

it. They also face budget shortfalls that are necessitating drastic cuts in basic services because of declining revenue, increasing demands and extensive budget constraints. They are having trouble funding existing obligations to schools and police forces even without having to pay to address the new multi-State threat posed by the Emerald Ash Borer. I have received letters from cities in Michigan, civic organizations and from the Southeast Michigan Council of Government, or SEMCOG, which represents 151 local governments in the region all asking that the Federal Government take an active role in stopping the spread of the Emerald Ash Borer. Without such active and timely support, coordination and funding from USDA, it is unlikely that this problem can be adequately addressed.

SEMCOG has stated that "the Emerald Ash Borer is decimating the Ash tree population in a 2000 square mile core area within the counties of Wayne, Oakland, Macomb, Livingston and Washtenaw." Michigan State Senator Raymond Basham and State Representative Glenn Anderson have written to me about this problem. In his letter to me, Representative Anderson said that "Michigan is facing another round of budget cuts at the local levels and local communities simply will not be able to afford the added burden of removing and replacing these trees." Adding to this burden is the fact that local governments are required to remove these trees from rights of ways and government properties because dead trees create significant public health risks and liability issues for property and personal damage.

Governor Granholm has worked hard to support cooperative efforts that are underway between the State of Michigan and United States Departments of Agriculture. In meetings with her, she has said that USDA funding is essential to address this problem.

If the spread of the Emerald Ash Borer is not arrested, it will cost billions of dollars to pay for the removal of dead Ash trees and the replanting of new trees. The costs associated with the loss of the Ash tree are not merely financial in nature. Habitat will be destroyed, scenic vistas will be denuded and residential streets that were once tree-lined will no longer have needed shade.

It is critical that we address the Emerald Ash Borer before it is able to spread across a greater area. It is essential that the United States Department of Agriculture complete its efforts to provide much-needed emergency funding to address the Emerald Ash Borer. The Michigan delegation has written twice to Agriculture Secretary Ann Veneman about this matter. In these letters, the Michigan delegation has stated that without "swift and sure action, the entire ash tree population will be lost. To avoid this tragedy, we asked that USDA provide funds to "determine the problem's ex-

tent," and "for combating and eradicating this invasive species."

It is imperative that the USDA provide \$17 million in Fiscal Year 2003 emergency funds from the Commodity Credit Corporation to combat the Emerald Ash Borer and that the Office of Management and Budget approve these funds as expeditiously as possible. Additionally, USDA should provide research monies that would enable USDA's Animal Plant Health Inspection Service and the Forest Service's North Central Research Station to work with Michigan State University, Michigan Technological University and other world-class schools of forestry to fund vital research into this problem. The beetle's larvae hatch in the Spring, and while it may not be possible to kill this year's hatch of beetles, time remains of the essence if the Emerald Ash Borer is to be eradicated. Addressing the matter now will be costly, but delays in addressing the matter will only increase the costs and diminish the likelihood of success.

The Emerald Ash Borer's spread can be halted, but action must be taken quickly. It is for that reason that I urge Secretary Veneman to immediately provide the emergency and research funds that will be a vital component of any effort to address the problems created by this persistent pest.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

Mr. FRIST. Madam President, I will be speaking on leader time over the next few minutes.

The PRESIDING OFFICER. The Senator has that right.

THE CARE ACT

Mr. FRIST. Madam President, I rise to speak on the CARE Act. I applaud my colleagues, Senators SANTORUM, LIEBERMAN, GRASSLEY, and BAUCUS, for bringing this bipartisan bill to the Senate floor.

The CARE Act comes none too soon. Charities across America are indeed facing tough and challenging times. A sluggish economy, which we all feel in our communities, is hampering in many ways their ability to secure funds to operate. This bill, which we will pass shortly, will help change that. It is not a total solution but will help move in the direction to change that.

I take a moment and ask the question, Why are we doing this bill? This

bill is about recognizing that Washington does not have all of the answers; that we in this body do not have all of the answers; that our Government does not have all of the answers to America's problems. But America, her people, and her spirit, all throughout this land do have the answers.

Some in Washington, on the right and on the left, prefer to address social problems with legislative solutions. But many of our Nation's problems simply do not reduce themselves to a solution that can be devised in the U.S. Congress, in the legislature itself. What they need are neighborhood solutions, solutions that begin to address problems that are identified in local communities, that are addressed locally, that are addressed by communities and neighborhoods, solutions that are not delivered by a form letter from a government bureaucrat, but from the hand of somebody in that neighborhood—a local neighborhood, someone who really cares, who understands the problem locally.

I am thinking of a wonderful charity down the street from here. For 20 years the volunteers of the Neighborhood Learning Center at the corner of 9th and Maryland have been tutoring at-risk children. They do so without fanfare, without a lot of publicity, without Federal funds. They are faith-based and their service is motivated by their love of God. They are making a difference—yes, one child at a time.

I think of LeSharon, who herself was tutored when she was a girl from a broken family. A few years later, LeSharon was back at the center but this time as a college graduate and one of their instructors. That is exciting. Or I think of the Room in the Inn program in my hometown of Nashville, TN. Over 125 congregations provide nightly housing for homeless adults and children. This is a tangible and compassionate response to human need.

These charities, like the Neighborhood Learning Center, like the Room in the Inn program, are only small rays of light in our American landscape. Their service is only part of what makes us a strong and a vibrant Nation. Almost 200 years ago Alexis de Tocqueville warned: The morals and intelligence of a democratic people would be in as much danger as its commerce and industry if ever a government wholly usurped the place of private associations.

What de Tocqueville understood was that the house of a democratic nation does not stand by just government. A healthy nation needs vigorous private associations, charities, and civic clubs all coming together. The CARE Act recognizes this vital fact. That is why it helps to foster private charity in our Nation. It encourages more charitable giving—of money, of food, of art, or securities. It provides incentives for low-income people to begin saving for a house, a business, or education. And it

helps small charities learn how to access Federal grants to further their work.

Some might suggest America's problems are much bigger than what the CARE Act can handle, that they demand larger and grander solutions. But I respond that America's problems—problems like malnourishment, illiteracy, domestic violence, broken families, teen pregnancies—are problems that are too big for Government to fix. Some problems are so large that all the money in the world simply will not fix them. So many of these problems are rooted in the soul and Government cannot fix problems of the soul. But people can. And God can.

This bill empowers people, real people rooted in their communities, rooted in their churches, rooted in their synagogues, rooted in their mosques, to help, to reach out to their neighbors. And that kind of help is the type of help that changes hearts.

It is hard to feel loved when you are getting a handout from a government bureaucrat. But receiving a cold cup of water from a volunteer touches your heart, it changes you, and it changes the person giving that help, as well. For years I have had the wonderful opportunity, indeed the real privilege, of being able to travel to Africa to conduct and participate in medical missions. When I go to Africa, I don't go as a Senator. I go there as a physician, as a person of faith, as a neighbor, as a friend, as a person who cares about others throughout the world. Those trips have changed me as much, I promise, as they have changed any of the people I have helped.

My hope, today, is that we help invigorate what Edmund Burke called those "little platoons," those private associations that help us love our country, our fellow human beings. We need to strengthen the quiet but profound work of the little platoons of nonprofit agencies, of groups like the Neighborhood Learning Center, the Church of the Brethren Soup Kitchen, or the Room in the Inn. And when we strengthen them, we strengthen America.

Will the CARE Act cure all our problems? No. Sadly, no, of course not. But it will help us to help ourselves help others. Let's get this good bill moving to the President's desk. It will form a strong part of his faith-based initiative. I know the House is committed to moving quickly on a companion bill. I hope we can continue to work together across party lines to empower America's charities and to empower people throughout the country.

I yield the floor.

CARE ACT OF 2003

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 476, which the clerk will report.

The legislative clerk read as follows:

The bill (S. 476) to provide incentives for charitable contributions by individuals and

businesses, to improve the public disclosure of activities of exempt organizations, and to enhance the ability of low-income Americans to gain financial security by building assets, and for other purposes.

Pending:

Grassley/Baucus Amendment No. 526, to provide a manager's amendment.

The PRESIDING OFFICER. Under the previous order there will now be 30 minutes equally divided for general debate.

Mr. GRASSLEY. Madam President, the amendment by Senator NICKLES is in order, is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. Senator NICKLES will offer his amendment in just a minute. He asked if I would do my speaking on that amendment at this point. I am very happy to do that.

I appreciate my friend's continued efforts to reform and reduce long term capital gain tax on real estate. And Senator NICKLES is correct—by excluding 25 percent of the capital gain on the sale of property we reduce the effective capital gain rate on sales for conservation purposes.

However, that is not the purpose of the provision. We intend to preserve precious, environmentally sensitive land from ever being developed. I need not remind my fellow Senators that they are not making any more land and if we do not preserve sensitive wetlands and open space from development it will be lost forever and all of our children and grandchildren will suffer from our lack of responsibility.

Senator NICKLES' amendment would literally make it easier to develop the very land we are attempting to preserve. That is certainly not the intent of this provision. I will be voting no and I strongly urge my fellow Senators to also vote no on Senator NICKLES' amendment.

I would like to take a few minutes to review the long history of this important provision. As you all know, the President's budget has included this proposal. In all of his budgets, in fact, the President actually continues to propose the exclusion of 50 percent of the capital gain for the sale of property for conservation purposes. So by comparison, this 25 percent proposal is modest, but still addresses the President's priorities.

In addition, the Senate Finance Committee has a long history of building support. In both the 106th and 107th Congresses, we held hearings specifically discussing this proposal. We had witnesses from the forests of Maine to the wetlands of Louisiana and the ranches of Arizona. Besides, this effort brings about bipartisan support for the issue.

Not only have we heard huge support for this provision from all the traditional conservation organizations, like the Nature Conservancy and the Land Trusts and Iowa's own Heritage Foundation, but I know both I and Senator BAUCUS continue to receive very vocal

support from the farmers and ranchers who populate our States. Both the Farm Bureau and the Cattleman's Association have let us know that this gives our citizens choices to stay on the land and yet preserve the open space.

The opportunity to give an easement, preserve our farm and ranch lifestyles and give up the right to ever develop the land is important public policy and I urge my fellow Senators to vote no on Senator NICKLES' amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I think it is important at the outset to know we are including in the CARE bill incentives to help provide charitable contributions for good voluntary purposes, and I think this bill should continue to honor that thrust. The amendment before us does not. The amendment before us essentially is a capital gains tax amendment and applies generally to all property that would be sold. I think this is not the place for that kind of amendment.

The underlying provisions of the bill provide that taxpayers who voluntarily sell land to a qualified conservation organization can exclude 25 percent of the gain on that sale from capital gains tax. The purpose, obviously, is to help people, most of whom are land rich and cash poor and do not have much income from their ranching or farm operations—to help by transferring the property to a conservation organization.

There are many organizations in this country—a lot in my State of Montana—such as the Nature Conservancy, lots of very good, solid organizations which take land and save it for conservation purposes. This is very important because our country is losing a lot of land to development each day, each year. In fact, in the United States about 2 acres of farmland per minute, or about 1 million per year, are lost to development; that is, shopping centers and new homes or what-not that are just taking away some of the natural land that we have in our country and converting it at a very rapid rate to shopping centers and developments.

That is part of America. We need to build shopping centers. We need to also build new homes, housing tracts, and so forth. But we also need to remember there are other values in our country, and those are protecting open space and protecting farms and ranches. A lot of our farms and ranches are under great stress. I know the Presiding Officer knows that is true in her home State as is the case in every State.

We are trying to figure out a balanced way to help those farmers and ranchers donate a portion of their land to a conservation organization. They cannot do that today because they have no income. Because they have no income, they can't take the usual charitable deduction. To help them, we are saying you don't have to worry about the charitable deduction; you can still