

I know people are going to talk about dynamic scoring. I tried to deal with this by speaking to why I think this is antigrowth. The fact is, we are not putting money in the hands of people who will turn around and spend it, and those estimates I think are risky to make. The fact is, we are putting in place a serious undermining of the revenues of this country at a time when we are talking about going to war. It is impossible to understand, in my mind, how we can take such an imprudent step of undermining the fiscal health of this country at a moment in time when the American people expect us to be protecting them, expect us to be supporting those people who are out there defending us, to make sure they have the equipment and all the kinds of things that will make a difference.

We are talking about a tax cut that goes almost entirely to the very high income people in this country. That is not class warfare. That is just telling it like it is with respect to how we are shaping our economic policy in this country. I think it has failed. I think it will fail. I hope we can have a real debate here on the floor of the Senate about how we can get our economy going. I think it is great that the President recognizes we have a problem. He clearly believes that. He changed his whole economic team and came out with a second stimulus plan. We need to get this economy moving so that it supports our national economic health here at home. That is not being done by this program. It is a sedative program, if not worse. It is antigrowth. It is certainly a mistake, and I hope I can come up with some of these figures just thinking about how many of our military men and women are going to benefit from a tax exclusion on dividends. I think it is misplaced. I think the American people know it is misplaced.

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

The PRESIDING OFFICER (Mr. BUNNING). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE MICHIGAN CASE

Mr. DASCHLE. Mr. President, I read with interest today that the administration currently is considering what to do with regard to the so-called "Michigan case" before the Supreme Court. This is a watershed moment for the administration. They must decide whether they are for civil rights and diversity or not. They must make a very important choice, and whether or not they make the right choice depends in large measure on what happens in this particular case. Over the last several weeks we have heard the Republican leadership talk about how this is

a changed party, and how Republicans have had a change of heart. To a certain extent, we know they have had a change of face. The question is whether or not this is truly a change of heart.

I was concerned with leadership comments made over the weekend, that while additional dialog may be important, there really wouldn't be a change in policy. There would be no change in policy on affirmative action, or on a number of issues relating directly to diversity. My hope is there may be a change of heart on hate crimes. We have had that vote over and over and faced Republican filibusters. I hope at a very early date we will have an opportunity to see whether there has been a change of heart.

I can't think of a better occasion for Congress and for the Republican leadership to be clear about their change of heart, than to support, for the first time, the hate crimes legislation. There certainly was not a change of heart when it came to judicial nominations.

Once again, almost immediately following these laudatory comments made by the Bush administration and our Republican colleagues toward civil rights leaders and the civil rights movement, the administration turned around and said now we are going to renominate Judge Pickering and renominate Judge Owen for the second highest court in the land. There is no change of heart there. There is no indication of a willingness to change past practices or policies.

If President Bush chooses to oppose the University of Michigan case, he calls into question the very commitment he claims to have made with regard to expanding opportunity for African Americans and for Hispanic and Native American students. All of us will be left to draw one conclusion. All of those words about promoting educational opportunity will have been just that. They will have been words.

Today's reports indicate the debate in the White House isn't about what decision to make. It appears they have already done that. It appears they will oppose the University of Michigan's effort to boost African American, Hispanic, and Native American enrollment. It seems, instead, the question they are struggling with is how to describe that decision.

If they put the weight of John Ashcroft's Department of Justice against the University of Michigan's diversity efforts, there is only one way to describe that decision: It is a slap in the face to America's minority students and to the colleges that seek not only to educate America but to reflect America's diversity.

Today is Dr. Martin Luther King's birthday. Had an assassin's bullet not taken his life, he would be 74 years old today; he might very well still be with us. Because of hatred and intolerance, he is not. But his words still are with us.

In 1948, at Morehouse College, he discussed the purpose of a college education. He said:

The complete education gives one not only power of concentration, but worthy objectives upon which to concentrate.

He said:

The broad education will, therefore, transmit to one not only . . . accumulated knowledge . . . but also the accumulated experience of social living.

If the administration chooses to stand against the University of Michigan, I fear they will be encouraging a decision that would deny tens of thousands of minority students that knowledge and deny millions of American students that experience.

THE PRESIDENT'S TAX PLAN

Mr. DASCHLE. Mr. President, I also want to comment, if I have another moment, on the recklessness of this administration in considering economic policy. The extraordinary recklessness of offering a tax plan, that has yet to be unveiled but was certainly outlined by administration officials, leaves me with a great deal of concern and I think ought to be a source of anxiety for the American people.

The President has said we need stimulus. Yet the plan he has outlined has almost no stimulative value at the very time when it is required. We lost 190,000 jobs in November and December. Mr. President, 190,000 jobs were lost. There are 190,000 families unemployed. That was just in the last 2 months of last year. And 2.2 million Americans have lost their jobs since the President was sworn in.

The Wall Street Journal, the other day, noted you have to go back decades to find an economic record as serious and, in many respects, as dislocating to working families as this one. Yet the President's so-called stimulus plan provides for 190,000 jobs in the remaining 11 months of this year. That is their figure. That is what they say they will generate. For the next 11 months, they will generate the same number of jobs, under their plan, that they lost in the last 2 months of last year.

How, in Heaven's name, can anyone suggest that is a stimulus? In fact, by their own acknowledgement, over 91 percent of whatever stimulative value there is in what the President has proposed does not take place until next year and the year after that.

So, No. 1, it fails with a capital letter F with regard to its stimulus value and its stimulus potential as we look at reviving the economy at the end of January of the year 2003.

The second question is: How fair is a plan of this kind? We are told we have 226,000 millionaires. We have 92 million people who fit the income category of \$50,000 a year or less. Mr. President, 92 million Americans are in that category. And 226,000 are in the millionaire category in our country today.

Yet, under the President's plan, \$20 billion goes to the 226,000 people; \$15

billion goes to the 92 million people. How that can be described in any way, shape, or form as fair is something I can't answer, something I hope the administration tries to answer.

Also, there is a real question of fairness when it comes to sacrifice in this country. I have heard my colleagues—I know the Senator from Illinois and others, the Senator from Nevada—talk about the fairness question this morning. I think of fairness in a different context: not only economic but in the commitment to the country.

We are asking young men and women to go to the Persian Gulf and put their lives on the line, perhaps in the next few weeks. We are asking them to sacrifice, perhaps their lives, for this country. How in the world can we ask them to sacrifice their lives and turn around and tell every millionaire in this country: You get an \$89,000 tax break at the same time—at the same time—not only this year but next year and next year and the year after that?

Where is the sacrifice? Where is the fairness? How, in Heaven's name, can we possibly look at one of those young troops in the face and say, you are going to sacrifice, but don't ask those who have wealth to do so?

There is also the economic question. If we are going to give a tax break to anybody, maybe we ought to give it to those who are asked to defend this country. If anybody deserves one, they do. Their incomes are maybe \$20,000 a year. We have not calculated what little, if any, tax relief they are going to get, but here they are sitting in the Persian Gulf with little or no tax benefit at the very same time these 226,000 millionaires get \$89,000 a year.

Certainly the "Leave No Millionaire Behind Act" is an appropriate title for the President's proposal. We are not leaving one millionaire behind.

There is also the question of recklessness. What makes this all the more troubling is that we are borrowing the money. Every dollar is borrowed so that we can turn right around and give it out in the form of fat checks to fat cats. It does not make sense. It does not make sense when you recognize that this is going to have a huge fiscal effect on every State in the country.

We have a deficit in South Dakota, a deficit that is unusual for our State. There are deficits in virtually every State. We are told the accumulated State deficits are now about \$90 billion. And we are told this is going to exacerbate that debt by anywhere from \$5 to \$10 billion more.

So from the point of view of recklessness, I cannot imagine how anything could be more reckless than borrowing almost \$1 trillion, when you calculate the interest costs associated with this tax plan, robbing Social Security and Medicare, and exacerbating the problems at the State level. This is not right. This ought not be done.

I am encouraged by some of the public comments made by many of our Republican colleagues with regard to

their concern about this particular package of tax proposals.

I think anyone would have a right to ask: Well, what do the Democrats support? What is our plan? Our plan is very simple. It has five components.

The first is that it has to be immediate. We believe that if you are going to stimulate the economy in 2003, you ought to have policies that stimulate the economy in 2003, not 2004, 2005, or 2006.

We think it ought to be for 1 year. Let's focus on this year. If we need another stimulus in 2004 or 2005, let's focus on it in 2004 or 2005, but let's limit what we are going to do now to this year because we know we need it now—not a year from now but now.

Third, let's target it to where we can do the most good, not only from a fairness point of view but from an economic point of view. Virtually every single economist says, if you want to make sure you get the biggest bang for the buck, put it in the hands of those who will spend it, not in the hands of those who will save it. So we want to target these resources from a fairness point of view as well as from an economic clout point of view by ensuring that those in the middle incomes, \$50,000 and \$60,000 a year, get the benefit.

Fourth, we ought to make this a fiscally responsible proposal. How is it fiscally responsible that we would borrow nearly \$1 trillion at a time when we are already \$200- to \$300-billion in debt? How is that fiscally responsible?

Let's limit the fiscal exposure. Keeping it for 1 year and in targeting the benefits, that is exactly what we can do.

Then finally, let's recognize that the States are in a very serious fiscal condition today, perhaps the worst fiscal condition they have been in, we are told, in 70 years. Let's ensure that we work with the States and create the kind of fiscal partnership that is required.

So there you have it—helping the States; limiting the fiscal exposure; targeting the benefits; ensuring that we do it this year; and making sure that it is immediate. Those principles will serve us well. I urge my colleagues on a bipartisan basis to adopt them.

Mr. REID. Will the Senator yield for a question?

Mr. DASCHLE. I am happy to yield.

Mr. REID. I listened closely to the Senator's speech on civil rights. I ask the Senator if there appears to be a pattern developing from our friends on the other side of the aisle? You will recall last year there were efforts made, and I don't know if they have dropped those efforts but it was spread through all the papers in the country that they were going to change title IX. That is the ability for women to be involved in sports. We had tremendous difficulty last year and the year before trying to get up the hate crimes legislation. We were stopped from doing that.

There is no group that is hurt more than minorities with not funding edu-

cation the way it should be funded. Here on the floor the last few days it has been brought out that 34 percent of African-American teenagers are without jobs. These are kids who want to work.

We passed voter reform. Who is affected more than anyone else by our not funding that? The President promised us he would fund it. It has not come yet. The minority communities throughout America are affected by that.

The minimum wage, who is affected more? Women and minorities.

And finally, judges. We know the Judiciary Committee turned down one judge they thought had a very bad civil rights record. We have him leading the pack of renominations that have come forward.

I ask the leader, does there appear to be a pattern here, with just the few things I mentioned while the Senator was speaking, I jotted those down. Does there appear to be a pattern here that this administration is not concerned about women and other minorities?

Mr. DASCHLE. I would say to the distinguished Senator from Nevada that one would conclude there is a pattern. I was hopeful, given the President's public comments last month, that maybe that pattern would be broken, that maybe their words would be supported by their actions. But everything that has happened since the President uttered those words has been contrary to those words—the renomination of Judge Pickering, the unwillingness to commit the resources on education, at least so far, the unwillingness to support hate crimes.

Now we get the public report in the papers and in the media this morning, a determination to oppose the Michigan case on matters of educational diversity.

There is, without a doubt, a pattern. That pattern stands in stark contrast to the rhetoric. Rhetoric means nothing if actions do not support it. Unfortunately, so far, the rhetoric has meant nothing.

I yield the floor.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Utah.

THE ECONOMY

Mr. BENNETT. Mr. President, I have listened with some interest to the Democratic leader outline the Democratic attitude with respect to the economy and what needs to be done. I think a few comments in response are in order.

I detect a particular misunderstanding in all of this debate on the part of the Democratic leader and some others on his side of the aisle. It is a misunderstanding that is understandable but one that needs to be cleared up.

He talks about jobs that have been lost and jobs that will be created as if