is authorized to develop and implement procedures for verifying the quality of data submitted by the States.

On page 62, after line 24, insert the following:

''(j) REPORT TO CONGRESS.—Not later than 6 months after the end of fiscal year 1997, and each fiscal year thereafter, the Secretary shall transmit to the Congress a report describing—

''(1) whether the States are meeting—

''(A) the participation rates described in section 404(a); and

''(B) the objectives of—

''(i) increasing employment and earnings of needy families, and child support collections; and

''(ii) decreasing out-of-wedlock pregnancies and child poverty;

''(3) the demographic and financial characteristics of families applying for assistance, families receiving assistance, and families that become ineligible to receive assistance;

''(4) the characteristics of each State program funded under this part; and

''(5) the trends in employment and earnings of needy families with minor children.

On page 63, beginning on line 3, strike all through line 16, and insert the following:

''(a) RESEARCH.—The Secretary shall conduct research on the benefits, effects, and costs of operating different State programs funded under this part, including time limits relating to eligibility for assistance. The research shall include studies on the effects of different programs and the operation of such programs on welfare dependency, illegitimacy, teen pregnancy, employment rates, child well-being, and any other area the Secretary deems appropriate.

''(b) DEVELOPMENT AND EVALUATION OF INNOVATIVE APPROACHES TO REDUCING WELFARE DEPENDENCY AND INCREASING CHILD WELL-BEING.—

''(1) IN GENERAL.—The Secretary may assist States in developing, and shall evaluate, innovative approaches for reducing welfare dependency and increasing the well-being of minor children with respect to recipients of assistance under programs funded under this part. The Secretary may provide funds for training and technical assistance to carry out the approaches developed pursuant to this paragraph.

''(2) EVALUATIONS.—In performing the evaluations under paragraph (1), the Secretary shall, to the maximum extent feasible, use random assignment as an evaluation methodology.

On page 63, line 17, strike ''(d)'' and insert ''(c)''.

On page 63, line 24, strike ''(e)'' and insert ''(d)''.

On page 64, line 21, strike ''(f)'' and insert ''(e)''.

On page 66, line 3, strike ''(g)'' and insert ''(f)''.

On page 66, between lines 19 and 20, insert the following:

''(g) STATE-INITIATED STUDIES.—A State shall be eligible to receive funding to evaluate the State's family assistance program funded under this part if—

''(1) the State submits a proposal to the Secretary for such evaluation,

''(2) the Secretary determines that the design and approach of the evaluation is rigorous and is likely to yield information that is credible and will be useful to other States, and

''(3) unless otherwise waived by the Secretary, the State provides a non-Federal share of at least 10 percent of the cost of such study.

On page 163, line 16, add ''and'' after the semicolon.

On page 163, strike lines 17 through 24, and insert in lieu thereof the following:

''(iii) for fiscal years 1997 through 2002, $124, $211, $174, $248 and $109, respectively.''

On page 164, line 2, strike ''2000'' and insert in lieu thereof ''2002''.

On page 126, between lines 9 and 10, insert the following:

(c) TREATMENT SERVICES FOR INDIVIDUALS WITH A SUBSTANCE ABUSE CONDITION.—

(1) IN GENERAL.—Title XVI (42 U.S.C. 1381 et seq.) is amended by adding at the end the following new section:

''TREATMENT SERVICES FOR INDIVIDUALS WITH A SUBSTANCE ABUSE CONDITION

''SEC. 1636. (a) In the case of any individual eligible for benefits under this title by reason of disability who is identified as having a substance abuse condition, the Commissioner of Social Security shall make provision for referral of such individual to the appropriate State agency administering the State plan for substance abuse treatment services approved under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.)

''(b) No individual described in subsection (a) shall be an eligible individual or eligible spouse for purposes of this title if such individual refuses without good cause to accept the referred services described under subsection (a).

(2) CONFORMING AMENDMENT.—Section 1614(a)(4) (42 U.S.C. 1382c(a)(4)) is amended by inserting after the second sentence the following new sentence: ''For purposes of the preceding sentence, any individual identified by the Commissioner as having a substance abuse condition shall seek and complete appropriate treatment as needed.''.

On page 126, line 10, strike ''c'' and insert ''(d)''.

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

(e) 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 (42 U.S.C. 300x–33), $50,000,000 for each of the fiscal years 1997 and 1998.

(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 (42 U.S.C. 300x–33) 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.

On page 131, line 23, insert '', including such individual's treatment (if any) provided pursuant to such title as in effect on the day before the date of such enactment,'' after ''individual''.

On page 158, between lines 11 and 12, insert the following:

SUBTITLE F—RETIREMENT AGE ELIGIBILITY

SEC. 251. ELIGIBILITY FOR SUPPLEMENTAL SECURITY INCOME BENEFITS BASED ON SOCIAL SECURITY RETIREMENT AGE.

(a) IN GENERAL.—Section 1614 (a)(1)(A) (42 U.S.C. 1382c(a)(1)(A)) is amended by striking ''is 65 years of age or older,'' and inserting ''has attained retirement age.''.

(b) RETIREMENT AGE DEFINED.—Section 1614 (42 U.S.C. 1382c) is amended by adding at the end the following new subsection:

''Retirement Age

''(g) For purposes of this title, the term ''retirement age'' has the meaning given such term by section 216(*l*)(1).''.

(c) CONFORMING AMENDMENTS.—Sections 1601, 1612(b)(4), 1615(a)(1), and 1620(b)(2) (42 U.S.C. 1381, 1382a(b)(4), 1382d(a)(1), and 1382i(b)(2)) are amended by striking ''age 65'' each place it appears and inserting ''retirement age''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to applicants for benefits for months beginning after September 30, 1995.

Mr. DOLE. Mr. President, I know there are some of our colleagues that want to make statements this afternoon on that. I would go over that just very quickly.

I think we agree on the child care, the first provision, with a set-aside in 1994 of $1 billion. Then we provide an additional $3 billion over 5 years for child care to be distributed among the States based on the funds for the title IV–A at-risk child care program.

Job training. I will get that agreement, which I think has been cleared by the Democratic leader, which will be handled under a separate freestanding agreement.

Mr. DASCHLE. Yes.

Mr. DOLE. The contingency grant fund. This is in addition to the loan fund. We keep the loan fund at $1.7 billion. The contingency fund is $1 billion over 7 years. Funds must be matched at Medicaid matching rates, and States must have maintained their 1994 level on spending on title IV–A and IV–F programs.

Limited additional funds are available for those States whose base years do not fully reflect subsequent adjustments related to emergency assistance. I understand that affects 12 States. I am not certain of the total cost of that provision, but I think around $900 million.

The hardship exemption has been increased from 15 percent to 20 percent.

There is $75 million per year for abstinence education.

Program evaluation authorizes $20 million per year for evaluation.

Food stamps. We worked out a provision which will save about $1.6 billion. In the food stamp program, the standard deduction for all food stamp recipients will be reduced from the original S. 1120. It stages from its current level of $134 in increments of $2 per year down to $124 in fiscal year 2000. This modification will reduce the standard deduction to $132 in fiscal year 1996, as in the original S. 1120, and then immediately down to $124 in 1997, where it remains through fiscal year 2002. CBO gives this change a preliminary savings estimate of $1.1 billion in additional savings.

SSI. The SSI provision is the one, $50 million per year for 2 years for treatment, funded under the substance abuse block grant, a matter of interest to Senator COHEN and Senator BINGAMAN.

I also ask unanimous consent to have printed in the RECORD at this point a letter from the National Governors' Association. As the Democratic leader knows, we received letters asking for more child care funding and contingency grant funding and a number of other things.

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

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, September 13, 1995.

Hon. ROBERT DOLE,
U.S. Senate Majority Leader, U.S. Senate, Washington, DC.

DEAR SENATOR DOLE: As you consider legislation to block grant key welfare and child care programs, we urge you to keep in mind the lessons states have learned over the last decade of experimentation in welfare reform. As Governors we know what it takes to reform the welfare system because we are already doing it in our states—through state waiver initiatives and through implementation of the Family Support Act. Our experience tells us that three elements are crucial: welfare must be temporary and linked to work; both parents must support their children; and child care must be available to enable low income families with children to work.

Governors do believe that greater flexibility could aid significantly our efforts to reform the welfare system. We appreciate and support the changes that have been made recently to your bill to ensure that states have the ability to design their own welfare systems. These changes include a state option to count vocational educational training toward welfare-to-work participation rates and the ability to exempt families with very young children from work requirements.

As the Senate considers welfare reform legislation, we believe you should address several remaining key issues:

Child Care. Child care represents the largest part of the up-front investment needed for successful welfare reform. We appreciate the flexibility that Title I of S. 1120 provides for states to design child care services for families who are participating in welfare-to-work activities or who have left welfare for work, and the working poor. Further we are pleased that the mandate to provide child care to mothers with children under age six contained in the Senate Finance Committee bill has been removed.

We are concerned that unless adequate child care funding continues to be provided at the federal level, the work requirements in the bill could represent a significant unfunded mandate on the states. While Governors differ on the exact level of child care funding needed to implement the work requirements, we all agree that states will need substantially more funding than is currently in your bill.

We believe that if the following changes were adopted, the federal-state partnership could be preserved for meeting increased needs due to welfare work requirements and increased child care needs could be minimized:

Give states access to a limited amount of additional federal matching fund for child care. These funds would be available to states at the Medicaid match or 70 percent, whichever is higher. Only states that were maintaining their state levels of spending could qualify for these funds to ensure that federal funds do not supplant state spending. Funds would be allocated to states in the same way that At-Risk Child Care funds are currently distributed.

To ensure protection for child care funding, fund the Child Care Development Block Grant (CCDBG) as an entitlement to states and eliminate prescriptive earmarks that limit state flexibility in administering programs. Quality set-asides and mandated resource and referral programs detract from states' ability to provide needed child care services. Currently the CCDBG is a discretionary program. The CCDBG is a critical source of funds for child care assistance to poor families, particularly for the working poor, and states will need the assurance that these funds will be available at the level at which the program is authorized.

Give states the option of limiting required hours of work to 20 hours per week for families with children under age six. This would allow states to minimize the amount of child care assistance needed by families with young children and would allow states to set work expectations for low income mothers with young children that are consistent with what our society experts of other mothers with young children. The bill approved by the Finance Committee did not require more than 20 hours of work per week; S. 1120, however, mandates 35 hours per week by the year 2000. This is a major factor behind estimates that by the year 2000 states will have to spend several billion dollars annually, above and beyond current spending, to meet the costs of providing child care for welfare recipients.

Contingency Grant Fund. Economic downturns can derail welfare reform by sapping state revenues just when need for assistance is rising. The greater flexibility of block grant will allow states in normal economic times to control their own welfare costs through eligibility, benefit and work program decisions. We believe, however, that if a deep economic recession occurs, the need for economic assistance may well overwhelm the fiscal capacity of some states to respond to that need. We urge you to include a contingency grant fund that gives states that experience sharp increases in unemployment access to federal matching grants. Contingency funds would have to be matched at the Medicaid match rates and states would only have access to these grants if they have maintained their own level of state spending.

Restrictions on Aid. In the past federal restrictions on eligibility have served to contain federal costs given the open-ended entitlement nature of federal cash assistance funding. Governors believe that such restrictions have no place, however, in a block grant system where federal costs are fixed, regardless of the eligibility and benefit choices made by each state. Accordingly we oppose any provisions that prohibit states from aiding such groups as legal aliens, teen parents, or additional children born to welfare recipients. These decisions are most appropriately made at the state level.

Direct Funding to Tribes and Localities. Under current law, federal welfare funds flow through state governments which, in turn, add state matching funds and send the combined state and federal funds to localities, including countries and tribal reservations. S. 1120 would change this system by allowing tribal governments to apply for direct federal assistance, bypassing any state role. In addition, we understand a floor amendment will be offered that would similarly allow counties to bypass the state government. We believe any direct funding to tribes or localities would be a serious mistake. First, by eliminating the state role, it is likely to lead to the end of future state funding to those tribes and localities receiving direct federal funds. Second, in the case of tribal families, it would be very difficult to sort out who is responsible for serving families in areas outside of reservations where tribal and nontribal families live interspersed. Third, direct funding to localities will prevent states from undertaking statewide reforms.

State Penalties. As Governors we expect to be held accountable for the use of any federal block grant funds, and are fully committed to repaying any funds that the federal government determines to have been misspent. We are concerned, however, about the punitive nature of the penalties in S. 1120. It goes beyond requiring states to repay any misspent funds by creating a three-tier penalty which 1) requires repayment of misspent funds; 2) imposes a five percent reduction in a state's block grant allotment; and 3) requires states to pay the five percent penalty out of state general revenues rather than through any reduction in program spending. These provisions should be modified.

Performance Bonuses. Whether or not final welfare reform legislation includes state penalties, we believe that it should include bonuses for states with exceptional performance. We support the proposal to give states performance bonuses for each recipient they place in work. States that have been successful in putting welfare recipients to work should be rewarded and allowed to use such bonuses for additional investments in child care for the working poor and welfare-to-work programs.

Thank you for your consideration of our views.

Sincerely,

GOVERNOR TOMMY G. THOMPSON,
State of Wisconsin.
GOVERNOR BOB MILLER,
State of Nevada.

Mr. DOLE. Before I yield—if I could get this—I ask as part of the unanimous consent that when the Senate proceeds to consideration of S. 143, Calendar No. 153, that it be considered under the following time limitation: The committee-reported amendment be withdrawn, the managers be allowed to offer a substitute amendment; further, that the debate time be limited to a total of 9 hours equally divided between the two managers, with the only amendments in order to the bill be the following first-degree amendments, with no second-degree amendments in order, and that each amendment be limited to 45 minutes in the usual form.

The amendments are: An amendment to strike the repeal of trade adjustment assistance; a Specter amendment regarding Job Corps; a Breaux amendment regarding dislocated workers; a Jeffords-Pell amendment regarding adult education; a Dodd amendment regarding national set-asides for migrant workers, dislocated workers, and others; five relevant Kassebaum amendments; and five relevant Kennedy amendments.

This agreement was worked out with my colleague from Kansas, Senator KASSEBAUM, and the Senator from Massachusetts, Senator KENNEDY.

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

Mr. DOLE. I ask unanimous consent that the summary of the leadership amendment, the Dole-Daschle amendment, be printed in the RECORD. I stated just briefly what the summary entails.

And there will be a record vote on this amendment; is that right?

Mr. DASCHLE. Yes.

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

LEADERSHIP AMENDMENT

1. CHILD CARE

a. Set aside 1994 Title IV–A child care federal amount (approximately $1 billion) annually to be used for child care as currently provided in bill (as modified by Kassebaum). Allocate based on state's 1994 spending on Title IV–A child care.

b. Provide additional $3.0 billion over 5 years for child care. To be distributed among the states based on the funds for the Title IV–A at-risk child care program. To be eligible, state must have maintained 1994 Title IV–A spending on child care. Must match under the medicaid matching formula.

c. At state option, single parents with children age 5 and under may not be required to work more than 20 hours per week.

2. JOB TRAINING

Free standing bill under agreed upon time agreement.

3. CONTINGENCY GRANT FUND

(This is in addition to loan fund not in lieu of.)

Over 7 years, provides $1 billion in grant fund to be available to states under the following conditions.

a. Funds must be matched at medicaid matching rates.

b. States must have maintained their 1994 level of spending on Title IV–A and IV–F programs.

Limited additional funds available for those states whose base year does not fully reflect subsequent adjustments related to emergency assistance.

4. HARDSHIP EXEMPTION

Increase current hardship exemption in the bill from 15 percent to 20 percent.

5. ABSTINENCE EDUCATION

Increase funding for Title V Block Grant by $75 million per year to be earmarked for abstinence education.

6. PROGRAM EVALUATION

Authorize $20 million per year for evaluation.

7. FOOD STAMPS

In the Food Stamp Program, the standard deduction, a deduction from income given to all food stamp recipients, was reduced, in the original S. 1120, in stages from its current level of $134 in increments of $2 per year down to a level of $124 in FY2000. This modification would reduce the standard deduction to $132 in FY1996 (as in the original S. 1120) and then immediately down to $124 in FY1997 where it would remain through FY2002. CBO gives this change a preliminary savings estimate of $1.1 billion in additional savings.

8. SSI

1. All recipients identified with substance abuse problem must be referred for treatment.

2. $50 million per year for 2 years (97–98) for treatment. Funded under Substance Abuse Block Grant.

3. For the next year, current recipients enrolled with RMAs will continue with RMA.

4. Conform age for eligibility to social security retirement age.

Mr. DOLE. I yield the floor.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The distinguished minority leader.

Mr. DASCHLE. Let me thank the majority leader for his cooperation in bringing us to this point. Obviously, this was a matter of a great deal of discussion over the last several days, and I think it represents our best effort at attempting to reconcile a number of issues for which there is interest on both sides.

Obviously, child care was the most significant. As the distinguished leader indicated, this bill provides for $3 billion over 5 years for childcare services to be provided by the States. That is in addition to the $5 billion over the next 5 years that was originally contemplated in the original Dole bill as well as the Democratic bill that we voted upon earlier.

So it represents, in my view, the most significant commitment the Senate has made thus far to the realization that there is a very important investment required in child care if, indeed, we want the recipients of welfare ultimately to find work and to obtain the job skills necessary to work.

In my view, as many of us have indicated, this is the linchpin to making welfare work better. Good child care means better participation, means greater success at what it is we are trying to do. So this is really the key of this amendment as well. Not only is it the key of the bill, but it was critical to finding some resolution to the issue. And as a result of a good deal of discussion and negotiation on both sides, we have now come to this point.

I am very pleased that we can say with some satisfaction that we are providing States with resources that will be critical to their success in making welfare work.

In addition, of course, we have had a good debate about what ought to be the level of maintenance that will be required of States over the next 5 years, what will be required of them, not just what will the Federal Government do, but what will the States do.

We offered an amendment for which there was a very close vote in recognition of the need to require States to do a certain level of responsibility. We have agreed that an 80-percent real maintenance of effort is something that is prudent and something for which there ought to be strong bipartisan support.

We also, as we have just indicated with this unanimous-consent agreement relating to job training, taken out those segments of the original Dole bill that would have authorized job training outside of the welfare context.

Our view is that it is important for us to find ways to ensure that people who are not on welfare have good job training, people who have lost jobs who otherwise would be productive citizens may need to be skilled in new jobs. This whole section of the bill is designed to provide opportunities for that to happen. But it is not a welfare program, so we do not want to give it that welfare connotation.

That is really, in essence, what this agreement does. It allows us to separate out job training and provide for the necessary legislation, as soon as we dispose of this bill and the appropriations bills, to return to job training and allow us to do that.

Fourth, and just as importantly, we recognize that States on many occasions will find that the current allotment is not going to work. I am very concerned about whether the provisions in this bill will allow that to be addressed adequately. We provide $1 billion over 5 years. I recognize we are working under constraints in resources, but I am concerned that we may have to revisit this issue at some point in the future. But $1 billion is better than none at all. States have indicated they need it. This provides it.

So we also, in a bipartisan way, I think, recognize that there will be emergencies, and this fund will allow us to deal with them in a meaningful way.

It also provides a change in the time limits that are provided under the exemption. The original Dole bill allowed Governors a 15-percent exemption. This raises it to 20 percent. We provide $75 million per year in abstinence education and then, finally, at least $50 million over the next 4 years each year for substance abuse treatment. That was the Cohen amendment.

Mr. President, this is a good compromise, a good amendment. I hope that it enjoys broad support next Tuesday when we have the opportunity to vote on it. I propose we have a little bit of time to revisit the issue, maybe 10, 15 minutes on a side prior to the point we vote on final passage and on this amendment. It is worthy of our support, and I appreciate the cooperation of Senators on both sides of the aisle who brought us to this point this afternoon.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I want to compliment the two leaders for their leadership in helping to bring about this agreement. I hope everybody will support the leadership amendment. Not everybody is pleased. That is what compromises are all about. But I have to tell you, a lot of people felt when we started this debate that it would drag out for weeks; that there would be no effective resolution; that we could not bring both sides together, because there are too wide viewpoints: One side wants more and more for welfare and wants it for the best of reasons. The other side believes balanced budgets are the prime effort that we should be taking at this time, because if we do not, the moneys we have will not be worth anything anyway.

If we go to $10 trillion in the national debt, who cares what is going to happen. What happened here because of the two leaders is we have been able to work together and bring together a package that is going to make a whale of a difference for the whole society. It is a savings package, a compassionate package. In other words, it is a package that points toward a balanced budget in a reasonable period of time by the year 2002.

In particular, I want to talk a second or two about our majority leader. This has been one of the more difficult problems that I have seen on the floor. There are so many varying beliefs, so many varying difficulties in managing this bill. It has taken great patience, great tolerance, sometimes pretty tough talk, and an awful lot of leadership to bring this bill to this point where next week we are going to pass it, one way or the other, and we are going to pass it with this leadership amendment.

There are a lot of very, very important parts of this bill. You cannot really say any one part was the linchpin or the only key part that really made this bill possible. We have had everything ranging from abstinence education to food stamps to program evaluation to SSI. Job training has been set apart, mainly because we know it is a very hot issue and a very difficult one to resolve with 150 different job training programs in the Federal Government. What is being done here is trying to consolidate them to make them work better, more efficiently and give the States a little more leeway to be able to solve some of these problems.

On child care, let me tell you something, without the effective work of the majority leader, that would not have been brought about. He had it within his power and was pushed at one time to stop it, to cut out additional

funds for child care above the $5 billion originally in the bill. But he worked with both sides, cajoled both sides, tried to resolve the problems and, ultimately, we have done what really is right here.

We provided an additional $3 billion for child care. First of all, we set aside the 1994 title IV–A child care Federal amount, which is approximately $1 billion, so that it will be used for child care as it should be. That was something that had to be solved. That was an amendment that I pushed very hard.

The distinguished Senator from Kansas displayed a significant—both Senators from Kansas, but I am talking about, in this case, the distinguished chairman of the Labor and Human Resources Committee. Without her, we would not be anywhere near having a child care bill that is the integral part of this bill. She has done a terrific job, along with Senator SNOWE from Maine, and others, that I would like to mention, but for want of time will not.

I have to compliment the distinguished Senator from Connecticut, Senator DODD, and Senator KENNEDY from Massachusetts. These Senators wanted more money. They wanted to do more in this area, but they also had to recognize that there is a limit, that there are not the moneys there and that it is really wrong, basically and fundamentally wrong, to promise to the American people, especially those single heads of household who depend on child care, that there is going to be another $10 billion of child care there, when we are only talking about an authorization and there is no way to get that kind of money. It would have sent out a signal and sent out a message and would have demoralized a lot of people.

What happened is we brought it all together under the leadership of Senator DOLE. I have to say to my good friend from South Dakota as well, the distinguished minority leader, what a tremendous job these two leaders have done. As usual, the majority leader has consistently taken these tough, hard issues day after day, week after week, sometimes having more trouble on our side, but always having plenty of challenge on the other side and getting it done.

In this case, I just cannot compliment these two leaders enough. I would feel badly leaving here today without at least expressing my fondness and my regard for them and their leadership.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The distinguished majority leader.

Mr. DOLE. Mr. President, let me also commend and congratulate the Senator from Utah, Senator HATCH, because we were in some very tense discussions yesterday. And we have tense discussions around here from time to time. It was over how do we do the right thing and still save enough money and change the system. I think we ended up right on track in all three areas. Much of it was due to the efforts of Senator HATCH working with Senators on the other side and working with a number on this side of the aisle and working with the majority leader. I, in turn, went to the Democratic leader, and we were able to come together after a little misunderstanding late in the afternoon about whether it was $2 or $3 billion.

In any event, we have now accomplished that, and I think we will have a little debate on Tuesday before the vote. I hope that the two leaders will have 5 minutes each so we can make a closing statement on the bill.

I would expect broad bipartisan support. We have had 95 hours, I think, on this bill, and 38 votes, tough votes. There were a lot of votes today. In fact, there were 10 today. I think we have had a good debate. Everybody has had an opportunity to express their views. I believe when a final vote is taken, there will be a strong bipartisan support for changing welfare as we know it, giving power back to the States. I think that is a big step in the right direction.

There are a number of amendments that have been cleared, and I will offer those at this time.

I ask unanimous consent to temporarily set aside amendment No. 2683 so that I may offer these amendments.

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

AMENDMENTS NOS. 2552; 2567; 2499; 2580, AS MODIFIED; 2585, AS MODIFIED; 2544; 2486, AS MODIFIED; AND 2684

Mr. DOLE. Mr. President, I ask unanimous consent to consider and adopt the following amendments, en bloc, that any amendment be considered as modified where noted with the modifications I send to the desk, and that any statements accompanying these amendments be inserted at the appropriate place in the RECORD as if read. Those are as follows:

A Bryan amendment No. 2552; a Graham of Florida amendment No. 2567; a Bond amendment No. 2499; a Grams of Minnesota amendment No. 2580, as modified; a Stevens amendment No. 2585, previously agreed to, now as modified; a McCain amendment No. 2544; a Levin-Dole amendment No. 2486, previously agreed to, as modified; and an Abraham-Jeffords amendment. I send them all to the desk.

The PRESIDING OFFICER. Without objection, the amendments are agreed to, en bloc.

The amendments (Nos. 2552; 2567; 2499; 2580, as modified; 2585, as modified; 2544; 2486, as modified; and 2684) were agreed to.

The modified amendments and amendment No. 2684 read as follows:

AMENDMENT NO. 2580, AS MODIFIED

On page 36, between lines 13 and 14, insert the following:

''(4) LIMITATION ON VOCATIONAL EDUCATION ACTIVITIES COUNTED AS WORK.—For purposes of determining monthly participation rates under paragraphs (1)(B)(i)(I) and 2(B)(i) of subsection (b), not more than 25 percent of adults in all families and in 2-parent families determined to be engaged in work in the State for a month may meet the work activity requirement through participation in vocational educational training.

AMENDMENT NO. 2585, AS MODIFIED

On page 16, beginning on line 13, strike all through line 17, and insert the following:

''(4) INDIAN; INDIAN TRIBE, AND TRIBAL ORGANIZATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'Indian', 'Indian tribe', and 'tribal organization' have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(B) IN ALASKA.—For purposes of making tribal family assistance grants under section 414 on behalf of Indians in Alaska, the term 'Indian tribe' shall mean only the following Alaska Native regional nonprofit corporations:

''(i) Arctic Slope Native Association.

''(ii) Kawerak, Inc.

''(iii) Maniilaq Association.

''(iv) Association of Village Council Presidents.

''(v) Tanana Chiefs Conference.

''(vi) Cook Inlet Tribal Council.

''(vii) Bristol Bay Native Association.

''(viii) Aleutian and Pribilof Island Association.

''(ix) Chugachmuit.

''(x) Tlingit Haida Central Council.

''(xi) Kodiak Area Native Association.

''(xii) Copper River Native Association.

On page 75, between lines 6 and 7, insert the following:

''(i) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, and except as provided in paragraph (2), an Indian tribe in the State Alaska that receives a tribal family assistance grant under this section shall use such grant to operate a program in accordance with the requirements applicable to the program of the State of Alaska funded under this part.

''(2) WAIVER.—An Indian tribe described in paragraph (1) may apply to the appropriate State authority to receive a waiver of the requirement of paragraph (1).

AMENDMENT NO. 2486, AS MODIFIED

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

(G) COMMUNITY SERVICE.—Not later than 2 years after the date of the enactment of this Act, consistent with the exception provided in section 404(d), require participation by, and offer to, unless the State opts out of this provision by notifying the Secretary, a parent or caretaker receiving assistance under the program, after receiving such assistance for 6 months—

''(i) is not exempt from work requirements; and

''(ii) is not engaged in work as determined under section 404(c),

in community service employment, with minimum hours per week and tasks to be determined by the State.

On page 51, strike the matter inserted between lines 11 and 12 by the modification submitted on September 8, 1995, and insert the following:

''(e) GRANT INCREASED TO REWARD STATES THAT REDUCE OUT-OF-WEDLOCK BIRTHS.—

''(1) IN GENERAL.—The amount of the grant payable to a State under section 403(a)(1)(A) for fiscal years 1998, 1999, and 2000 shall be increased by—

''(A) an amount equal the product of $25 multiplied by the number of children in the

State in families with incomes below the poverty line, according to the most recently available Census data, if—

''(i) the illegitimacy ratio of the State for the most recent fiscal year for which such information is available is at least 1 percentage point lower than the illegitimacy ratio of the State for fiscal year 1995 (or, if such information is not available, the first available year after 1995 for which such data is available); and

''(ii) the rate of induced pregnancy terminations for the same most recent fiscal year in the State is not higher than the rate of induced pregnancy terminations in the State for fiscal year 1995 (or, the same first available year); or

''(B) an amount equal the product of $50 multiplied by the number of children in the State in families with incomes below the poverty line, according to the most recently available Census data, if—

''(i) the illegitimacy ratio of the State for the most recent fiscal year for which information is available is at least 2 percentage points lower than the illegitimacy ratio of the State for fiscal year 1995 (or, if such information is not available, the first available year after 1995 for which such data is available); and

''(ii) the rate of induced pregnancy terminations in the State for the same most recent fiscal year is not higher than the rate of induced pregnancy terminations in the State for fiscal year 1995 (or, the same first available fiscal year).

''(2) DETERMINATION OF THE SECRETARY.—The Secretary shall not increase the grant amount under paragraph (1) if the Secretary determines that the relevant difference between the illegitimacy ratio of a State for an applicable fiscal year and the illegitimacy ratio of such State for fiscal year 1995 or, where appropriate, the first available year after 1995 for which such data is available, is the result of a change in State methods of reporting data used to calculate the illegitimacy ratio or if the Secretary determines that the relevant non-increase in the rate of induced pregnancy terminations for an applicable fiscal year as compared to fiscal year 1995 or the appropriate fiscal year is the result of a change in State methods of reporting data used to calculate the rate of induced pregnancy terminations.

''(3) ILLEGITIMACY RATIO.—For purposes of this subsection, the term 'illegitimacy ratio' means, with respect to a State and a fiscal year—

''(A) the number of out-of-wedlock births that occurred in the State during the most recent fiscal year for which such information is available; divided by

''(B) the number of births that occurred in the State during the most recent fiscal year for which such information is available.

''(4) POVERTY LINE.—For purposes of this subsection, the term 'poverty line' has the meaning given such term in section 403(a)(3)(D)(iii).

''(5) AVAILABILITY OF AMOUNTS.—There are authorized to be appropriated and there are appropriated such sums as may be necessary for fiscal years 1998, 1999, and 2000 for the purpose of increasing the amount of the grant payable to a State under section 403(a)(1) in accordance with this subsection.

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

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

The motion to lay on the table was agreed to.

Mr. DOLE. There were 39 votes and there will be three more, so that is 42 votes before we complete action.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate reconvenes at 2:15 p.m. on Tuesday—and we will be here Monday, but this is after the policy lunch Tuesday—the Senate proceed to 30 minutes of debate to be equally divided in the usual form, to be followed immediately by a vote on the Gramm amendment No. 2615, to be followed by a vote on the Dole modification, to be followed by adoption of the Dole amendment No. 2280, third reading and final passage of H.R. 4, as amended, with 2 minutes for debate between the second and third votes, to be equally divided in the usual form.

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

Mr. DOLE. For the information of all Senators, at 2:15 p.m., there will be 30 minutes for debate, under the control of the leaders or their designees, for wrap-up statements with respect to the welfare bill, and then the Senate will proceed to three back-to-back votes on the Gramm amendment No. 2615, the Dole modification, and final passage of H.R. 4.

Mr. DASCHLE. If the majority leader will yield, just for the information of Senators, is it still the majority leader's intention to bring up the Agriculture appropriations bill on Monday?

Mr. DOLE. If there is no objection, we would like to proceed to that. In fact, I think I have it here. At the hour of 10 a.m. we will proceed to calendar No. 186, H.R. 1976, the Agriculture appropriations bill.

Mr. DASCHLE. The unanimous-consent agreement does include a reference to when votes will take place?

Mr. DOLE. Not prior to the hour of 5:15.

Again, candidly, I know some of our Senators have official business on Monday. So we are trying to accommodate their wishes. We are also trying to finish that bill by Tuesday. I have talked to Senator COCHRAN, the committee chairman. He believes it can be done. There is one particular amendment that will take 2 hours of debate on Tuesday morning, concerning chickens, chilled chickens. It is a matter involving three different States. Kansas is not one of them. It will be interesting.

I hope we can complete action on that following final action on the welfare bill. We had hoped to go to the State, Justice, Commerce Department appropriations bill today. I do not believe we can do that now. I assume we will take that up following the Agriculture bill.

ORDERS FOR MONDAY, SEPTEMBER 18, 1995

Mr. DOLE. I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:45 a.m. Monday, September 18, 1995; that following the prayer, the Journal of the proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, that there be a period for the transaction of routine morning business not to extend beyond 10 a.m., with Senators permitted to speak therein for up to 5 minutes each.

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

ORDER TO PROCEED TO H.R. 1976

Mr. DOLE. Mr. President, I ask unanimous consent that at the hour of 10 o'clock the Senate proceed to calendar No. 186, H.R. 1976, the Agriculture appropriations bill, and that no votes occur on Monday prior to the hour of 5:15 p.m.

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

Mr. DOLE. For the information of all Senators, we are going to begin the Agriculture appropriations bill at 10. So we hope Members will offer amendments on Monday, and we can complete action by the lunch recess on Tuesday. Also, by previous consent, three rollcall votes will occur on Tuesday, at approximately 2:45, with respect to the welfare reform bill.

MORNING BUSINESS

Mr. DOLE. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business not to extend beyond the hour of 3:30 p.m., and Members be permitted to speak for 5 minutes each.

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

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, it does not take a rocket scientist to be aware that the U.S. Constitution forbids any President to spend even a dime of Federal tax money that has not first been authorized and appropriated by Congress—both the House of Representatives and the U.S. Senate.

So when a politician or an editor or a commentator pops off that ''Reagan ran up the Federal debt'' or that ''Bush ran it up,'' bear in mind that the Founding Fathers, two centuries before the Reagan and Bush Presidencies, made it very clear that it is the constitutional duty of Congress—a duty Congress cannot escape—to control Federal spending.

Thus, it is the fiscal irresponsibility of Congress that has created the incredible Federal debt which stood at $4,968,803,366,390.98 as of the close of business Thursday, September 14. This outrageous debt—which will be passed on to our children and grandchildren—averages out to $18,861.66 for every man, woman and child in America.

COMMENDING OSEOLA MCCARTY

Mr. LOTT. Mr. President, I rise today to commend a Mississippi woman who is a role model for all Americans, Ms.