



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, MONDAY, JULY 30, 2001

No. 108

Senate

The Senate met at 1 p.m. and was called to order by the President pro tempore [Mr. BYRD].

PRAYER

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

Almighty God, You have told us that to whom much is given much is required. Thank You that You have taught us also that to whom much is required, much shall be given. Lord, You require a great deal of the women and men of this Senate. Provide them with an extra measure of Your strength, wisdom, and discernment for the crucial work of this week. Help them to know what You want and then to want what they know; to say what they mean and mean what they say. Give them resoluteness and intentionality. Free them to listen to You so intently that they can speak with courage and conviction. Keep them in the battle for truth. In Your all-powerful name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the first half hour is for that of the Democrats. The second half hour is for that of the Republicans. We are going to have time evenly divided between 2:30 and 5:30 on the motion to proceed to the emergency Agriculture supplemental authorization bill.

The majority leader has directed me to announce to everybody that we have a schedule this week that we must complete. We have to complete work on this very important Agriculture supplemental. It is an emergency measure that is very important to the country. We have the VA-HUD appropriations bill to complete. We have to complete the work of the past week on the Transportation appropriations bill. Also, we must do the Export Administration Act.

The reason we must complete the Agricultural Assistance Emergency Act is because, if we don't, we lose funding. It is targeted so that if this money is not spent prior to the first of September, it is basically lost for the farmers of this country, and that would be a real disaster.

The reason we must complete the Export Administration Act—the most important piece of legislation the high-tech industry has this year—is because this act expires in the middle of next month. Even if we extend it, it is not anything that will help the high-tech industry. We need to change the basic foundation of the act because what is happening is American companies are having to go overseas to start manufacturing these products because some of the real simple pieces of equipment that can be bought at Radio Shack, such as the PalmPilot that I use, people say is in violation of the present

act. We need to be able to sell these export products to foreign countries, where about half of our market is.

The Transportation appropriations bill—the leader indicated that sometime this week he will call for another cloture vote. Based upon prior votes on this matter, cloture should be passed—cloture should take effect, and we would have 30 hours after that.

We have a tremendous amount of work to do this week prior to the August recess. I hope that we can complete all of these things in a timely fashion. As soon as we complete them, we can start the August recess. Until we do that, it will be difficult to do.

The PRESIDING OFFICER. Under the previous order, the time until 1:30 p.m. shall be under the control of the Senator from Illinois, Mr. DURBIN, or his designee.

Also, under the order previously entered, the time until 2 p.m. shall be under the control of the Senator from Iowa, Mr. GRASSLEY, or his designee.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE AGENDA

Mr. REID. Mr. President, one of the things I want to visit about this morning is something I read in the morning newspapers; that is, there is now another effort being made to pass a constitutional amendment to balance the budget. I hope that people will get a new page in their song book. We have danced that tune. We have had long hours and days of debate in the Senate on a constitutional amendment to balance the budget.

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



Printed on recycled paper.

S8371

From the information I have received, they still want to do it using the Social Security surpluses. It seems to me that we have done very well without a constitutional amendment to balance the budget. When this debate started, as you will recall, based upon the beginnings of the Reagan administration, there was an effort to cut taxes and increase spending. That was a recipe for disaster. We now have a debt of about \$5 trillion as a result of that. We have now, it seems, the same basic scenario. There is being an effort made to cut taxes, and we already know, based upon having passed the supplemental appropriations bill, Mr. President, that our surplus is basically gone.

In an effort to further grind down domestic spending, it appears there is an effort being made to go back where we were a few years ago saying what we really need to make things great in this country is a constitutional amendment to balance the budget. When that debate started during the first Bush administration, there was an annual deficit of about \$300 billion.

In the last 8 years, we have been able to do a great job without a constitutional amendment. We have reduced the annual deficit to where now we are having surpluses. Prior to this budget—we will see how much damage this budget does to the progress we have made—we have been able to have many months of low inflation and low unemployment, the longest in some 40 years.

We have been able to reduce the Federal payroll, separate and apart from the military, some 300,000 fewer jobs than we had before. Job creation has been really significant. Some 22 million new jobs have been created. I am trying to figure out why we need, at this stage, a constitutional amendment to balance the budget.

I am afraid what has taken place in this short administration of Bush II is, it appears, a recipe for disaster. I say that because the income of this country will be cut back significantly.

I made a call today, and I am not going to divulge the name of the individual to whom I spoke, but I would be happy to do that privately with the President pro tempore or anyone else who wants to ask me, but I will not do it for the press because it was a relatively private call with someone at a large corporation.

He indicated that in the last few days the value of this stock, of this major American corporation, international corporation, has dropped some 70 percent—in a matter of about a week.

The chief executive officer of this major company told me this morning he believes for the first time this softening of the economy we have all talked about is now being felt worldwide. This is a worldwide company. For this stock, in a week's period of time, to decline 70 percent indicates this country had better slow down and slow down its efforts to change the way things have been going.

They have been going great. Senator Moynihan, who was a valued Member of the Senate, said there are Members of the Senate, Members of Congress, people in and outside of government, who for decades have determined they cannot cut back domestic spending by facing it head on and saying we want to cut this program for the Forest Service or for any program one wants to pick—the Corps of Engineers, the Bureau of Reclamation, which entities do so much good—they cannot do this head on because these entities do so much good. I have just picked a few off the top of my head.

What they are doing instead is just squeezing down the domestic discretionary spending so these entities will, in effect, starve themselves, and that is what is happening. That is what Senator Moynihan said was going to happen, and it appears he is right. What they are trying to do is starve the domestic aspect of our spending.

We are going to have to realize what we are facing. There are going to be huge requests even this year for more defense spending, and I am sure there is a need for more defense spending, but also there is a need for domestic discretionary spending.

I held a hearing in my subcommittee of the Environment and Public Works Committee last Monday, dealing with this Nation's infrastructure. I brought in mayors from around the country to talk about what is happening in their cities. It is scary, to say the least.

The mayor of Atlanta, GA, said that most mayors in America now are on term limits and the No. 1 wish of mayors from around America is: Please do not have the water system, the sewer system, break down, before my term is up. Let the next mayor face the problem because it is coming. It is just a question of when.

The mayor of Atlanta said in this relatively new, modern city in the sense that most of the growth has taken place recently, there is a very big backlog of things which need to be done. Some of their water systems in Atlanta are very old and are being put together by—I am exaggerating—chewing gum. They are just holding them together. They do not have enough money to do it right.

I had Mayor Williams of our National City, Washington, DC, testify in my subcommittee. Those of us who spend a lot of time in Washington, DC, have all seen and read in the paper about the manhole covers blowing off in the Georgetown area. He said that is a result of work not being done that needs to be done with the electricity, with the sewers, with the water systems. He said some of the water pipes in Washington, DC, are old wooden pipes.

We heard from the Mayor of Washington, DC, saying the infrastructure needs of this metropolitan American Federal city are disastrous. He needs help. If there is a city in America we should help, it is Washington, DC, where tourists come to see the Nation's

Capitol, but we have manhole covers blowing off into the air like mortars. He said there are going to be more of them; they do not have the wherewithal to fix them.

Mark Morial, the mayor of New Orleans, came in and testified. New Orleans is a famous city, with a great and rich heritage. I am reading a book now about Andrew Jackson, "Battle of New Orleans." It is a wonderful book. New Orleans has 100 water pumping stations. That is the way it is. That is the way they have to get the water out of the city. There is lots of water. If they did not pump the water out, the city would be flooded. The pumping stations use pumps over 100 years old.

The mayor said, how much longer can they keep doing what they are supposed to do? The pumps are 100 years old. Some of those pumps came into existence before the turn of the last century, and we are still using them.

The mayor of Las Vegas, NV, Oscar Goodman, testified. It is the most rapidly growing city in America, the fastest growing State in America.

I asked: Is it true, Mayor Goodman, we must build 12 new schools every year in the Las Vegas area, 1 every month, to keep up?

He said: Senator, you are wrong. It is now up to 14. We have to build more than one school every month to keep up with the growth there. We really need help. Las Vegas needs help. Clark County, where Las Vegas is, needs help.

What are we talking about doing? Spending time on the Senate floor talking about a constitutional amendment to balance the budget? We need to talk about ways to help the cities of Atlanta, New Orleans, Las Vegas and Washington, DC. That is what we need to be spending some time on.

We are on a literal powder keg of things that need to be done for our cities.

I also say this: If there was ever a time for bipartisanship, it is now. The Senate is under the control of the Democrats, just barely. The House is under the control of the Republicans, just barely. We have a man who is President of the United States, who received fewer votes than the person he beat. It would seem to me this is a time that cries out for bipartisanship, to work together to get things done.

Yet we had a filibuster last week that held up another appropriations bill. It was based on an issue—and I know the people who disputed the Mexican trucking issue believe fervently in their side. There were two sides, and both believed in their causes. What went on in this Chamber was not good for the well-being of the country. We needed to pass the appropriations bill, take it to conference. That is where it is going to be decided. It is not going to be decided in the Senate.

The House has a provision that, in effect, bans Mexican trucks coming into America. It passed by a 2-to-1 margin. What we had crafted by Senators SHELBY and MURRAY was a middle ground,

and that still was not good enough. The bill was taken down and will be brought back up. We will vote again on cloture, and this week sometime we will pass the Transportation appropriations bill.

But we need to work on issues that are important to this country. Last week a report came out dealing with Social Security and what needed to be done. One of the main directions of that report is for the President's commission to do an analysis of Social Security. Most everyone said the people had a preconceived idea before they were appointed, and that is to privatize Social Security. We have heard from a lot of people that such a plan would require a 41 percent cut in benefits in order to maintain Social Security solvency, according to an October 2000 Century Foundation analysis by the country's leading economists. It is very unlikely that private accounts would earn enough to dig out of the hole. Average single earners would still face 20 percent cuts, with married couples and lower earners doing even worse. So there are a lot of issues that we are being forced to talk about by the administration.

I think it is important we take a look at Social Security to see what we can do to build it up in the outyears, but for people saying Social Security is a disaster, it is broke, simply isn't true. Everyone will draw 100 percent of the benefits until almost the year 2040. And if we did nothing with Social Security prior to 2040—and I certainly hope we will not—people would still be able to draw 80 percent of their benefits. They should be able to draw 100 percent of the benefits.

I think that another direction we are getting from the White House is not appropriate, and that is talking about Social Security being bankrupt. It is not. We need to take a look and do some things so in the outyears it is going to be strong and everybody can draw 100 percent of their benefits, not just 80 percent of the benefits. We also look forward to having the committee chairmen work hard on having hearings so that we can report out as many of the President's nominations as we can. I personally think that the process isn't good; it takes so long. There is a huge hole at the end, and all these nominations are stuffed in this hole. At the other end, where they come out down, it is about this big. It is a very tiny little hole. It is a funnel that has a small end on it. What happens is we do not have the opportunity in a timely fashion to look at these people. They go through the Justice Department, vetted by the White House, and outside entities take a look at them. It has become so burdensome that even an independent analysis says the quickest President Bush can have all his nominees in place will be next February. That is really too slow, and we are going to do our best to process these nominees as fairly and expeditiously as possible.

Mr. President, I would hope that we are allowed to go to the Emergency Agriculture Assistance Act of 2001. It is very important legislation for almost the entire country—I shouldn't say almost the entire country. It is important for the whole country. Title I deals with commodities, and these commodities are things that we take for granted. When we go to the grocery stores, these things are always there. Farmers have difficulty year after year doing what needs to be done. This is an emergency supplemental. As we have heard on this floor from Senators from different parts of the country, if their farmers don't get relief, they will, in effect, go bankrupt. That is why we need to do this as quickly as possible.

Title II is very important. It deals with conservation. There is a new part of the bill that has received a lot of direction and attention. The conservation aspect of this bill is important because we are looking at things we haven't done in the past, such as wetlands reserve programs and conservation reserve programs. So I would hope that Senators HARKIN and LUGAR, who will be the managers of this legislation, are allowed to go forward with this bill as quickly as possible.

It is too bad we are going to have a cloture vote on the motion to proceed, but that is what we have been asked to do.

Title III deals with nutrition, which is a substantial part of this program. It requires a Farmers' Market Nutrition Pilot Program, distribution of commodities, things that again we take for granted. So I hope that we move to title IV dealing with credit and rural development, which is certainly something that Nevada cares about; title V dealing with research; and title VI, disaster assistance, we can move as quickly as possible.

We understand there will be a number of amendments. We hope that we could move to these amendments quickly and not have to face another cloture motion on the bill itself. I think all we are doing is holding up legislation that is vital to the very existence of the family farm. We have heard time and time again how important family farms are to America. This legislation will preserve thousands of family farms that are in desperate shape at this time.

I yield the floor.

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

ORDER OF PROCEDURE

Mr. MURKOWSKI. I thank the Chair. I ask unanimous consent that I may proceed as if in morning business. I understand 30 minutes has been allocated to Senator GRASSLEY. I would ask unanimous consent that since Senator GRASSLEY has indicated he cannot be here at this time, 20 minutes of the 30 minutes be allocated to me and the balance remaining, approximately 10 minutes, to Senator CRAIG THOMAS of Wyoming.

The PRESIDENT pro tempore. Is there objection?

Mr. REID. Mr. President, reserving the right to object, would it be permissible to the Senator that Democrats still have 5 minutes at the end of his time?

I ask unanimous consent that we have the last 5 minutes.

The PRESIDENT pro tempore. Will the Senator repeat the request.

Mr. REID. Yes. I ask unanimous consent that the Senator from Alaska have 20 minutes, Senator GRASSLEY 10 minutes, and the Democrats would have the last 5 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MURKOWSKI. I believe Senator REID misunderstood me. This was Senator GRASSLEY's time. Senator THOMAS wanted the remaining 10 minutes. I have no objection to providing the last 5 minutes to the other side.

I thank the Chair.

The PRESIDENT pro tempore. The Senator from Alaska, Mr. MURKOWSKI.

ENERGY CRISIS

Mr. MURKOWSKI. I very much appreciate the senior Member of this body, the President pro tempore, who is presiding at this time, for giving me the opportunity to advise my colleagues of the seriousness of the energy crisis in this country. I think we would all agree that the matter of energy is something we take a good deal for granted. We take for granted that America has been blessed with an affordable, plentiful, reliable supply of energy which pretty much provides us with a standard of living second to none. But it is something, again, that is there. We take it for granted. And we look forward to it continuing.

We have had some attention given to the crisis out in California, but for the most part it has not hit the majority of Americans. I think it is fair to say from the following information we have seen there is a growing concern that perhaps what happened in California could spread to other parts of the country.

As far as our national security is concerned, we have had a lot of discussion; we have seen communiques; we have seen articles concerning the national security of our country tied into energy simply because we have increased our imports of crude oil into this country from about 37 percent in 1973 to over 56 percent at this time.

As a consequence, we have become more beholden to OPEC and, the OPEC cartel, and the OPEC cartel has set a price structure of \$22 to \$28 and reduced supply. It is pretty much assumed now we are going to be in a period of increased dependence on imported oil from OPEC in the Middle East for the increasing timeframe in the future until we find another alternative to crude oil, which is not likely to occur.

In addition, we have economic security which, of course, is fostered by