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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Jehovah-Shalom, You have promised us peace that passes all understanding. That is the quality of the peace that we need for today. It is beyond our understanding that You can produce serenity in our souls when there is so much that is unfinished and unresolved and unforgiven in us: in our relationships, in our work, and in our society. Sometimes we even deny ourselves the calm confidence of Your peace because we are so aware of what denies Your peace in us. Take from us the strain and stress as our anxious hearts confess our need for You. Grant us Your incomprehensible but indispensable, palpable peace so we can be peacemakers. Give the Senators a fresh infusion of Your peace so that they may deal with the disagreements and discord of the legislative process. Help them to overcome problems and endure the pressures of these days. In the name of the Prince of Peace. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Idaho is recognized.

SCHEDULE

Mr. CRAPO. Mr. President, the Senate will be in a period of morning business until 10:30 a.m. Following morning business, the Senate will resume con-

sideration of the pending Ashcroft amendment to H.R. 434, the African trade bill. As a reminder, there will be a cloture vote on the substitute amendment 1 hour after convening tomorrow. It is still hoped that an agreement can be reached to allow the Senate to complete action on this trade bill by the end of the week. The Senate may also consider any legislative or executive items cleared for action.

I thank my colleagues for their attention.

MORNING BUSINESS

The PRESIDENT pro tempore. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I seek recognition in morning business, and I make an inquiry of the Chair as to how much time has been allocated in morning business.

The PRESIDENT pro tempore. The Senator has 10 minutes.

Mr. DURBIN. I thank the Chair.

FINISHING THE SENATE'S BUSINESS

Mr. DURBIN. Mr. President, many people who are watching the business of Capitol Hill are curious as to the current state of affairs. We are obviously past our deadline of October 1 for a new fiscal year. We were supposed to have passed all of the appropriations or spending bills by that time. Very few Congresses ever achieve that, and this Congress did not. But most Congresses reach a point in the late days of October where we at least know the end game, we know how it is going to end, and we are merely putting paperwork together.

Well, we are not quite there yet. In fact, we are in a situation where there is great doubt about how this session will come to an end, and it is a great irony that we would be questioning how it will end in light of all the circumstances that we face. This is an extraordinarily good time for America in terms of the state of our economy, its

growth, the creation of jobs, keeping inflation under control, and giving businesses opportunities to start and expand. All of these things are good signs. In fact, we are generating enough money now in terms of revenues to the Federal Government that we have gone beyond the era of deficits and have now started talking about the era of surpluses.

It was a little over 2 years ago that we were fixated in this Chamber on passing a constitutional amendment to balance the budget. There were some Members of the Senate who had literally given up hope that the Senate could meet its own responsibility, and they insisted that a constitutional amendment be passed to give the Federal courts the authority to enforce the law and stop Congress from spending. That is how desperate many of these Members of the Senate were in terms of the deficit situation.

Well, things have changed dramatically; 2½ years later we now seem to be at an impasse over a surplus, not over a deficit. That amendment did not pass. It lost by one vote. I voted against it and would do it again. Now we are talking about surpluses and what to do with them.

The interesting thing about this debate, though, is we are not focusing on individual appropriations bills but really keep returning to a subject that has been around since 1935, because it was in 1935 that Franklin Roosevelt showed the vision and the political courage to create Social Security. In creating the Social Security system, he really said that we were going to do something dramatic to make sure our parents and grandparents could live in dignity when they reached retirement age. Some people, primarily from the other side of the aisle, called it socialism. They said, no, we aren't going to go along with "New Deal" politics creating these massive government programs. This same Republican voice was

- This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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heard time and again for decades over the creation of Social Security; that it was a bad idea; it was socialism; it was too much government.

Yet the program endured. Thank goodness it did because it changed the lives of Americans for the better and gave us hope that in our senior years, in our years of retirement, we could be independent and live in dignity. Look at what we have today—so many healthy, vibrant seniors leading great lives, knowing they have a safety net called Social Security in which they have invested through all of their work experience. It is not enough to lead a luxurious life by far, but it certainly gives people that safety net, and they are glad they have it.

We are debating about what to do with Social Security as we end this session. It is a principal source of retirement income for two-thirds of the elderly. Listen to these statistics: In 1959, 40 years ago, the poverty rate for senior citizens was 35 percent, one out of three. In 1998, it was 10.5 percent, the lowest on record. Last year, Social Security benefits lifted roughly 15 million senior citizens out of poverty.

That is what it means. It means people who would not be able to make it can make it, at least barely make it, if they are relying on Social Security. It is more than just a retirement program because one out of five people who receive benefits under Social Security are either disabled, mentally or physically, or they are the survivors of those who paid into the system.

We on the Democratic side have for years advocated the protection of Social Security. In that debate I mentioned earlier about a balanced budget amendment, we offered an amendment on our side and said we did not want the budget to be balanced by using the Social Security trust fund. Well, we offered that amendment and only two Republican Senators voted for it. When we tried to protect the Social Security trust fund from being raided as part of that constitutional amendment, only two Republican Senators would join us and we were not successful.

Now we have this whole question about whether or not we are currently spending the Social Security trust fund. There have been ads run by political parties saying this fund should be held sacred and it should not be touched. Yet when we look at the record, the Congressional Budget Office tells us, as of a month ago the Republican appropriations bills already use \$18 billion of the Social Security surplus. This estimate assumed appropriations bills already enacted or those in accordance with the then-current status in the House of Representatives. Since September 29, the use of the Social Security surplus has grown.

I think that is a challenge to some of the advertising being put on television by the other side of the aisle. The facts do not back them up. Republicans have talked about protecting Social Security, but, frankly, they have not. They

have used \$18 billion of the Social Security trust fund so far.

They do not want to talk about a program which a few months ago was their pride and joy, the so-called Republican tax cut; a \$792 billion tax cut, the vast bulk of which went to the wealthiest people in this country. That tax cut idea went over like a lead balloon. People across America said: Why in the world do you want to talk about a tax cut when we have a national debt we should be concerned about, when we have the future of Social Security we should be concerned about, when we have Medicare we are concerned about? Why do you want to talk about a tax cut primarily for wealthy people?

If you remember the Republicans went out in August and said we are going to take our case to the people. They came back after the August recess and said: We are going to close the books on this case. The people aren't interested. We will talk about it next year.

The American people were interested enough to take a look at and reject this Republican tax cut, and it is a good thing they did for the sake of Social Security. Estimates suggest that some \$83 billion would have had to come out of the Social Security trust fund to pay for the Republican tax cut package for wealthy people. That was not going to fly. The American people let the Republican leadership know that and they dropped their tax cut plan from their agenda and came back and said instead we are dedicated to protecting Social Security.

Let me tell you, the President has the right idea when it comes to the solvency of the Social Security trust fund. He wants to make sure we lock away that trust fund so it cannot be raided and so we can say to future generations: Social Security is not only solvent to the year 2032 or 2034, but beyond. I think he is on the right track.

The President's Social Security lockbox ensures another generation can receive benefits from this important program. It locks away interest savings for Social Security. It transfers interest savings to the Social Security trust fund. It extends the solvency of the Social Security system to the year 2050.

One other point that bears mentioning, we must address the needs of the future of Medicare. Time and again, the debate on this floor has ignored the Medicare Program. Medicare is the health insurance program for seniors and disabled that, frankly, needs attention at this moment more than any other program. It will be insolvent by the year 2015. Yet precious little is said or done in the debates on Capitol Hill to address the needs of the Medicare system.

The Medicare trust fund will go bankrupt in 2015. To make matters worse, the strains in the system will continue to increase as the baby boom generation retires, with the number of Medicare-eligible seniors expected to

double to almost 80 million within a few decades. We have proposed, on the Democrat side, to lock away part of our surplus that we see coming in the years ahead to extend the life of Medicare for an additional 12 years. Not only would this extend the solvency of the system and the program, it would eliminate the need for future excessive cuts in medical care. Medicare is the critical other half of the equation that the Republicans continue to ignore.

Democrats are determined to make sure that, as Speaker Gingrich once said, Medicare does not "wither on the vine." We want to make sure this system continues and survives.

I see my colleague from Massachusetts, Senator KENNEDY, on the floor. I will yield to him in morning business and close by saying, as we come to the end of this congressional session, families across America have the right and responsibility to hold this Congress accountable; to ask us the hard questions. What have we done under our stewardship to make life better in America during the course of this year?

Did we pass campaign finance reform to clean up the mess in our campaign election system? I am afraid the answer is no, we did not. It broke down on partisan lines. Even though we had 55 Republican and Democratic Senators who were determined to pass it, 45 Republican Senators opposed it and it died.

Did we pass Senator KENNEDY's minimum wage increase so we go from \$5.15 an hour to a more livable wage for the 350,000 people in Illinois who get up every morning and go to work for \$5.15 an hour? The answer, sadly, is no, we did not pass an increase in the minimum wage.

What did we do for the people who are concerned about their managed care, their health insurance, when they want their doctors to make the decisions and not the insurance company bureaucrats; when they don't want to turn over a life-or-death decision to somebody at the end of a telephone line who may have a high school diploma and no knowledge of medicine? Did we do something to stand up for patients? Sadly, the answer is no. The special interests, the insurance industry, prevailed in this Chamber. They killed the good legislation we were trying to pass. Sadly, that means the American people have lost out.

What have we done for education, to reduce class size? When I visit a classroom in Wheaton, IL, with 16 kids in the first grade and the teacher says: Senator, this Federal program works. I can give special attention to these kids. If they are falling behind I can help them. If they are gifted, I can give them something extra to do. Keep the class size initiative on track.

What have we done? We are in a bitter fight now as to whether we will even continue that program.

Sadly, as you look at all the issues, whether it is sensible gun control in light of the violence in schools such as

Columbine, or whether you look at minimum wage or campaign finance reform or the Patients' Bill of Rights, this Congress is going to go home emptyhanded. We have failed the American people. They should hold the leadership in this Congress accountable for coming here, drawing their paychecks, punching the clock for their pensions, and going home without addressing issues that American families care about.

So I hope in the closing days of this session we can salvage something for the time we have spent in Washington. I hope as we start the next session, the next round, the Republican leadership will finally listen to the people across America who want us to act in their interests, not for the special interests. Time and time again, families have lost and special interests have won and that is not what this Senate should be about.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. is under the control of the Senator from Illinois.

Mr. DURBIN. I yield all remaining time to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I thank my friend and colleague from Illinois. I must say, he has summarized the situation as we are drawing to the end of this part of the Congress very well. There is still some time for this do nothing Congress to mend its ways—if there were a disposition to make some progress, there is still some time to do so.

But I think it is important, as we come to the end of this session, to take stock of what has been achieved and has not been achieved. My friend from Illinois has done an excellent job summarizing those issues. I would like to provide some additional comments on some of the matters he raised.

First of all, as the Senator from Illinois and others have pointed out in these last days, we are still failing to meet our responsibilities to those 11 million Americans who earn the minimum wage. In many instances these are the hardest-working laborers in our economy, but they are on the bottom rung of the economic ladder—and this, during the most extraordinary prosperity in the history of this country. There has been an incredible accumulation of wealth that has taken place over the period of the last 5, 6, 7 years. As a direct result of the leadership of President Clinton and the Democratic Members of Congress, and despite the opposition of nearly every single Republican Member, we are in the midst of the greatest economic growth in the history of the country. We have even found the will to raise our own salaries some \$4,600 a year. But the Republicans are now holding a minimum wage increase hostage to \$35 billion in new tax breaks for the wealthiest Americans.

All we are asking is that we have at least the opportunity to bring this matter before the Senate and permit a vote on it. It does not take too much time—Members know this issue. But under the parliamentary situation that we find ourselves in now, the leadership—the Republican leadership—is denying us the opportunity to do so. This is the seventh time that technique has been used this year. Do we think the purpose of it is to open and broaden debate and discussion on matters before the American people? No, it is to narrow and close down the opportunity for debate and discussion.

So, when we look where we are as a country, from 1965 up to the year 2000, this line reflects what the purchasing power of the minimum wage would be with constant dollars of 1998. Here we find back in 1965 all the way up to the early 1980s, we actually found Republicans and Democrats alike working together to make sure that working Americans could earn a livable wage.

Then there was a period during the Reagan administration, starting in 1980 and going right through 1988, when we had a great deal of resistance in getting any increase. We had one increase in the minimum wage and another spike again in 1995.

But if we do not take action by the year 2001, the purchasing power of the minimum wage will be at an all-time low. And still we are denied an opportunity to bring this matter before the Senate.

Eighty-five percent of the American people favor increasing the minimum wage, and the opposition refuses to even debate it. The two old arguments they have used against increasing the minimum wage are that it will cause a loss of jobs and that it will add to inflation. Those tired old arguments have long since been discredited.

We know that when there has been an actual increase, again, in October 1996 and October 1997, the employment levels have continued to go up. There is absolutely no case that can be made that this will lose jobs.

Our proposal is modest, a one dollar increase in two installments—50 cents next January, and 50 cents the following year—to provide a lifeline to so many who are working so hard in our country. We know who the workers earning the minimum wage are. They are assistant schoolteachers who work in our children's classrooms. They are assistants in nursing homes caring for our family members.

This is a women's issue because the overwhelming majority of individuals who work at minimum wage are women.

This is a children's issue because eighty-five percent of the women who are receiving minimum wage have children.

It is a civil rights issue because many of those involved in making the minimum wage are men and women of color.

Most of all, it is a fairness issue. How can we justify raising our own salaries

\$4,600 a year and refuse to provide a \$1 increase over 2 years for men and women who go out every single day, 40 hours a week, 52 weeks a year?

This is absolutely unfair. Americans understand fairness, they understand work, they understand fair play, and the Republican leadership is denying the American workers fair play on this issue.

I want to mention another important issue which we hope to address in the final days of the Senate, and that is the issue of the Patients' Bill of Rights, a very simple piece of legislation that says doctors—not accountants—ought to be making decisions in matters affecting the health of our families.

The protections contained in the Norwood-Dingell managed care reform bill which passed in the House of Representatives three weeks ago by an overwhelming bipartisan majority of 275–151, have been recommended by the broad-based and nonpartisan Presidents' Commission. They are included in the model standards of the National Association of Insurance Commissioners. These protections are already available under Medicare. They are used as voluntary standards by the managed care companies' own trade associations. They are the rights that ethical insurance companies honor as a matter of course, and that every family believes it has purchased when it pays its premiums.

These protections listed on this chart are the ones we tried to guarantee to the consumers of America. That essentially is the Democratic proposal we debated in the Senate. These circles indicate what the Senate finally did on these protections. My colleagues can see they are zero in most of the cases, and small coloring in other cases, which means they took a partial fix on some of these protections. And my colleagues can see what the bipartisan Republican and Democratic proposal did in the House of Representatives.

We are prepared to bring that House bill before the Senate and debate it for a few hours, pass it, and provide protections for the American people. We do not need a conference. The President will sign it. Why don't we move ahead on this? This has bipartisan support. This has already been debated and it had the overwhelming support of 68 Republican Members in the House of Representatives.

Why are we not protecting the American people? Why are we being denied the opportunity to provide protections? If there is some question as to whether we really are providing protections, look at what is happening across the country every single day. Every single day the Congress delays the Patients' Bill of Rights means more patients are suffering.

Each day that Congress delays means that more patients will suffer and die. According to a survey by the University of California at Berkeley, every day we delay means that 35,000 patients

will find their access to needed care delayed. Thirty-one thousand will be forced to change doctors. Eighteen thousand will be forced to forego medications ordered by their doctor. Fifty-nine thousand will endure unnecessary pain and suffering as the result of adverse actions by their health plan. And 11,000 will suffer permanent disability.

The health professionals who deal with managed care companies every day know that prompt action is critical. According to a survey of physicians by the Harvard University School of Public Health, every week at least 18,000 patients' medical condition worsens because they are denied an overnight stay in a hospital. At least twenty-three thousand patients are harmed every week because of the denial of specialty care. Each week, at least seventy-nine thousand patients are harmed because of denial of needed prescription drugs. The list goes on and on.

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. I yield for a question.

Mr. DURBIN. I would like the Senator from Massachusetts to help those following the debate to understand who lines up on the different sides of this debate.

The Senator has been here through many of these legislative battles. He knows there are forces at work that want to pass a bipartisan Patients' Bill of Rights to help families, and there are forces against. Will the Senator, for the record, tell us how those forces line up?

Mr. KENNEDY. That is an excellent question. As the Senator from Illinois understands, these protections did not just come out of thin air. They were recommended. Recommended by whom? Virtually every medical society in the country supports our program. During this debate, we challenged the other side to produce one medical society that supported their program. We still have not heard it.

Every medical society supports our program. Every nursing society supports our program. Every consumer group supports our program. Every patient organization supports our program. Every one of the consumer groups that have been trying to protect children understands the importance of getting specialists for children; not just a pediatrician, but a pediatrician oncologist to deal with cancer in children and specialists in these areas. We guarantee these. This Republican program does not.

We have the legislative power of this body to pass something which the President will sign to provide the patient protections we are talking about. All the majority leader has to do is call up that legislation. Just call it up. Let us debate it, and let us act.

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

Mr. KENNEDY. I yield for a question.

Mr. DURBIN. If every medical organization—doctors, nurses, specialists—has come down in favor of this bipar-

tisan approach, who is on the other side of this? What is the force that is stopping us from passing this legislation?

Mr. KENNEDY. The Senator again has asked the important question. It is the insurance industry. You have on the one hand, as suggested by the two questions the Senator asked, all of the health professionals, all of the men and women who have devoted their lives to taking care of patients in this country, the doctors, the nurses, all of the various professional societies, all the consumer groups, all the children's organizations that care about this, all the elderly groups. And on the other side you have the insurance industry that is opposed to it. The basic reason for that is that it cuts into their bottom line—even though they have guaranteed the kinds of protections we are talking about.

What we are trying to do is make sure the patients are going to get the kind of coverage and the kind of attention for which they had signed up. What happens in so many of these instances is the HMO, the policyholder, just will not give what their patients are guaranteed in these areas. And with all the other complexities in terms of denying the patients the opportunity to sue the HMO, we are denied an opportunity for remedy as well.

There is rarely a public policy question that is as important as this one. We know what can be done. We have good legislation, that is almost at the door of the Senate, that could be called up. I am sure the Senator from Illinois would agree with me, and we could get that done today. Certainly we could do that, and the minimum wage as well.

I see my time has just about expired, but I want to try to go through, briefly, some of these other areas where we have failed to take action. These are the kind of issues about which people talk to us. This is the kind of issue about which families are concerned—the minimum wage, a Patients' Bill of Rights. When I was in Methuen this past Monday, I must have had four different senior citizens come up to me and say: What's happening on that prescription drug proposal that the President is supporting—that so many of us are supporting? Try to get that up and get a debate, get that reported out of the Finance Committee and reported out here on the Senate floor. Please do something about prescription drugs.

But we aren't able to get anything done on that. We aren't able to get anything done on the Patients' Bill of Rights. We have a Republican leader who said that "House-Senate conferences on other legislation have a higher priority" than consideration of the Patients' Bill of Rights. So this thing is just being kicked on over to next year. That may be satisfactory to some of the insurance companies. That may be satisfactory to some of the Republican leadership. But it is not satisfactory to the families in this country.

In the final few moments, I want to once again mention the areas of edu-

cation which we would have hopefully had some opportunity to address with greater time.

In recent years, too many in Congress have paid lip-service to education—and then failed to act to meet the most basic needs of the Nation's schools. This Congress faces a major test in the coming days, as we seek to guarantee that education receives the funds it deserves for the coming fiscal year. If we want a better and stronger America tomorrow, we must invest more in education today.

Mr. DURBIN. Will the Senator from Massachusetts yield for a question?

Mr. KENNEDY. Yes.

Mr. DURBIN. The debate then on the President's proposal for 100,000 teachers to reduce classroom size, so that teachers can give more attention to the students, really is kind of a parallel to the 100,000 COPS Program.

The PRESIDING OFFICER (Mr. GRAMS). The Senator's time has expired.

Mr. DURBIN. I ask unanimous consent that we be allowed to continue for 3 minutes and it not be charged against the Republican side.

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

Mr. DURBIN. If I might, then, say to the Senator from Massachusetts, the President's program for 100,000 cops has given the money directly to the police departments and the communities to put more cops on the beat. We have seen the crime rate coming down in America, partially because of this. Now we have the same debate about the money going directly to the schools so they can reduce class size. And there is resistance, again, from the Republican side of the aisle.

Have we not learned any lesson from the 100,000 cops, that if the money goes directly to the problem, we can get results?

Mr. KENNEDY. The Senator has given an excellent example about programs that have been successful. And we know these programs are working, as the Senator has pointed out.

Communities do not understand why, just a year ago, we joined hands to help them reduce class size—yet we are on the verge of abandoning our commitment now.

Research has documented what parents and teachers have always known—smaller classes improve student achievement. In small classes, students receive more individual attention and instruction. Students with learning disabilities have those disabilities identified earlier, and their needs can be met without placing them in costly special education. In small classes, teachers are better able to maintain discipline. Parents and teachers can work together more effectively to support children's education.

Project STAR studied 7,000 students in 80 schools in Tennessee. Students in small classes performed better than students in large classes in each grade from kindergarten through third grade.

Follow-up studies show that students from small classes enrolled in more college-bound courses, had higher grade-point averages, had fewer discipline problems, and were less likely to drop out of school.

Because of the Class Size Reduction Act, 1.7 million children are benefiting from smaller classes this year. 29,000 teachers have been hired. 1,247 are teaching in the first grade, reducing class sizes from 23 to 17. 6,670 are teaching in the second grade, reducing class size from 23 to 18. 6,960 are teaching in the third grade, reducing class size from 24 to 18. 2,900 are in other grades, K-12, 290 special education teachers have been hired.

The program is well under way. Abandoning our commitment to help communities reduce class sizes would break a specific promise made by Congress only 1 year ago. It would also be a violation of our responsibility to support a strong Federal-State-local partnership in education. Congress cannot abdicate this responsibility.

We must also ensure that teachers get the training they need to come to school ready to teach. Teacher Quality Enhancement Grants are an important step in addressing the critical national need for high-quality teachers. It received strong bipartisan support in the reauthorization of the Higher Education Act, and Congress should fund it at the full authorization level of \$300 million for next year.

Children need and deserve a good education in order to succeed in life. But they cannot obtain that education if school roofs are falling down around them, if sewage is backing up because of faulty plumbing—asbestos in flaking off the walls and ceilings—schools lack computers and modern technology—and if classrooms are overcrowded.

We need to invest more to help States and communities rebuild crumbling schools, modernize decrepit buildings, and expand facilities to accommodate reduced class sizes. Sending children to dilapidated, overcrowded schools sends an unacceptable message to these children. It tells them they don't matter. No CEO would tolerate a leaky ceiling in the board room, and no teacher should have to tolerate it in the classroom. We need to do all we can to ensure that children are learning in safe, modern school buildings.

Nearly one third of all public schools are more than 50 years old. Fourteen million children in a third of the Nation's schools are learning in sub-standard buildings. The problem of ailing school buildings is not the problem of the inner city alone. It exists in almost every community, urban, rural, or suburban.

In addition to modernizing and renovating dilapidated schools, communities need to build new schools in order to keep pace with rising enrollments and to reduce class sizes. Elementary and secondary school enrollment has reached an all-time high

again this year of 53 million students, and will continue to grow.

The Department of Education estimates that 2,400 new public schools will be needed by 2003, just to accommodate rising enrollments. The General Accounting Office estimates that it will cost communities \$112 billion to repair and modernize the Nation's schools. Congress should lend a helping hand, and do all we can to help schools and communities across the country meet this challenge.

Finally, in June with the support of over 250 groups representing the disability community, health care providers, and the business community, the Senate passed landmark legislation 99-0 to open the workplace doors for disabled people in communities across this country. Last week, the House of Representatives passed this legislation by a vote of 412-9. Once this measure is enacted into law, large numbers of people with disabilities will have the opportunity to fulfill their hopes and dreams of living independent and productive lives.

But despite the overwhelming bipartisan support for the Work Incentives Improvement Act, the House of Representatives has yet to appoint conferees to move enactment of this bill forward.

A decade ago, when we enacted the Americans with Disabilities Act, we promised our disabled fellow citizens a new and better life, in which disability would no longer end the American dream. Too often, for too many Americans, that promise has been unfulfilled. The Work Incentives Improvement Act will dramatically strengthen the fulfillment of that promise.

We know that millions of disabled men and women in this country want to work and are able to work. But the Republican Leadership in the House continues to deny these citizens the opportunity to work by refusing to appoint conferees and move this bill forward. Every day this legislation is delayed is another day the nation is denied the talents and the contributions of disabled Americans.

Current laws are an anachronism. Modern medicine and modern technology are making it easier than ever before for disabled persons to have productive lives and careers. Yet current laws are often a greater obstacle to that goal than the disability itself. It's ridiculous that we punish disabled persons who dare to take a job by penalizing them financially, by taking away their health insurance lifeline, and by placing these unfair obstacles in their path.

Eliminating these barriers to work will help disabled Americans to achieve self-sufficiency. We are a better and stronger and fairer country when we open the door of opportunity to all Americans, and enable them to be equal partners in the American dream. For millions of Americans with disabilities, this bill is a declaration of independence that can make the American dream come true.

For far too long, disabled Americans have been left out and left behind. It is time for Congress to stop stalling this legislation, and take the long overdue action to correct the injustices they are unfairly suffering.

The issues I have discussed today—a fair wage, health care, education, employment for the disabled, freedom from hate crimes—touch the lives of every American. If this Congress wants to make a difference for our constituents—to improve their lives and to ease their burdens—these are major issues we must address.

I thank the Chair and thank the Senator from Maine for her indulgence.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Ms. COLLINS. Mr. President, I yield myself as much time as I may consume from the time reserved for Senator THOMAS.

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

PRACTICES OF SWEEPSTAKES COMPANIES

Ms. COLLINS. Mr. President, earlier this year the Permanent Subcommittee on Investigations, which I chair, undertook an extensive investigation of the practices of sweepstakes companies. We held hearings in March and later in the year to examine the increasingly deceptive and aggressive marketing techniques used by many of the sweepstakes companies in this country.

At these hearings, I was told repeatedly by these companies that they did not target the elderly, they did not use deceptive techniques to try to induce people to buy products they didn't really need or want, and that they were constantly reviewing their promotional language to make sure it was fair. They pledged to further improve their efforts to make sure their mailings were not deceptive.

Recently, my constituents have sent me a number of examples of deceptive sweepstakes mailings. I tell my colleagues, they are just as deceptive as ever. I have seen absolutely no voluntary improvement by the sweepstakes industry, despite the extensive attention given to their deceptive practices.

Let me share with the Senate some of the recent examples my constituents have sent me. This example is from Charles M. Sias of Bangor, ME. Mr. Sias happens to be the head of the local AARP chapter, and he recently arranged for me to talk to a group of senior citizens in the Bangor area about sweepstakes. We developed a list of tips