

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. SMITH of Oregon). The Senator from Iowa is recognized.

SCHEDULE

Mr. GRASSLEY. Mr. President, for the majority leader, I wish to announce today's program.

The Senate will be in a period of morning business until 6 p.m. with Senators LOTT, REID, and WELLSTONE in control of the time. Today the Senate will agree by unanimous consent to the continuing resolution that funds the Government until tomorrow.

As a reminder, cloture was filed on the bankruptcy bill yesterday, and that vote will occur tomorrow morning possibly around 9:30 a.m. A vote on a continuing resolution will also take place during Wednesday's session. The President has vetoed the important legislative branch and Treasury-Postal appropriations bills. However, negotiations will continue to try to come to a consensus to fund all Government programs throughout the year.

I thank my colleagues for their attention.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I say to my friend from Iowa, the acting leader today, that, of course, we are very disappointed that the tremendous work done by all the participants, Republicans and Democrats, Senator STEVENS, Senator BYRD, Senator HARKIN—it was a bipartisan effort—yesterday morning we had an agreement on the very important Labor-HHS bill. As a result of the actions of the whip of the House, TOM DELAY, that bill fell through. It was a terrible disappointment for everybody. We hope that there is a way to complete action on these bills. Each day that goes by, I become less encouraged, but I hope that something can be worked out.

Yesterday, we had the makings of a very important compromise. I am disappointed that it fell through.

Mr. President, we are going into, as has already been announced by Senator GRASSLEY, 4 hours of morning business. On this side, we have 2 hours, or whatever part thereof remains from the brief statements of Senator GRASSLEY and I. The time was basically set aside for Senator WELLSTONE. He has another issue that he wants to speak about; namely, bankruptcy. But he graciously has consented to allowing Senators BOXER, BAUCUS, DORGAN, DURBIN, and HARKIN to have 5 minutes each during his time.

I personally express my appreciation to the Senator from Minnesota for allowing these Senators to speak. I again say that it is too bad we are not completing all of our work here today rather than figuring out some way to get out of town in the next few days.

So I would ask unanimous consent that those people—Senators BOXER,

BAUCUS, DORGAN, DURBIN, and HARKIN—be allowed 5 minutes each during the time of morning business today.

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 6 p.m. with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the time until 4 p.m. shall be under the control of the Senator from Nevada, Mr. REID, or the Senator from Minnesota, Mr. WELLSTONE.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I will grant 5 minutes to the Senator from Montana.

I say to the Senator from Iowa, if I can get his attention, following the Senator from Montana, I think the Senator from Iowa wants to speak. So the Senator from Iowa will follow. I think he is going to take that time out of the Republican time.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. I thank the Chair. I thank my good friend from Minnesota.

TRIBUTE TO SENATOR DANIEL PATRICK MOYNIHAN

Mr. BAUCUS. Mr. President, Mike Mansfield, Scoop Jackson, Richard Russell, Russell Long, Lyndon Johnson, Lloyd Bentsen, Bob Dole, John Chafee, DANIEL PATRICK MOYNIHAN, who are these men? They were the giants in the Senate in the quarter of a century before and after our bicentennial. They are the models to whom we all aspire. They are the most recent generation of statesmen who helped lead our nation to the greatness of today.

I was elected to the Senate 2 years after PAT MOYNIHAN entered this body. I have had the honor, the pleasure, and the privilege of serving with PAT MOYNIHAN for 22 years.

In fact, I have spent two-thirds of my adult life working with PAT MOYNIHAN—watching this intellectual giant, listening to this scholar and visionary, learning from this teacher, this social critic, this political master.

Who is PAT MOYNIHAN? University professor, diplomat, Cabinet Secretary, fighter of poverty, social analyst, distinguished and prolific author, defender of worker rights everywhere, U.S. Senator, mentor, humanist, citizen, friend.

PAT published his first book in 1963. "Beyond the Melting Pot" looked at minority groups in New York City. Its conclusion was that the prevailing assumption at the time was wrong, that assumption being that minorities assimilated into the broader American culture.

PAT wrote his most recent book in 1998. "Secrecy, the American Experience" explained how secrecy in government deformed American values in the 20th century.

In between, he authored 16 other books—believe it or not; 16—on subjects that included poverty, family, ethnicity, and social policy.

In 1963, with "Beyond the Melting Pot," PAT was at the cutting edge, as we were beginning to struggle more honestly with the problems of minority groups in this country. Thirty-five years later, with the publication of "Secrecy, the American Experience," PAT is still at the cutting edge.

We are struggling to transform our institutions away from a culture that fought the cold war to a culture where the Internet thrives. Openness and transparency are valued again, and information is decentralized, distributed, and widely available.

During those intervening three and a half decades, PAT was always at the cutting edge in forcing us to rethink our fundamental assumptions about poverty, family, Social Security, ethnicity, and a wide range of domestic and global issues.

One area where PAT has made an enormous contribution to bettering our society—and yet is little recognized for it—is public architecture. He was one of the driving forces—in fact, the major driving force—to renovate Pennsylvania Avenue, to complete the Navy Memorial, Pershing Park, the Ronald Reagan Building, the restoration of Union Station, and the Thurgood Marshall Judiciary Building.

We, and our descendants, who visit our Nation's capital will have our lives enriched because of PAT MOYNIHAN's vision.

Let me conclude with a quotation from PAT. In 1976, he said: "The single most exciting thing you encounter in government is competence, because it's so rare." I would change that to read: "The single most exciting thing you encounter in government is greatness, because it's so rare." And that exciting thing, that exciting person, that greatness, for me, has been DANIEL PATRICK MOYNIHAN.

There is no higher calling than public service. PAT MOYNIHAN has been its embodiment for half a century.

We will all miss you, PAT, miss you very much.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I want to make sure that the time I use now does not come out of the Democrat time. So it will come out of the Republican time. And the Democrat time should be extended beyond 4 o'clock by the amount of time I speak.

The PRESIDING OFFICER. That is the understanding.

FAMILY OPPORTUNITY ACT OF 2000

Mr. President, I rise today to talk about the Family Opportunity Act, S. 2744. Senator KENNEDY and I introduced this bill in March of this year. Representatives SESSIONS and WAXMAN introduced the companion bill in the House of Representatives in August. It is a strongly bipartisan bill. There are 77 Senate cosponsors and 139 House cosponsors. This bill will make life easier for working American parents caring for a child with a severe disability.

Shortly after introducing this bill, I worked in a bipartisan way to secure a budget reserve fund in the budget resolution. Subsequently, the Senate Budget Committee convened a hearing on the bill. Then, in July, the President announced his support for the bill.

Logic would tell us that a bill with this kind of bipartisan support would stand a good chance of being approved by the Congress. Unfortunately, this bill is not among the final, end-of-year legislative packages. One likely explanation is that the families who would be helped by this bill do not have the same kind of political influence and clout that other powerful interest groups have. Working parents are not a powerful voice in Washington, even though they have every legitimate right to be a powerful voice in Washington.

Interestingly, today the bill was discussed on the House floor by a very powerful Member of the House of Representatives. The distinguished House Member was under the impression that the Family Opportunity Act is primarily a Democratic bill. In fact, the Family Opportunity Act has broad bipartisan support. In addition, it is based on strongly held Republican principles.

The Family Opportunity Act is, No. 1, pro-family, No. 2, pro-work, No. 3, pro-opportunity and, No. 4, pro-States rights.

Pro-family. When you are a parent, your main objective is to provide for your child to the best of your ability. Right now, our Federal Government takes this goal and turns it upside down for parents of children with special health care needs. In the worst cases, parents give up custody of their child with special health care needs or put their child in an out-of-home placement just to keep their child's access to Medicaid-covered services.

Pro-work. Federal policies today force these parents to choose between work and their children's health care. That is a terrible choice.

Many parents of children with disabilities refuse jobs, pay raises, and overtime just to preserve access to Medicaid for their child with disabilities. Thousands of families across the country are caught in this Catch-22.

Pro-opportunity. The Family Opportunity Act of 2000 was created to help

parents have the opportunities they deserve. It does so by providing parents the opportunity to work without the fear of harming their children. Allowing parents to break free from constraints that force many of them to stay impoverished is a win-win. Parents who work are also taxpayers. That's good for the government and the economy. And, parents who work are better able to provide for their families. That's good for children.

Pro-States rights. Governor Huckabee from Arkansas said it best at the Senate Budget Committee hearing I chaired in July. He said:

The Family Opportunity Act encourages progress for the family and places government on the side of the people where it should be. No child and no family should be the victim of a process which conspires against the very foundational principles on which we have existed for over 200 years. This Act will restore principled leadership from all of us as leaders who rightly see our roles as servants of the citizens, not the other way around.

I can't emphasize strongly enough how important a bill like the Family Opportunity Act is to working families across America. Everybody wants to use their talents to the fullest potential, and every parent wants to provide as much as possible for his or her children. The government shouldn't get in the way.

If this bill is allowed to die, that would be a missed opportunity of the highest level. I urge my colleagues to reconsider its status.

Winston Churchill once said:

Never give in, never give in, never, never, never—in nothing, great or small, large or petty—never give in except to convictions of honor and good sense.

Legislation to help families help themselves make good sense.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. First of all, I thank Senator GRASSLEY. I very much appreciate his effort, with Senator KENNEDY. He does not give in, especially when it is a matter of principle to him. I thank him for his good work.

BANKRUPTCY REFORM ACT CONFERENCE REPORT

Mr. WELLSTONE. Mr. President, as of today, we are scheduled to have a cloture vote tomorrow. It is going to be on the bankruptcy conference report. One would think that in the final days of this Congress—of this Senate—we actually would be talking about debating and passing legislation that would promote the economic security of families in our country.

We could focus on health security for families. We could focus on raising the minimum wage. We could focus on affordable child care. We could focus on affordable housing. We could focus on reauthorizing the Elementary and Secondary Education Act. Thank God people in the country are so focused on a

good education for their children or their grandchildren.

Instead, we are spending our final days debating an unjust and imbalanced bankruptcy bill which is entirely for the benefit of big banks and the credit card companies. In one way, I am very sad to say this piece of legislation is truly representative of the 106th Congress. It is an anti-consumer, give-away-to-big-business bill, in a Congress which has been dominated by special interest legislation. And it is representative of the 106th Congress in another way, too: It represents distorted priorities. We could be doing so much to enhance and support ordinary citizens in our country. Instead, we now have this legislation before us.

I want Senators to know, if they are watching, I will, as they come to the floor, interrupt my remarks so others can speak in opposition. We have a lot of ground to cover. We intend to cover that ground because this piece of legislation deserves scrutiny. It should be held up to the light of day so citizens in this country can see what an ill-made, mishandled attempt this piece of legislation is. Other Senators need to understand what bad legislation this is, how terrible its impact will be on America's most powerless families, and what a complete giveaway it is to banks, credit card companies, and other powerful interests.

This is a worse bill than the bill we voted on earlier in the Senate. It is important for colleagues to understand that not only is this a worse piece of legislation, we had a provision in the bill that passed the Senate—albeit a flawed bill—the Kohl amendment, which said that while we are punishing low- and moderate-income people, families that have gone under because of bankruptcy, in 40 percent or 50 percent of the cases because of medical bills, you certainly don't want to enable millionaires to basically buy million-dollar homes in several States and in that way shield themselves from any liability. That provision was taken out. That is reason enough for Senators to vote against this bill.

In addition, Senator SCHUMER had a provision that said, when people are breaking the law and blocking people from being able to go to family planning clinics, they should not be able to shield themselves from legal expenses and other expenses by not being held liable when it comes to bankruptcy. The Schumer provision was taken out.

If that is not enough for Senators, the way in which the majority leader has advanced this bill makes a mockery out of the legislative process. If we love this institution and we believe in an open, public, and accountable legislative and political process, then I don't see how we can support taking a State Department conference report—I call it the "invasion of the body snatchers"—completely gutting that so there is not a word about the State Department any longer and, instead, putting in this bankruptcy bill, far worse than the bill passed by the Senate.