

We do not have a surplus. The surplus is a Social Security surplus. The economy is in a tremendous downturn. This country's tax revenues are significantly lower than they have been in a long time. We have had 8 years where we have brought down the debt.

In fact, the 1993 budget deficit reduction act, passed in the House without a single Republican vote, passed in the Senate without a single Republican vote—Vice President Gore had to break the tie—put this country on a road to economic stability. We have 300,000 fewer Federal jobs than we had in 1993. We have a surplus that we have never had before. And that is as a result of the efforts of President Clinton and his Democratic colleagues in the House and the Senate.

We have experienced inflation lower than it has been in some 40-odd years. We have done remarkably good things with the economy, created 24 million new jobs, in the 8 years it took us to do that. It has been 8 months that this administration has been in office, and they have taken this away from us, in effect. Social Security surplus moneys were once used to mask the Federal deficit. We stopped doing that. But now the second Bush Presidency is using Social Security surpluses to again mask this deficit.

I can't imagine how anyone can come on the floor and say with a straight face that we have the second largest surplus in the history of the country, unless they are candid and say that it is as a result of the Social Security surplus. That is what it is all about. I hope my friend from Illinois has an opportunity today; I know he has some things to say about this.

But let's also talk about energy policy. One of the biggest robberies in the history of this country took place in Congress the last week that the House was in session when they passed the energy bill. The reason I say it was a robbery is because people who voted for that bill thought that they had limited the drilling in ANWR to 2,000 acres. That is a big diversion from the truth.

The fact is, they now allow them to have 2,000 acres of oil derricks all over the Arctic national wilderness. That is what they would allow, 2,000 acres of equipment. This could cover 150,000, 200,000 acres of pristine wilderness.

There are some of us who believe so strongly about this drilling in the Arctic national wilderness that we will do just about anything to stop it from happening. We are not going to let them drill in the Arctic wilderness. We are not going to let them pull this phony situation where they say we are only going to drill on 2,000 acres when, in fact, the legislation states that they are going to allow oil equipment on 2,000 acres.

We don't have a surplus. We are not going to allow drilling in ANWR.

#### RED LIGHT CAMERAS

Mr. REID. Mr. President, when I first got out of law school, I had a part-time

job. I was a city attorney for the city of Henderson. Henderson at the time was a suburb of Las Vegas and a relatively small community. Now, by Nevada standards, it is a large city, the second largest city in Nevada, approaching about 250,000 people.

When I was city attorney, one of the things I did was prosecute people convicted of misdemeanors, but one of the big jobs I had was prosecuting drunk drivers. Prosecuting drunk drivers was very difficult because a police officer would stop somebody and say: OK, put your finger to your nose, walk on the line—all these things they had people do who were suspected of drunk driving. They would come in and the person charged would say: I hadn't had anything to drink; I don't know why I was arrested. And the police officer would say: His eyes were bloodshot; I could smell liquor on his breath. It was a factual issue as to whether or not that person had been drinking.

After I was city attorney, along came some new procedures. You could breathe into a piece of equipment and it would determine how much alcohol was in your system or an even more sure-fire way was blood alcohol tests. That way the driver was protected. The driver was protected because the driver no longer had to depend on some police officer who may have been mad at him, may have had some personal grudge with him, may have not liked the kind of car he was driving or the color of his skin. Now this person driving could have a blood test administered and show that he was not drinking or they could breathe into a balloon and a breathometer would tell whether or not he had anything to drink—scientific advancements to protect not only the accused but also to protect the State.

When I decided to run for Congress at the beginning of the 1980s, one of the people who I recognized was doing some really good things for many years was a Congressman from New York by the name of James Scheuer. What had Congressman Scheuer done that attracted my attention? He gave speeches around the country and in Congress on the need for police officers to have more scientific equipment to keep up with the more scientific criminals. I thought this was intriguing. I thought it was true. Having been a prosecutor and having been a defense attorney, I recognized that was true.

I was able as a defense attorney to do a lot of things to really hinder the process. That was part of my job. And because we were more in tune with modern scientific things we could hold up warrants and all kinds of things. But we have gotten more modern. We have electronic warrants that are now available. We have video arraignments for people charged with crimes. We have SWAT teams, special weapons people who come in and in a special situation can really go into a building, which is safer for the people in the neighborhood. These people are experts

at getting into buildings. They are experts at negotiating with people.

As I speak, there is a situation going on since the weekend. In Michigan, one person has been killed. There is another person negotiating in this compound. These are experts that are doing the negotiating. In effect, we have become more modern. We are doing a better job of law enforcement. We are doing a better job keeping up with the criminal element. That is why I want to bring to the Senate's attention the promise of something I think is in keeping with what I believe is the direction law enforcement should go. That is photo enforcement of traffic laws.

Each year there are about 2,000 deaths and probably about 250,000 injuries in crashes involving motorists who ignore red lights. More than half of these deaths are pedestrians or passengers in other vehicles who are hit by these people who run the red lights. Between 1992 and 1998, about 1.5 million people were injured in these accidents. It is easy for us to talk about injuries as compared to deaths; maybe they had a broken arm, maybe a whiplash. But lots of these people are confined to wheelchairs. Lots of these people are injured irreparably. They have been hurt so bad their life is never going to be the same, as a result of people trying to save the second or two running a red light.

We have all witnessed it. Probably, we have truthfully all run a red light or two. The signal changes to yellow and vehicles continue to pass through the intersection with little hesitation. The light turns red and one or two more cars blow past in a hurry, speeding through intersections until the last possible second. Unfortunately, experience has taught us that we can get away with it.

For example, there are about a thousand intersections with traffic signals in the greater Las Vegas area. Odds are very good that the police won't be watching when we drive through an intersection a little too late. Nevadans have paid a high price for this daredevil driving. Las Vegas ranks 12th in the Nation in deaths attributed to motorists running red lights.

I can't help but think that Las Vegas streets, as well as streets nationwide, would be a lot safer if there were consequences for running red lights. What if there were a traffic officer at every intersection, all 1,000 intersections where there are red lights in Las Vegas? Let's say there was a traffic officer, or at least that were a possibility. The District of Columbia found out that they can do that. In 1999—and I have spoken to the chief as late as this morning—the District began using cameras to catch motorists running red lights. Thirty other districts in the country have similar laws.

For those unfamiliar with photo enforcement, most use cameras after the light has turned red. A photo of the infraction or violation is taken and later

mailed to the red light runner or the address that corresponds to the license plate.

With the stepped up enforcement, motorists in the District of Columbia running red lights may have saved a minute or two, but they have not been getting away with it. Since the District began using cameras, the number of motorists running red lights—I talked to the chief this morning—is down 57 percent from 1999, when they were installed. They don't have them at all intersections, but drivers think they might. So people running red lights has dropped almost 60 percent.

Think of the people who are not in wheelchairs. Think of the people who have not had to go to the hospital. Think of the lives saved as a result. In a report released in April of this year, the Insurance Institute for Highway Safety state that camera enforcement has changed drivers' behavior and may have prevented collisions and injury in car accidents. That is a no-brainer. The number of crashes at intersections with traffic signals has dropped. Front-end and side injury collisions, most commonly associated with red light running, fell as well.

Most surprising is that drivers' behavior changed throughout the city, and not just at intersections with cameras. Even though only 39 of the District of Columbia's signals were equipped with cameras—the red lights—traffic violations have dropped at all city intersections. Enforcement is changing the way the residents drive. They are better off for it. We all are.

Nationwide, there have been significantly fewer front-end and side collisions following the introduction of camera enforcement. Nine States have either granted use of cameras statewide or are allowing them. The data makes a compelling case for widespread cameras. Photo enforcement of traffic laws helps catch and identify lawbreakers and serves as a deterrent for reckless drivers.

The sad truth is that most drivers obey traffic laws not because they will prevent crashes or save lives—although that is what some say—but because they believe there is a real chance they might be caught and fined. That is why everybody slows down when a police car is nearby. When enforcement is present, accidents fall.

I am sorry to report that in its 1999 session the Nevada Legislature passed a bill banning the use of cameras to enforce traffic laws, citing concern over government intrusion.

On this date, I am writing a letter to the State of Nevada, along with the majority leader of the Senate, telling them to reconsider that. I hope they do. I think it is wrong. I think the legislators in Nevada and all around the country should take a second look at the promise this technology holds, if for no other reason than the powerless lobbying organization that believes strongly in this.

What is this lobbying organization that has very little power? It is called the American Trauma Society. I am sure the Presiding Officer has met with them. I have gone to their facilities and seen the people who have had these terrible head injuries. Most are traffic related; many are people having run red lights.

On this issue, the American Trauma Society, composed of emergency room personnel, would like to have fewer customers, and they point to studies that cameras reduce violations by 40 percent.

The American Civil Liberties Union, which opposes a lot of things, dropped its opposition to red light cameras because they recognize there is a limit even to what they can go to. They believe this is something that helps keep highways safe. With a million crashes at intersections each year, causing 250,000 injuries and 2,000 deaths, the carnage is very bad.

Why do I raise this issue? Because changing driver behavior in a meaningful way will save lives. Studies show that more than 90 percent of Americans believe red light running is dangerous. The vast majority of citizens and law enforcement officials support the use of photo enforcement to stop red light running. Some may not agree. They say this is "big brother."

Going back to when I was city attorney, we needed modern law enforcement methods to keep up with criminals and also those accused. It doesn't matter whether it is cop or a camera; it is getting caught that counts. There are consequences for breaking traffic laws. Ensuring the safety and well-being of America's families and neighborhoods should be one of our top priorities. Photo enforcement supports this priority in a way that is constitutionally effective and proven free of bias.

I want those 30 jurisdictions, including the chief in the District of Columbia, to know I am going to do what I can to support his position and not go off on some side issue or side street issue saying this is "big brother" or that Orwellians are coming after us.

There is a lot of agreement in the country, not the least of which was a very fine editorial in the U.S. News and World Report of September 3 of this year written by Randall E. Stross, "Choose Life Over Liberty." I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Sept. 3, 2001]

CHOOSE LIFE OVER LIBERTY  
RED-LIGHT CAMERAS IN DICK ARMEY'S SIGHTS  
(By Randall E. Stross)

In police work, machines have increasingly supplanted the vagaries of human judgment, and I say, Amen! Beginning in the 1930s with the pioneering *Drunkometer*, followed by the Intoximeter, Alcometer, and the Breathalyzer, impartial mechanical devices have indirectly saved countless lives.

Today, another kind of gadget records objectively and averts future accidents: red-light cameras installed at intersections to automatically record and ticket violators. House Majority Leader Dick Armey is up in arms, however, assailing the camera as an "unthinking machine" that has usurped police officers in the performance of their "traditional duties."

When Armey says that the answer to red-light violations is "putting cops on the beat," is that meant in the truly traditional sense of walking the beat? Even if granted dispensation to use unthinking machines with wheels—automobiles—police officers giving physical chase to red-light-running drivers must run the light, too. With 1 million crashes at intersections each year, causing 250,000 injuries and 2,000 deaths, the carnage is bad enough now.

As a former professor of economics, Armey surely is capable of grasping the concept of productivity gains that follow automation. When he gravely intones that "police officers belong on the streets and in the community, not in remote control booths," he is demagoguing. The cameras are activated automatically by sensors embedded in the road, capturing in a single frame the car's license plate, presence in the intersection, and the color of the traffic light. The evidence is incontrovertible, wonderfully so if you'd like to see the incidence of death and mayhem decline, and maddeningly so if you believe that a traffic light's signal is best left to you alone to interpret.

Video on demand. The newest generation of "unthinking machines" that Armey detests are actually doing considerable thinking on their own. Digital video systems use software to tract the progress of approaching vehicles and predict whether the driver will stop for the red light. If it appears likely that the driver is going to motor through, the system will extend the red light shown to the cross traffic, removing the chance of a collision with a law-abiding driver about to set off in harm's way.

EDS, which markets the system as CrossingGuard—admittedly, not as catchy as Drunkometer—is considering offering police departments the ability to post video clips on the Web. The ticket that is mailed out would include a Web address and password; the recipient could have a look and judge the wisdom of contesting on epistemological grounds what can be seen plainly in beautiful, living color.

What if the culprit was a friend to whom you loaned the car? The systems can be set up to capture the faces of drivers as well as license plates; the degree of intrusion is determined by requirements of varying state laws. What makes the most sense is the approach taken by New York: "Owner liability" allows the state to treat red-light running like a parking citation, which makes registered owners responsible regardless of who actually drives. The American Civil Liberties Union dropped its opposition to the red-light cameras with the proviso that the cameras be trained only on the license plates.

Armey's opposition to the cameras places him somewhere off to the left of the ACLU. He is also taking on a small 2,700-member group that may not have a lot of political weight in Armey's Washington, but nevertheless carries a lot of credibility on this issue: the American Trauma Society, composed of emergency-room personnel. They would like to have fewer "customers," and point to studies that show cameras reduce violations by 40 percent.

The data collected by the cameras might be used for purposes other than tracking reckless drivers—"mission creep," in the ACLU's phrasing—and this is a legitimate

concern. But a distinction is easily drawn: Using cameras activated only when a traffic law is broken—good; deploying police cameras in public spaces in order to scan in the faces of unsuspecting passersby—bad.

Armey would have us believe that the police departments that use red-light cameras are not interested in reducing accidents but in maximizing traffic-ticket revenue. His evidence, however, consists of nothing more than listing the number of tickets issued by various departments and the sums collected. New York City, for example, sent out 400,000 tickets to red-light runners last year, a truly astounding number. Contrarily, the same facts can be read as powerful evidence of the magnitude of the problem.

In Armey's home state, the legislature has twice rejected proposals to use red-light cameras statewide. But Garland, Texas, is about to go ahead with cameras anyhow. That the House majority leader, an outspoken opponent of government interventionism, is attempting to interfere in a local safety program strikes Garland's city's attorney as ironic.

Armey believes the so-called crisis is solved simply by lengthening yellow-light signals. His reasoning is more Orwellian than the cameras. War is peace, and now red is to be yellow.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

#### CONGRESS FACES CHALLENGING TIMES

Mr. DORGAN. Mr. President, the Congress will now reconvene following the August recess. We face some challenging and difficult times, especially dealing with fiscal policy.

I noted this weekend on some of the news shows that Bush administration spokesperson, Mitch Daniels, who heads the Office of Management and Budget, made the following observations about our fiscal situation. He said, "We have the second largest surplus in U.S. history. We are awash in cash." He used the term "awash in money." And then he seemed to say: Well, there is not a problem here because we have this very large surplus.

I think it is interesting to note that the economy in this country is weak. It has softened substantially. That which was expected to have been in surplus just months ago has now evaporated. The Office of Management and Budget and the Congressional Budget Office both acknowledge that the surplus is largely gone. When Mitch Daniels uses the term "surplus" and says we are "awash" in money and we have the second biggest surplus in history, what is he talking about? He is talking about the Social Security trust fund. He is doing it pretty much the same way that Charles Krauthammer, a columnist for the Washington Post, has done it. He wrote "no lock, no box," talking about a lockbox for Social Security trust funds. Robert Novak, a columnist for the Sun Times, wrote a column that says, "Don't believe the Dem scare tactics." In effect, Mr. Novak said all of this notion about a Social Security trust fund issue is bogus.

George Will weighed in with essentially the same message. What are they

talking about? Mr. Novak says that Senator CONRAD, my colleague from North Dakota, and I are effectively deceiving people about this.

Let's look at this for a moment. Workers in this country, when they get their paycheck, discovers something is taken out of that, which is called Social Security taxes. They are told it is going to go into a trust fund. This money taken out for Social Security isn't taken out for the purpose of paying for the Defense Department, or paying for air traffic controllers, or paying for a farm program, or paying for food inspection; it is taken out of the paycheck and the worker is told this goes into a Social Security trust fund. The word "trust" is used in the trust fund because it is a trust fund in the classic sense. That trust fund invests its money in Government securities.

The trust fund exists; it is real. If Mr. Novak, for example, purchases a U.S. Government savings bond for his grandson next Christmas, I hope he will not tell his grandson what he is telling readers, that somehow the savings bond he purchased has no value, that there is nothing there and the security is meaningless. I hope he will not tell his grandson that. We ought not tell the American workers that, either.

When Mr. Mitch Daniels, the head of OMB, says we have the second largest surplus in history, what he is saying is, by the way, we have these surplus funds in the Social Security trust fund and we view them as surplus. The moderator on "Meet the Press" said, well, but these are trust funds, are they not? Are they not dedicated to Social Security? Mr. Daniels said, well, yes, but they are not really dedicated to Social Security.

Well, that is new. The message ought to be, keep your hands off these trust funds, to everybody: The administration, the Congress, keep your hands off these trust funds. They do not belong to you.

It is not the Government's money. It is money that came out of workers' paychecks to be put in a trust fund for their future. And we will need that when the baby boomers retire and put a maximum strain on the Social Security system. That is precisely why we are accruing surpluses at this point. It is not for the purpose of Mr. Daniels or others to say that we have this huge surplus of funds and look at the great shape we are in. If a business said, by the way, we made a huge profit last year but only if you consider the pension funds of our employees, people would say, are you crazy? You cannot consider pension funds as part of your profit, and yet that is exactly what some people are trying to tell us.

Will Rogers once said: When there is no place left to spit, you either have to swallow your tobacco juice or change with the times. Well, there is no place left, and we have to change.

Four months ago we were told there was going to be a surplus of \$125 billion

above the Social Security accounts. That is all gone. It has evaporated. It does not exist anymore. The question for the President and Congress, both Republicans and Democrats, is how do you reconcile all of these interests and needs with the current situation?

The President wants \$18 billion additional spending for defense. The surplus that would be used to pay for that does not exist at this point. It seems to me the President is going to have to come to Congress, Mr. Daniels, Mr. Rumsfeld, and others, and say here is the plan by which we are going to pay for that. That plan ought not include using the Social Security trust fund.

I say to my conservative friends who write these columns that you do a real disservice, in my judgment, to the facts when you suggest that that which we take out of workers' paychecks to be put in a trust fund does not really exist in the trust fund. That is not true. The fact is, it forces national savings if we have a fiscal policy that recognizes these trust funds for the purpose they were collected in the first instance.

Now we have a lot of people who are poised to get their mitts into that trust fund and use it for other purposes. I hope the administration and the Congress will hold firm and say, keep your hands off those trust funds. They do not belong to the Government. They belong to the American people. They are the ones who paid those taxes, and they were the ones who were told it was going to be put in a trust fund. The word "trust" ought to mean something.

I will comment on another issue. This weekend I was enormously dismayed to see press reports in the New York Times and the Washington Post on the subject of national missile defense and the potential buildup of offensive nuclear weapons in China. The New York Times headline said: The U.S. will drop objections to China's missile buildup: strategy meant to ease Beijing's concern about plans for a weapons shield.

According to the reports, the U.S. will tell China that it will not object to a missile buildup by that country. It says, "The Bush administration seeking to overcome Chinese opposition to its missile defense program intends to tell leaders in Beijing it has no objections to the country's plans to build up its small fleet of nuclear missiles." It also says, "One senior official said that in the future the United States and China might also discuss resuming underground nuclear tests."

Let me ask a question: Does anyone think this will be a safer and more secure world if we say it does not matter whether China builds more offensive nuclear weapons? Does anyone believe it enhances world security and makes this a safer place in which to live if we give a green light to China and tell that country that it does not matter to us, you just go ahead and build up a huge nuclear arsenal? It defies all common sense. We ought to be the world