

S. 2697

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2697, a bill to require the Secretary of the Interior to implement the final rule to phase out snowmobile use in Yellowstone National Park, John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park, and snowplane use in Grand Teton National Park.

S. RES. 264

At the request of Mr. KERRY, the names of the Senator from Maryland (Mr. SARBANES), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. Res. 264, a resolution expressing the sense of the Senate that small business participation is vital to the defense of our Nation, and that Federal, State, and local governments should aggressively seek out and purchase innovative technologies and services from American small businesses to help in homeland defense and the fight against terrorism.

AMENDMENT NO. 3928

At the request of Mrs. HUTCHISON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3928 proposed to S. 2514, an original bill to authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS OF INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. LINCOLN:

S. 2700. A bill to amend titles II and XVI of the Social Security Act to limit the amount of attorney assessments for representation of claimants and to extend the attorney fee payment system to claims under title XVI of that Act; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I rise today to introduce the Social Security Attorney Fee Payment System Improvement Act of 2002. This bill will help ensure that all Social Security claimants have equal access to representation.

Unfortunately, the Social Security Administration's disability determination system has become far too complex for most claimants and their families to successfully navigate on their own. Claimants are confronted by a confusing, time-consuming and multi-level process, which, more often than not, results in a denial of their claim. Appealing a disability claim is a daunting task for anyone without the necessary legal experience, but for individuals who are in poor health or disabled, the procedural hurdles that must be cleared in order to obtain dis-

ability benefits can seem insurmountable. As a result, many of the hard working men and women applying for Social Security Disability Insurance, SSDI, benefits or Supplemental Security Insurance, SSI, benefits choose to retain an attorney to help them with their appeal. The bill I am introducing today will help both SSDI and SSI claimants get the benefits to which they are entitled by extending the attorney fee direct payment system to both programs, a change that is long overdue and that enjoys the support of both claimants' representatives and disability advocates.

Additionally, this bill corrects a serious and unintended consequence of the Ticket to Work Act of the 106th Congress. Although this plainly was a landmark piece of legislation, the disproportionately onerous nature of the attorney fee assessment provisions contained therein have caused a dramatic decline in the number of legal professionals who can afford to represent individuals seeking Social Security disability benefits. As a result of such a decrease in the number of attorneys skilled in this area of the law, the most vulnerable claimants, those with serious physical or mental impairments, those with financial challenges, and those who do not or cannot understand the disability claims process, are often left to find their own way through SSA's labyrinthine bureaucracy. This bill seeks to reverse this disturbing trend and to encourage attorneys to continue providing this extremely important service by enacting rational and equitable modifications to the fee assessment system.

I want to say that my long-term goal is to reform the Social Security disability claims process so that it is not so difficult and frustrating for claimants. However, I recognize that this will not happen overnight and, in the near term, it is essential that we enable citizens to cope with this onerous process.

I hope my colleagues will join me in ensuring that the hard working men and women of America obtain adequate legal representation as they pursue their Social Security disability claims. As my colleagues know, individuals with disabilities rely on Social Security disability and/or Supplemental Security Income benefits for life-sustaining income. We must do all we can to support their efforts to obtain benefits they need and deserve. This bill does just that.

By Mr. KENNEDY (for himself and Ms. SNOWE):

S. 2707. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide comprehensive pension protection for women; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it's a pleasure to join Senator SNOWE in introducing the Women's Pension Protection Act of 2002. In this new millen-

nium, women still work in a world of "less" and "fewer." Less pay and fewer benefits, especially retirement benefits. Less job security and fewer opportunities for advancement. Less respect for their work and fewer rewards for their contributions.

A major challenge of our time is to protect women's retirement security. The legislation we introduce today meets this important goal by giving women greater say in the management of 401(k) funds, giving widows more generous survivor benefits, and granting divorced spouses expanded opportunities to receive a share of their former spouses' pension after a divorce.

The challenge of retirement security is overwhelmingly a women's issue. The Older Women's League's annual Mother's Day Report concludes that women's pension problems are rooted in the realities that shape their lives: the reality of the wage gap, the reality of caregiving responsibilities, and the reality of jobs that offer few benefits, especially pensions.

Almost 40 years after the Equal Pay Act was passed, women still earn only 73 percent of what men earn. You can't save what you don't earn. And the impact of the wage gap extends far beyond the years that women participate in the workforce. Over a lifetime, the wage gap adds up to an average of \$250,000 less in earnings for a woman to invest in her retirement. The result is that one in four older women are living in poverty.

Women represent less than half of the paid workforce, but comprise almost two-thirds of those working in minimum wage jobs. This should not come as a surprise to anyone, but women are 96 percent of all childcare workers, 97 percent of receptionists, and 90 percent of secretaries. Because so many of these jobs are non-union, part-time, and low wage, women are much less likely to be covered by a pension plan than men.

At the same time, women are much more likely to spend time out of the workforce to tend to family caregiving responsibilities. In fact, the average woman now spends 12 years out of the workforce over her work life. That is time that she is not earning a pension, vesting in a pension or contributing to Social Security. This absence from the paid workforce translates into inadequate retirement income and an increased financial dependency on their spouses at retirement. A woman who drops out of the labor market for as few as five years, can end up with as much as 30 percent less in her defined contribution plan.

Although the pension laws are gender neutral, pension policy unintentionally discriminates against women. Women continue to be less likely to be covered by a pension plan and less likely to receive pension benefits. And even when women earn pensions, their benefits tend to be only a fraction of what men receive because of pension formulas that penalize them for moving in and

out of the workforce. Only 13 percent of women age 65 and over receive a pension, and among that small group the median annual pension is only \$3,000. These challenges are made even more acute by the fact that women live longer than men and have a greater need for retirement income than men.

We need to make our pension system fairer, especially for women. Married women often count on their husband's retirement benefits to support them in old age, then outlive their husbands and frequently their husbands' retirement income.

Over the last twenty years, reform of the Federal pension law has seen some improvement with changes that allow a widow to continue receiving defined benefit pension payments. The Retirement Equity Act of 1984 requires defined benefit pension plans to pay survivor benefits unless a spouse waives this protection. But this protection does not extend to 401(k) and other defined contribution plans.

The Women's Pension Protection Act offers simple, common sense improvements in our private pension system to ensure that retirement savings programs better respond to the realities of women's working lives. This bill will help women like Joan Mackey of Salem, New Jersey, who testified recently about the difficulties she has faced in trying to collect survivor benefits from her former husband's pension plan. Ms. Mackey's ex-husband wanted her to collect survivor benefits after his death, but because Ms. Mackey didn't know to ask for a widow's benefit at the time of their divorce, the plan now refuses to pay.

Sadly, Joan Mackey is not alone. Congress must do all it can to protect women's retirement security and address inequities in our pension laws that primarily affect women. I urge my colleagues to support the Women's Pension Protection Act.

Ms. SNOWE. Mr. President, I rise to join with Senator KENNEDY in introducing The Women's Pension Protection Act of 2002 to improve the retirement security of women.

As Americans live longer, achieving financial security can be a particular challenge for women. Women live, on average, seven years longer than men but earn less money over their lifetime, and as women continue to be society's primary caregivers, they continue to lose time from the workplace during their prime earning years. The result? Just 40 percent of women have pensions, compared with 47 percent of men. Of those with pensions, women retirees receive only about half the pension benefits that men receive—on average, \$4,200 annually compared to \$7,800 for men.

With less time to invest in their retirement, women are frequently unable to establish a solid nest egg for future years. Women sometimes rely on their spouse's pension for essential savings in later years. If a marriage dissolves, as roughly half of marriages in Amer-

ica have, this can deal a terrible blow to a women's retirement plans.

For elderly women the situation worsens, as they are three times as likely than men to outlive their spouses. Lower pensions can make it difficult for women to make ends meet in their later years. Tragically, almost one in five nonmarried elderly women, 17 percent, live in poverty today. These facts help explain why our pension laws should reflect the reality and needs of our workforce.

The bill we are introducing today is aimed at meeting the unique financial needs of women. It recognizes the economic partnership of marriage, ensuring that women are included in financial decisions that effect their future. Under this bill, spousal consent would be required before participants can withdraw lump sum payments of pension benefits 401(k) plans. Similar requirements already exist for spouses of workers covered by traditional pension plans. This bill also encourages more investment into annuities, which pay a guaranteed stream of lifelong income and help to prevent poverty. Spouses will have the option of selecting a 75-percent survivor benefit, in addition to the current 50-percent survivor benefit.

This legislation also enhances the financial security of women by requiring plans to offer the option of increasing survivor benefits from 50 percent to at least 75 percent of her husband's retirement. It ensures that a widow can receive her husband's pension regardless of when the husband dies or whether he applied for the pension to begin. And it closes a glaring loophole by ensuring that pension plan administrators will abide by the division of pension benefits ordered by the courts in a divorce proceeding, regardless of when the order is given.

Ultimately, this legislation will strengthen our country's future by giving the tools women, and men, need to secure their retirement future. We have an opportunity to improve the benefits to our workforce and enhance opportunities for women in a way that makes sense. I urge my colleagues to join in supporting this legislation.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 296—RECOGNIZING THE ACCOMPLISHMENT OF IGNACY JAN PADEREWSKI AS A MUSICIAN, COMPOSER, STATESMAN, AND PHILANTHROPIST AND RECOGNIZING THE 10TH ANNIVERSARY OF THE RETURN OF HIS REMAINS TO POLAND.

Mr. HAGEL (for himself, Mr. BIDEN, Ms. MIKULSKI, Mr. MURKOWSKI, and Mr. FITZGERALD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 296

Whereas Ignacy Jan Paderewski, born in Poland in 1860, was a brilliant and popular

pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries;

Whereas Paderewski often donated the proceeds of his concerts to charitable causes;

Whereas, during World War I, Paderewski worked for the independence of Poland and served as the first Premier of Poland;

Whereas in December 1919, Paderewski resigned as Premier of Poland, and in 1921 he left politics to return to his music;

Whereas, the German invasion of Poland in 1939 spurred Paderewski to return to political life;

Whereas Paderewski fought against the Nazi dictatorship in World War II by joining the exiled Polish Government to mobilize the Polish forces and to urge the United States to join the Allied Forces;

Whereas Paderewski died in exile in America on June 29, 1941, while war and occupation imperiled all of Europe;

Whereas by the direction of United States President Franklin D. Roosevelt, Paderewski's remains were placed along side America's honored dead in Arlington National Cemetery, where President Roosevelt said, "He may lie there until Poland is free,";

Whereas in 1963, United States President John F. Kennedy honored Paderewski by placing a plaque marking Paderewski's remains at the Mast of the Maine at Arlington National Cemetery;

Whereas in 1992, United States President George H.W. Bush, at the request of Lech Walesa, the first democratically elected President of Poland following World War II, ordered Paderewski's remains returned to his native Poland;

Whereas June 26, 1992, the remains of Paderewski were removed from the Mast of the Maine at Arlington National Cemetery, and were returned to Poland on June 29, 1992;

Whereas on July 5, 1992, Paderewski's remains were interned in a crypt at the St. John Cathedral in Warsaw, Poland; and

Whereas Paderewski wished his heart to be forever enshrined in America, where his lifelong struggle for democracy and freedom had its roots and was cultivated, and now his heart remains at the Shrine of the Czestochowa in Doylestown, Pennsylvania: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist; and

(2) acknowledges the invaluable efforts of Ignacy Jan Paderewski in forging close Polish-American ties, on the 10th Anniversary of the return of Paderewski's remains to Poland.

Mr. HAGEL. Mr. President, today I rise to submit a resolution recognizing the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist and to commemorate the 10th anniversary of the return of his remains to Poland.

Born in Poland in 1860, Paderewski is remembered for his contributions to the arts and humanities and as one of the great men of our times. Paderewski was a brilliant and popular pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries, donating the proceeds to numerous charitable causes. During WWI, Paderewski played a central role in achieving Poland's independence, becoming the first Premier of Poland in 1919 until 1922 when he left politics and returned to music.