

rate, I get a 15-percent deduction. That is how it works.

The Joint Tax Committee estimates that 26 million people will get benefits as a consequence of the health care provisions, but only 1.6 million of those people are people who currently don't have health insurance.

Republicans in Congress, I think correctly, are saying that what Governor Bush said in the third debate, "That is the difference between my opponent and I," he wants Washington to decide and select who gets a tax cut. Republicans apparently are saying that the Governor is wrong, because we are going to select who gets the tax cuts.

If you are going to have a tax cut right now, it seems to me one of the things we ought to try to do is to say: This remarkable recovery we are having right now has been fabulous, but there are some people who have been left behind. Let's try to help them acquire pensions in their part of the American dream. Let's try to help them acquire health insurance in their part of the American dream. We don't do that.

As I said, I heard my Republican friends assert several times that Democrats were on board and support many of the provisions. That is true. But we added provisions that were stricken out. We added provisions that would have made the proposal much more fair. I believe you cannot apply a fairness test every single time you are doing things. There are times when life isn't fair. But when you are giving tax cuts to American working families, it seems to me a test of fairness is appropriate. When you are trying to increase the number of people who have pensions in the workforce, when you are trying to increase the number of people who have health insurance, a test of fairness is appropriate for Members of Congress to try to apply to the piece of legislation we are considering.

Those are the two objections I have to what is going on right now. The first is, I think we have lost our way when it comes to fiscal discipline, the discipline that enabled us to say to a citizen, when a citizen comes and says, Senator, it only costs \$100 million over 10, would you offer an amendment, and I would always say in the 1990s, well, I have to have a "pay for." I have to find an offset.

Not anymore. If the pay-go provisions of the Budget Act are repealed, as is proposed in this tax bill, no longer will that be necessary. It used to be I would say: Look, this is going to be tough because it is beyond what we authorized in the Budget Act and to get 60 votes to waive the Budget Act is going to be hard.

Not any longer does it appear to be difficult to waive the Budget Act. That discipline that enabled us to get where we are today is at risk in the closing days of the 106th Congress.

I hope that in this election the American people will say loud and clear we recognize the value of that fiscal dis-

cipline. We benefited from economic growth. We benefited from lower mortgage payments. We benefited from greater opportunity as a consequence of Congress getting its act together, all the way through the 1980s and 1990, 1993, and in 1997.

Secondly, I have great objection, as I look at especially the tax cut proposal, but also the BBA give-back proposal, that we simply haven't applied a test of fairness. That is why it was a mistake for Republicans to have a meeting with only Republicans. If you want something to be bipartisan, you have to let Democrats in the room. Likewise, Democrats can't hold a meeting and expect it to be bipartisan if we are the only ones in the room, and then go out and say: Gee, I don't understand why Senator HATCH won't sign on board. It is something he supported years ago. I don't understand why he won't support this. It is similar to something he was talking about. The answer is, he wasn't in the room. He didn't have an opportunity to voice his concern. He didn't have an opportunity to say what he liked or didn't like.

What the Republicans did is they brought something that stripped out things we had agreed to, and they did not apply a test of fairness. As a consequence, I am pleased, especially connected to the loss of fiscal discipline, that in the closing days of the 106th the President has indicated he is going to veto these two pieces of legislation. I think the American people will be the beneficiaries of it.

My hope is, on both of them, that it will result in bipartisan negotiation and producing something the President can sign. It can be done. We don't have to run out of here over the weekend. We know exactly what to do. It would take us about 30 minutes to put together a tax bill and a BBA give-back bill that would get 80 votes on this floor. We wouldn't have to sit and say, I wonder if the President is going to sign it. We would know he would sign it. If we have 80 votes, he is going to sign it. The last time I checked, that is still enough to override a veto. But we didn't do that.

As a result, we are left here on October 27, 27 days beyond the time we were supposed to be done and home, we are left here, still a long way to go before we have an agreement, a long way to go before we will be able to say we have closed up shop and we have finished the people's business.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, my colleague made some pretty good points on fairness, except we asked "is it fair," too. Is it fair to allow 3.5 million legal immigrants to be held in line so that we can take care of approximately 4 million illegal immigrants? That is the point I was making earlier in the day. Frankly, it is a matter I find of great importance.

## THE CALENDAR

### PRIVATE RELIEF

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration, en bloc, of the following bills which are at the desk: H.R. 848, H.R. 3184, H.R. 3414, and H.R. 5266.

I ask unanimous consent that the bills be read the third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bills be printed in the RECORD.

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

### FOR THE RELIEF OF SEPANDAN FARNIA AND FARBOD FARNIA

The bill (H.R. 848) for the relief of Sepandan Farnia and Farbod Farnia was considered, ordered to a third reading, read the third time, and passed.

### FOR THE RELIEF OF ZOHREH FARHANG GHAFHAROKHI

The bill (H.R. 3184) for the relief of Zohreh Farhang Ghahfarokhi was considered, ordered to a third reading, read the third time, and passed.

### FOR THE RELIEF OF LUIS A. LEON-MOLINA, LIGIA PADRON, JUAN LEON PADRON, RENDY LEON PADRON, MANUEL LEON PADRON, AND LUIS LEON PADRON

The bill (H.R. 3414) for the relief of Luis A. Leon-Molina, Ligia Padron, Juan Leon Padron, Rendy Leon Padron, Manuel Leon Padron, and Luis Leon Padron, was considered, ordered to a third reading, read the third time, and passed.

### FOR THE RELIEF OF SAEED REZAI

The bill (H.R. 5266) for the relief of Saeed Rezaei, was considered, ordered to a third reading, read the third time, and passed.

### FOR THE PRIVATE RELIEF OF RUTH HAIRSTON

Mr. HATCH. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 660, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 660) for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I ask unanimous consent the bill be read the

third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 660) was read the third time and passed.

#### EXPRESSING APPRECIATION FOR U.S. SERVICE MEMBERS ABOARD HMT "ROHNA"

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration H. Con. Res. 408 which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 408) expressing appreciation for the United States service members who were aboard the British transport HMT *Rohna* when it sank, the families of these service members, and the rescuers of the HMT *Rohna's* passengers and crew.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. HATCH. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (H. Con. Res. 408) was agreed to.

The preamble was agreed to.

#### NATIONAL MOMENT OF REMEMBRANCE ACT

Mr. HATCH. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3181 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3181) to establish the White House Commission on the National Moment of Remembrance, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 3181) was read the third time and passed, as follows:

S. 3181

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Moment of Remembrance Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) it is essential to remember and renew the legacy of Memorial Day, which was established in 1868 to pay tribute to individuals who have made the ultimate sacrifice in service to the United States and their families;

(2) greater strides must be made to demonstrate appreciation for those loyal people of the United States whose values, represented by their sacrifices, are critical to the future of the United States;

(3) the Federal Government has a responsibility to raise awareness of and respect for the national heritage, and to encourage citizens to dedicate themselves to the values and principles for which those heroes of the United States died;

(4) the relevance of Memorial Day must be made more apparent to present and future generations of people of the United States through local and national observances and ongoing activities;

(5) in House Concurrent Resolution 302, agreed to May 25, 2000, Congress called on the people of the United States, in a symbolic act of unity, to observe a National Moment of Remembrance to honor the men and women of the United States who died in the pursuit of freedom and peace;

(6) in Presidential Proclamation No. 7315 of May 26, 2000 (65 Fed. Reg. 34907), the President proclaimed Memorial Day, May 29, 2000, as a day of prayer for permanent peace, and designated 3:00 p.m. local time on that day as the time to join in prayer and to observe the National Moment of Remembrance; and

(7) a National Moment of Remembrance and other commemorative events are needed to reclaim Memorial Day as the sacred and noble event that that day is intended to be.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) **ALLIANCE.**—The term "Alliance" means the Remembrance Alliance established by section 9(a).

(2) **COMMISSION.**—The term "Commission" means the White House Commission on the National Moment of Remembrance established by section 5(a).

(3) **EXECUTIVE DIRECTOR AND WHITE HOUSE LIAISON.**—The term "Executive Director and White House Liaison" means the Executive Director and White House Liaison appointed under section 10(a)(1).

(4) **MEMORIAL DAY.**—The term "Memorial Day" means the legal public holiday designated as Memorial Day by section 6103(a) of title 5, United States Code.

(5) **TRIBAL GOVERNMENT.**—The term "tribal government" means the governing body of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

#### SEC. 4. NATIONAL MOMENT OF REMEMBRANCE.

The minute beginning at 3:00 p.m. (local time) on Memorial Day each year is designated as the "National Moment of Remembrance".

#### SEC. 5. ESTABLISHMENT OF WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE.

(a) **ESTABLISHMENT.**—There is established a commission to be known as the "White House Commission on the National Moment of Remembrance".

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of the following:

(A) 4 members appointed by the President, including at least 1 representative of tribal governments.

(B) The Secretary of Defense (or a designee).

(C) The Secretary of Veterans Affairs (or a designee).

(D) The Secretary of the Smithsonian Institution (or a designee).

(E) The Director of the Office of Personnel Management (or a designee).

(F) The Administrator of General Services (or a designee).

(G) The Secretary of Transportation (or a designee).

(H) The Secretary of Education (or a designee).

(I) The Secretary of the Interior (or a designee).

(J) The Executive Director of the President's Commission on White House Fellows (or a designee).

(K) The Secretary of the Army (or a designee).

(L) The Secretary of the Navy (or a designee).

(M) The Secretary of the Air Force (or a designee).

(N) The Commandant of the Marine Corps (or a designee).

(O) The Commandant of the Coast Guard (or a designee).

(P) The Executive Director and White House Liaison (or a designee).

(Q) The Chief of Staff of the Army.

(R) The Chief of Naval Operations.

(S) The Chief of Staff of the Air Force.

(T) Any other member, the appointment of whom the Commission determines is necessary to carry out this Act.

(2) **NONVOTING MEMBERS.**—The members appointed to the Commission under subparagraphs (K) through (T) of paragraph (1) shall be nonvoting members.

(3) **DATE OF APPOINTMENTS.**—All appointments under paragraph (1) shall be made not later than 90 days after the date of enactment of this Act.

(c) **TERM; VACANCIES.**—

(1) **TERM.**—A member shall be appointed to the Commission for the life of the Commission.

(2) **VACANCIES.**—A vacancy on the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(d) **INITIAL MEETING.**—Not later than 30 days after the date specified in subsection (b)(3) for completion of appointments, the Commission shall hold the initial meeting of the Commission.

(e) **MEETINGS.**—The Commission shall meet at the call of the Chairperson.

(f) **QUORUM.**—A majority of the voting members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) **CHAIRPERSON AND VICE CHAIRPERSON.**—The Commission shall select a Chairperson and a Vice Chairperson from among the members of the Commission at the initial meeting of the Commission.

#### SEC. 6. DUTIES.

(a) **IN GENERAL.**—The Commission shall—

(1) encourage the people of the United States to give something back to their country, which provides them so much freedom and opportunity;

(2) encourage national, State, local, and tribal participation by individuals and entities in commemoration of Memorial Day and the National Moment of Remembrance, including participation by—

(A) national humanitarian and patriotic organizations;

(B) elementary, secondary, and higher education institutions;

(C) veterans' societies and civic, patriotic, educational, sporting, artistic, cultural, and historical organizations;

(D) Federal departments and agencies; and

(E) museums, including cultural and historical museums; and