



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 146

WASHINGTON, WEDNESDAY, JULY 26, 2000

No. 99

## Senate

The Senate met at 9:31 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:

Almighty God, take charge of the control centers of our brains. Think Your thoughts through us and send to our nervous systems the pure signals of Your peace, power, and patience. Give us minds responsive to Your guidance.

Take charge of our tongues so that we may speak truth with clarity, without rancor or anger. May our debates be efforts to reach agreement rather than simply to win arguments. Help us to think of each other as fellow Americans seeking Your best for our Nation, rather than enemy parties seeking to defeat each other. Make us channels of Your grace to others. May we respond to Your nudges to communicate affirmation and encouragement.

Help us to catch the drumbeat of Your direction and march to the cadence of Your guidance. Here are our lives. Inspire them with Your calming Spirit, strengthen them with Your powerful presence, and imbue them with Your gift of faith to trust You to bring unity into our diversity. In our Lord's name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD, a Senator from the State of Colorado, 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 acting majority leader, Senator ALLARD, is recognized.

### SCHEDULE

Mr. ALLARD. Mr. President, today the Senate will be in a period of morning business until 10:15 a.m. with Senators DURBIN and COLLINS in control of the time. Following morning business, the Senate will proceed to a cloture vote on the motion to proceed to the Treasury and general government appropriations bill. If cloture is invoked, the Senate will begin 30 hours of postcloture debate. If cloture is not invoked, the Senate will proceed to a second vote on the motion to proceed to the intelligence authorization bill. Again, if cloture is invoked on the motion, postcloture debate will begin immediately.

As a reminder, on Thursday the morning hour has been set aside for those Senators who wish to make their final statements in remembrance of the life of our former friend and colleague, Senator Paul Coverdell. At the expiration of that time, a vote on the motion to proceed to the energy and water appropriations bill will occur.

I thank my colleagues for their attention. I yield the floor. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the 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 for debate only, except for a motion to proceed made by the majority leader or his designee and the filing of a cloture motion thereon. Senators will be permitted to speak therein for up to 10 minutes each. Under the previous order, there should be 20 minutes under the control of the Senator from Illinois, Mr. DURBIN, or his designee, and under the previous order there should be 20 minutes under the control of the Senator from Maine, Ms. COLLINS, or her designee.

The Senator from Illinois.

### LEGISLATIVE PRIORITIES

Mr. DURBIN. Mr. President, I am certain those who were observing the Senate Chamber yesterday and perhaps the day before are curious as to why absolutely nothing is happening. It reflects the fact that there is no agreement between the parties as to how to proceed on the business of the Senate, particularly on the appropriations bills.

At this moment in time negotiations are underway, and hopefully they will be completed successfully very soon. At issue is the number of amendments to be offered, the time for the debate, and some tangential but very important issues such as the consideration of appointments of Federal district court judges across America to fill vacancies. These judgeships have been a source of great controversy in recent times because there is a clear difference of opinion between Democrats and Republicans about how many judges should be appointed this year.

Of course, the Republicans in control of the Senate are hopeful that their candidate for President will prevail in November and that all of the vacancies can then be filled by a Republican President. That is understandable. The Democrats, on the other hand, in the minority in the Senate, have a President who has the authority to appoint these judges and wants to exercise that

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



Printed on recycled paper.

authority in this closing year. Therein lies the clash in confrontation.

Historically, the last time the tables were turned and there was a Republican President and a Democratic Senate, President Ronald Reagan had 60 Federal district court judges appointed in the election year. In fact, there were hearings on some of them as late as September of that year. This year, we have had about 30 appointed and we have many more vacancies, many more pending. We are hopeful, on the Democratic side, these will be filled. Those on the Republican side are adamant that they do not want to bring them up. I hope they will reconsider that and at least give Democrats the same consideration we offered President Reagan when he faced a Democratic Senate with many Federal district court vacancies.

The other item of business which consumed our attention over the last week or two related to tax relief. It is an interesting issue and one that many Members like to take back home and discuss; certainly most American families, regardless of whether they are rich or poor, desire some reduction in their tax burden.

The difference of opinion between the Democrats and Republicans on this issue is very stark. There is a consideration on the Republican side that tax relief should go to those who pay the most. Of course, those who pay the most taxes are, in fact, the wealthiest in this country. We have a progressive tax system. We have had it for a long time. We believe if one is fortunate enough to be successful, those taxpayers owe something back to this country. Those who are more successful owe more back to this country. You can't take blood from a turnip; you can't put a high tax rate on a person with a low income. But you can certainly say to a successful person: We ask you to contribute back to America. We ask you, in the payment of taxes, to help maintain this great Nation which has given you, your family, and your business such a wonderful opportunity.

The Republican program from the start, as long as I have served in Congress, has always been to reduce the tax burden on those who are the wealthiest in this country. I happen to believe the tables should be turned and we should have a situation where those who are in the lower income groups and middle-income families who are struggling to make ends meet should be the ones most deserving of tax relief. That is a difference in philosophy, a difference between the parties, and is reflected very clearly in the debate we have had over the last 2 weeks.

This is a chart which I have been bringing to the floor on a regular basis. Some House Republicans told me this morning that they are tired of seeing my chart. They are going to have to get a little more exhausted because I am going to produce it again today. This chart outlines what happens with

the Republican tax plans, with their idea of tax cuts.

In the area of the estate tax, a tax is imposed on less than 2 percent of the American population. Of 2.3 million people who die each year, only 40,000 end up with any liability under the estate tax. It is a tax reserved for those who really have large estates that they have accumulated during a lifetime. There are exemptions that people can write off when it comes to the estate tax liability, and those exemptions are growing, as they should, to reflect the cost of living increases.

By and large, the Republicans have proposed to do away with the tax completely, so the very wealthiest of Americans who pay this tax would receive the tax relief.

What does it mean? On the Republican plan, if you happen to be a person making over \$300,000 a year in income—if my calculations are correct, that is about \$25,000 a month in income—the Republicans have suggested you need an annual tax cut of \$23,000 as a result of their elimination of the estate tax. That boils down to close to \$2,000 a month, for those making \$25,000 a month, that the Republicans would send your way when it comes to tax relief.

Most American income categories are people making between \$40,000 and \$65,000 a year. Under the Republican plan, if you happen to be with the vast majority of Americans paying taxes, you aren't going to notice this tax relief; \$200 a year is what the Republicans offer to you. That comes down to \$16 a month they are going to send your way. If you are in the highest income categories, you receive \$2,000 a month; if you happen to be with the vast majority of Americans, you receive \$16 a month.

That is the Republican view of the world. That is the Republican view of tax relief: If we are going to help people, for goodness' sake, let's help the wealthy feel their pain, understand the anxiety they must face in making investments, in choosing locations for new vacation homes, and give them some tax relief.

The fact is that 80 percent of Americans are making under \$50,000 a year. For these Americans, \$15 or \$16 a month is something, but it is certainly not going to change their lifestyle.

Mr. President, 26 percent of Americans make between \$50,000 and \$100,000 a year. In those two categories of people under \$100,000 a year and under \$50,000 a year, we find the vast majority of American families, the overwhelming majority, and the people who will not benefit from the idea of tax relief propounded by the Republicans on the floor. They suggest to all American families they have them in mind when it comes to tax relief. The facts tell a different story.

Look at what we have suggested instead. The Democrats think we have to be much more responsible in spending this Nation's surplus or investing. It

wasn't that long ago we were deep in deficit with a national debt that accumulated to almost \$6 trillion. Now we are at a point where we have a strong economy, families are doing better, businesses are doing better, people are making more money, and the tax revenues coming in reflect it. That surplus is what we are debating. We have gone from the days of the Reagan-Bush deficits to a new era where we are talking about a surplus and what we will do with it.

Those who are younger in America should pay attention to this debate. If you are a young person in America, we are about to give you a very great nation. Our generation hopes to hand over as good a country as we found, perhaps even better, but we are also going to hand over to you a very great debt of \$6 trillion. That debt we have to pay interest on. It is like a mortgage. You say to your children and grandchildren: Welcome to America, welcome to this land of opportunity, here's the debt you will have to pay.

In the late 1980s and 1990s in America, the political leadership in this country accumulated a massive debt, starting with the election of President Reagan, then with President Bush, and for the first few years of President Clinton we continued to see this debt grow. We have turned the corner. Under the Clinton-Gore leadership, under the votes that have been cast by Democrats in Congress, we now have a stronger economy.

People have a right to ask, What are we going to do with the surplus? The Republican answer is: Tax cuts for wealthy people. The Democratic answer is much different: First, pay down the national debt. We can't guarantee the surplus will be here in a year, 2 years, or 10 years. If it is here, shouldn't it be our highest priority? Let's wipe off the debt of this country as best we can, reduce the burden on our children, invest in Social Security and in Medicare.

This is not a wild-eyed idea. It is what Alan Greenspan of the Federal Reserve recommends. It is what major economists recommend. But you cannot sell it on the Republican side of the aisle. They think, instead, we should give tax cuts to the wealthy.

We think we should bring down the national debt and invest in Social Security and Medicare. If we are to have tax cuts, let us target these tax cuts to people who really need them, not the folks making over \$300,000 a year. They are going to do quite well. They are going to have nice homes on islands off the coast of Maine. They are going to have places in Florida and California. They are going to have a very comfortable life.

But what about the people who live in Chicago? What about the people who live in Portland, ME? What about those who live in Philadelphia, PA? I would like to take to them this proposal, not to eliminate taxes on those making

over \$300,000 a year but to say to working families and middle-income families: Here are targeted tax cuts that you can use, that will help your life. Let's provide for a marriage tax penalty elimination for working families. Let's expand educational opportunities by making tuition costs tax deductible. Think about your concern of sending your son or daughter through college and the increasing cost of a college education. For a family who is struggling to try to make ends meet and to give their kids the best opportunity, to be able to deduct those college education expenses means an awful lot more to them than the comfort in knowing that Donald Trump does not have to pay estate taxes under the Republican proposal.

That is the difference in our view of the world. The Republicans feel the pain of Donald Trump, that he might have to pay these estate taxes. We believe that families across America face a lot more anxiety and pain over how to pay for college education expenses. We had a vote on the floor here, up or down, take your pick: Estate tax relief for Donald Trump or college deductions for the families working across America. Sadly, the Republicans would not support the idea of college education expense deductions.

Let's talk about caring for elderly parents. Baby boomers understand this. Everyone understands it. As your parents get older, they need special help. You are doing your best. I cannot tell you how many of my friends this affects. I am in that generation of baby boomers—slightly older, I might add—but in a generation where a frequent topic of conversation for my age group is how are your mom and dad doing? The stories come back, and some of them are heartbreaking, about Parkinson's and Alzheimer's and complications with diabetes that lead to amputations and people finally having to make the tough decision of asking their parents to consider living in a place where they can receive some assistance.

It is expensive. We, on the Democratic side, believe that helping to pay for those expenses the families endure because of aging parents is a good tax cut, one that is good for this country and good for the families. Not so on the Republican side. When we offered this, they voted against it. They would rather give estate tax relief to the wealthiest people.

How about child care? Everybody who got up this morning in America and headed to work and left a small child with a neighbor or at a day-care center understands that this is tugging at your mind constantly during the day. Is my child in safe hands? Is this a quality and positive environment for my child to be in? How much does it cost? Can we afford it? Can we do a little better?

We, on the Democratic side, think we ought to help these families. They are working families who should have

peace of mind. Senator DODD offered an amendment that proposed tax credits, not only for day care, but also tax credits for stay-at-home moms who decide they are going to forgo working, to stay with the children and try to raise them. We want to help in both of those circumstances. We think those are the real problems facing America. The Republicans instead believe that estate tax relief for the superrich is much more important.

Expand the earned-income tax credit for the working poor, help families save for retirement, provide estate tax relief—particularly to make sure that a family-owned farm or a family-owned business can be passed on to the next generation. I think the estate tax needs reform. We support that. We voted for it. But we think the Republican proposal goes way too far in proposing we abolish it.

I see my time is coming to a close. We think the agenda before this Congress is an agenda of missed opportunities. The Republicans are in control in the House and Senate. They decide what will be considered on the floor, if anything. They have failed to bring forward commonsense gun safety legislation after Columbine, to try to keep guns out of the hands of kids and criminals. We passed it in the Senate with AL GORE's vote, sent it to the House—the gun lobby killed it. We lose 30,000 Americans every year to gun violence; 12 children every single day. For the Republicans, it is not a priority to bring this bill forward.

The Patients' Bill of Rights, so your doctor can make the call on your medical treatment or your family's medical treatment—most people think that is common sense. The insurance companies do not. They want their clerks to make the decision based on the bottom line of profit and loss. It is not a medical decision for them, it is a financial decision. And for a lot of families it is disastrous when they cannot get the appropriate care for their kids and their families. We think a Patients' Bill of Rights makes sense. The insurance lobby opposed it. The insurance lobby prevailed. The special interest groups won on the floor and we have gone nowhere with this proposal.

Minimum wage: \$5.15 an hour for a minimum wage that affects some 10 million workers across America. It is about time for a pay raise. These folks deserve to do better. It used to be bipartisan. We didn't even argue about it. Now the Republicans say: No, no no, we can't give a 50-cent-an-hour pay raise to people making \$5.15 an hour. Do you realize that 50 cents an hour comes out to, what, \$1,000 a year that we will give these people?

Yet we are going to turn around and give Donald Trump a \$400 million tax break on his estate? You cannot give working families a thousand bucks a year, but you can give the one of the superrich \$400 million tax relief? Is something upside-down in this Chamber? I think so.

Take a look at the prescription drug benefit. Ask Americans—Democrats, Republicans, and Independents—the one thing we ought to do this year? A guaranteed universal prescription drug benefit under Medicare. The pharmaceutical companies oppose it. They are pretty powerful characters in this town. They have stopped this Senate and this House from considering it. Here we are, languishing, doing nothing, when it comes to a prescription drug benefit.

Finally, something for our schools. Seven million kids in America attend schools with serious safety code violations; 25,000 schools across our country are falling down. Are we going to be ready for the 21st century? Will our kids be ready? Will our workforce be ready? You can answer that question by deciding at this point in time whether education is truly a priority and, if it is such a priority, then for goodness' sakes we should invest more than 1 percent of our Federal budget in K-12 education. That is what we invest. The Democrats, under the leadership of Senator KENNEDY, believe that investment is overdue. We think that is what families in America are looking for, not for tax relief for the wealthiest among us.

I yield the floor.

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

Ms. COLLINS. I thank the Chair.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2924 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. Mr. President, I see that the Senate majority leader has come to the floor, so I yield to him. I thank the Chair.

The PRESIDING OFFICER (Mr. L. CHAFFEE). The Senate majority leader.

Mr. LOTT. Mr. President, I thank the Senator from Maine for her comments, her leadership on so many important issues in the Senate, and for yielding to me at this time so we may proceed.

#### ORDER OF BUSINESS

Mr. LOTT. Mr. President, obviously I had hoped we would be making a lot more progress this week on appropriations bills and other issues. That has not transpired yet. But we have been filing cloture motions, and we will be getting votes. In some way we will deal this week with the Treasury-Postal Service appropriations bill. I hope we can find a way to proceed on the energy and water appropriations bill. We will get to a vote at some point on the intelligence authorization bill. So, hopefully, we can still go forward.

I do not feel as if we are proceeding appropriately, but in spite of that, I think it generally was interpreted or understood that I would try to begin the discussion on the China PNTR bill. Even though it will be difficult to get through the maze of clotures we have