

\$35 in annual income. That's a gain of 15 percent versus a gain of less than 1 percent.

A recent study by the Center on Budget and Policy Priorities offers further evidence of the widening income gap between the rich and the poor in this country. Using Congressional Budget Office data, they found that the after-tax income of the richest one percent of the population will more than double between 1977 and 1999, rising 115 percent after adjusting for inflation. At the same time, the average after-tax income for middle-income households, which accounts for 60 percent of all households, will increase by only 8 percent—less than one-half a percent per year—and the average income of the poorest twenty percent of households will actually decrease. As a result of these large increases in income among the rich and the loss of income among the poor, CBPP estimates that in 1999, the richest twenty percent of households in the U.S. will have slightly more income than the other 80 percent of households combined, and the 2.7 million Americans with the highest incomes will have as much after-tax income as the 100 million Americans with the lowest incomes.

My own state of Minnesota provides a telling example of how some of our families are being left behind: Minnesota leads the country in low unemployment—less than 3 percent statewide, less than 2 percent in the Minneapolis-St. Paul area. But even with such impressive figures, we still see a situation where unemployment in our poorest central-city neighborhoods hovers around 15 percent, and a horrifying 60 percent of the children who live in these neighborhoods are growing up in poverty. And it isn't just in our cities, but also among our rural communities, particularly our farm communities, where we see similar levels of poverty and need.

And when we talk about people being poor, we are talking about people in desperate need. It never fails to amaze me what the Federal government defines as poor—in 1997, a three-person family was “officially” poor if it made less than \$12,802 a year. Even more upsetting, though, is that most poor families in the U.S. don't even meet this minimum. The average poor family with children received in 1997 only \$8,688 a year in total income from all sources—the equivalent of \$724 a month, \$167 a week, less than \$24 a day.

Of course, those who suffer the most from poverty in this country are our children. It makes me sick just thinking about it. America's youngest children, those under the age of 6, are more likely to live in poverty than any other age group. During the past two decades there has been a substantial increase in the number and percentage of poor young people in the United States. The young child poverty rate has grown among all racial and ethnic groups, and in urban, suburban, and rural areas. The number of American young children living in poverty increased from 3.5 million in 1979 to 5.2 million in 1997. The young child poverty rate grew by 20 percent during those two decades, and currently one-in-five young children in the U.S. live in poverty. Nearly one-in-two young African American children live in poverty, and about one in three young Latino children live in poverty in the U.S.

Still more horrifying, one in ten young children in the U.S. live in extreme poverty, in families with incomes less than half the poverty level, an amount of only \$6,401 for a family of three in 1997. Nearly half of the children living in poverty in the U.S. live in extreme poverty. Currently, the extreme poverty rate among young children is growing faster than the young child poverty rate.

I think what I find most upsetting is not the fact that so many among us still live in poverty, but that so many of those who live

in poverty are hard-working parents who are doing everything—everything—that they can. But they still aren't making it. Sixty-one percent of the average poor family's income comes from work—\$5,295 a year, \$441 a month, \$102 a week, or less than \$15 a day. For an 8 hour workday, that means someone was earning just under \$2 an hour. Only twenty-one percent of our average poor family's income came from welfare—just \$1,824 a year, \$152 a month, \$35 a week, or less than \$5 a day. And a majority of all poor children under age 6, 65 percent, live with at least one employed parent. Only one-sixth of poor young children live in families who rely solely on public assistance for income.

How is this possible? How can we live in a time when there are people who literally can't support themselves and their families despite the fact that they work, often nearly 52 weeks a year, 40 hours a week, sometimes more than one job. In a time of unprecedented economic well-being, of budget surpluses, and an 8.6 trillion dollar economy, it is criminal that there are those living among us, who are doing everything within their powers to make ends meet, who cannot provide the basic needs of day-to-day survival for themselves and their families.

We need to ask ourselves, we must ask ourselves, what is happening when we see this happening. We should be desperately concerned when we see that the average income of American families living in poverty actually declined between 1996 and 1997. Simply put, this is both inexcusable and utterly unacceptable. Even in the hardest of times, no family, no child, in this country should be forced to go without the basic necessities of food, shelter, and medical care. But even more so, in a time of unparalleled economic prosperity, how can any one not react with both despair and outrage when confronted by such a scenario?

There is much to be done, much that should be done, much that must be done. I am deeply committed to doing my part: I will continue to offer legislation that protects the rights of the poorest among us, and to fight to help them provide for their needs. I have sponsored or co-sponsored legislation to raise the minimum wage; to find out what's happening to people when they lose their welfare benefits; to allow welfare recipients to count two years of education or vocational training toward their TANF work requirements; to ensure that everyone in America has access to quality, affordable healthcare and child care; and to guarantee that women and children who are victims and survivors of domestic violence have the economic resources and security they need to leave abusive situations. We in Congress must recognize that it isn't enough to tell people they must work, but we also need to provide them with a wide range of supports while they try to make the difficult transition from poverty to economic self-sufficiency. All of it goes together—we must address each if we intend to solve any.

There is so much that you can do with me as well. I urge you to follow what happens in Congress and with the Administration and make your opinion known to your Representatives, to your Senators, and to the President—write, e-mail, fax, and phone. Participate in every way you can, not only for yourselves but also for those who might not feel able to. We must all give a voice to those who are most likely to go unheard, and we must teach them to speak loudly for themselves. We must also make sure that people don't forget the less fortunate among us. Sometimes in our own prosperity, it is easier to simply turn away from that which is difficult or painful to witness. We must not relax our efforts, and we must never allow anyone to declare the war against pov-

erty won until there is no one, no mother, no child, who lies down at night hungry or homeless. No one should have to worry about whether or not they can provide medical care for a sick loved one, or whether or not their child is safe in daycare while they are at work.

I know that I am preaching to the choir at this point, so I will close by simply praising you for all of your efforts—each and every one of you is fighting this fight right on the front lines—and by urging you not to bend and not to give up. In the face of spending cuts, changing priorities, and a simple lack of concern, you are the real “poverty warriors.”

And finally, I thank you again for honoring me this evening.

Sincerely,

PAUL D. WELLSTONE,
U.S. Senator. ●

TRIBUTE TO JUDGE RICH

● Mr. HATCH. Mr. President, on June 9, 1999, Judge Giles S. Rich passed away at age 95, still serving on the U.S. Court of Appeals for the Federal Circuit after nearly 43 years as a Federal judge and as the oldest active Federal judge in U.S. history. Today, the Federal court will hold a memorial service in his honor. I rise today to add my voice to those of the participants in that memorial service in paying tribute to this man who contributed as much, if not more, than anyone else in this century to the development of U.S. patent policy and the promotion of American innovation.

Judge Rich was heard to say, “You see, as I go along, practically everything I did was what I didn't intend to do.” I believe that statement to be true in large part because Judge Rich was a man who didn't follow success, but was instead followed by success. Bright people and prestigious positions were drawn to him because of who he was.

Judge Rich was educated at Harvard College, from which he graduated in 1926. He went on to receive his law degree from Columbia Law School in 1929. Since Columbia University didn't have any patent law classes, Judge Rich decided to teach himself patent law, through an arrangement with a professor that allowed him to receive credit for a thorough and lengthy paper on patents. He in turn shared his knowledge and intellect with students as a lecturer on patent law at Columbia University from 1942 until 1956, as an adjunct professor at Georgetown University Law Center from 1963 to 1969, and as a lecturer on patent and copyright law as part of the Federal Judicial Center's training program for newly appointed judges from the program's inception in 1965 until 1971.

As a dedicated lawyer, professor, and judge, Judge Rich played a significant role in the development and evolution of intellectual property law in the United States. He practiced law in a private practice from 1929 to 1956, specializing in patent and trademark law. He became a member of the New York Bar in 1929 and was certified by the U.S. Patent Office in 1934. As a member

of a two-man drafting committee, he was one of the two people principally responsible for drafting the 1952 Patent Act, which served as the first codification of all our nations' federal patent laws and which has served this country well for half a decade without significant revision. In 1992, Judge Rich earned special recognition from President Bush for his contributions to the patent code of our nation's patent system.

Judge Rich served in private practice until 1956, when President Eisenhower appointed him as an associate judge for the Court of Customs and Patent Appeals (CCPA). Then, in 1982, he was appointed as a Circuit Judge for the CCPA's successor court, the U.S. Court of Appeals for the Federal Circuit, which holds exclusive jurisdiction for patent appeals. From his seat on the Federal Circuit, Judge Rich authored landmark decisions clarifying some of the most difficult concepts in patent law, including decisions that have been hailed as laying the foundation for the modern biotechnology industry and important cases dealing with the complex area of software and computer-related inventions.

Judge Rich was the distinguished recipient of a host of awards during his career, ranging from the Jefferson Medal of New Jersey Patent Law Association in 1955 to the Oldest Active Judge in U.S. History Recognized by Chief Justices in 1997. He was the inaugural recipient of the Pesquale J. Federico Memorial Award for outstanding service to the patent and trademark systems, awarded by the Patent and Trademark Office Society. He was awarded the Charles F. Kettering Award and Distinguished Government Service Award from the George Washington University. He was awarded the Harlan Fisk Stone Medal from Columbia University. There is a law school moot court competition sponsored by the American Intellectual Property Law Association—now in its 28th year—named in his honor. There is even an Inn of Court named in his honor. He has been awarded recognition from intellectual property law associations in cities across the country and, in 1997, was awarded the Centennial Visionary Award by the American Intellectual Property Law Association upon the commemoration of its 100th anniversary. He holds honorary Doctor of Law degrees from the George Washington University, John Marshall Law School, and George Mason University School of Law. And these are but a few of the many accolades Judge Rich has received throughout life.

As with all judges, many of those who followed Judge Rich's decisions admired and agreed with his legal theories, while others disagreed. But all respected his intelligence, strength, and ambition. He wrote in the history of the Court of Customs and Patent Appeals that "[c]ourts are people and little else. Law evolves from their manners of thinking at particular times

and from the interactions of people thinking." Judge Giles S. Rich, as a person, helped transform our federal courts. He contributed to a body of statutory and judicial precedent that is unparalleled throughout much of our nation's history. Chief Judge Archer said of Judge Rich in 1994 that Judge Rich was "open-minded, flexible and respectful of the views of his colleagues. He [brought] to the art of judging the temperament and knowledge that are rarely equaled. It sets a high standard for all of us." And as John Reilly stated in eulogizing Judge Rich, he was "a quiet jurist and gentle man who by his tireless scholarship and faithful devotion to the patent law, turned our American century into an inventive, productive powerhouse, to the benefit of us all."

Judge Rich began his career as an intellectual property law practitioner and scholar at a time when radio broadcasts were the latest emerging technology, yet he lived to set much of the patent policy that formed the foundation for the digital revolution. For these contributions to American jurisprudence and our patent system, his presence will always be remembered by legislators, lawyers, and judges who reflect on the law that was made by the feisty judge that wasn't going to stop hearing cases until something forced him to do so.

Judge Rich, at one time, told an attentive audience of a verse his mother would recite, "The wise old owl lie in an oak. The more he saw, the less he spoke; the less he spoke the more he heard. Why can't we be more like that old bird?" The intellectual property community and all of us can learn a great deal from the "old bird," Judge Rich. John Witherspoon, one of Judge Rich's former law clerks, once said that, "Giles Rich is a Master teacher—by which I mean, he doesn't teach at all; those around him simply learn."

Many will miss his presence and the experiences it brought. I send my condolences out to his family, and my gratitude to the man who worked so hard to contribute to American jurisprudence and the preservation of America's status as a nation of inventors.●

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

On September 24, 1999, the Senate amended and passed H.R. 2684, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2684) entitled "An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.", do pass with the following amendment

Page 2, strike out all after line 9, over to and including line 3 on page 95, and insert:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION COMPENSATION AND PENSIONS

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), \$21,568,364,000, to remain available until expended: Provided, That not to exceed \$38,079,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, \$1,469,000,000, to remain available until expended: Provided, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, \$28,670,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2000, within the resources available, not to exceed \$300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$156,958,000, which may be transferred to and merged with the appropriation for "General operating expenses".

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$1,000, as authorized by 38 U.S.C. 3698, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$3,000.

In addition, for administrative expenses necessary to carry out the direct loan program,