

the case of Bill Myers. "Partially qualified," but do we really want a "partially qualified" nominee to serve on the circuit court of our land?

It is rare—in fact, it is unprecedented—for the Native-American community in the United States to take a position on a judge. They have never done so. The Native-American community in South Dakota and North Dakota, in all Western States around the country, has come together with one voice to say this man ought not be a circuit court judge—unheard of. We have never seen that before.

We have never seen the National Wildlife Foundation take a position on a judge, but they, too, have said please do not confirm this nominee. Why? Because of what limited record he had with regard to judicial issues. He virtually has none as Solicitor. There is no real court experience, with a couple of exceptions. So you have somebody with at least, arguably, some ethical questions that have not been addressed; you have major communities such as the Native-American community in our country in an unprecedented statement in opposition; you have the ABA that has said they are reluctant to support this nominee because he is only "partially qualified."

So, Mr. President, clearly it is those and many other factors that led every single Democrat, in a rare demonstration of opposition in the committee, to oppose this nomination. We have now approved, I believe it is 196 nominations—198 nominations. That is a record that surpasses Bill Clinton, the first President Bush, and Ronald Reagan. This President's three predecessors have not had a record of confirmation equal to his.

I must say it is interesting, and I would note, that my colleague from Idaho, who just abhorred this current circumstance regarding cloture on a nominee, voted against cloture, voted to sustain the extended debate, ironically, in the circumstances involving another Ninth Circuit nominee, Richard Paez. They voted to continue the debate, not to vote for cloture, not to terminate the debate, not to move to that second phase. So I would certainly ask the distinguished Senator at some point for his explanation as to why it was appropriate to extend debate in that case but not in this case.

#### THE WORKING POOR

Mr. DASCHLE. Mr. President, 60 years ago Franklin Roosevelt gave one of the most memorable State of the Union speeches in our history.

As he spoke, Germany occupied all of Europe. Americans were dying in battle abroad and sacrificing for the war effort at home.

Total victory was uncertain. But that did not diminish President Roosevelt's optimism and vision.

In his address, he said the Nation had accepted a Second Bill of Rights that, he said, would create "a new basis of security" for all.

In this Second Bill of Rights, President Roosevelt cited the right to a decent home, a good education, and dependable health care; the right to fair prices for farmers and free competition for business; and the right to be free of the fears of hardship caused by old age. But first, and most fundamental, he called for the right to work for a fair wage.

Our country should be proud of the extraordinary progress we have made in many of these areas. Together we have made our country better, stronger, and more secure. There is, though, more work to be done, and today I want to focus on President Roosevelt's call for a fair wage.

No value is more fundamental to the American character than the value of work. No ideal is shared so widely or cherished so deeply.

No principle binds us more closely to the generations of Americans who built up our country, and the millions of new Americans who came to our shores to join in the effort. And no conviction so unites the conservative and liberal traditions of our Nation.

Ronald Reagan once said that:

People in America value family, work, and neighborhood. These are the things we have in common socially and politically. When it comes to the bottom line, all of us are striving for the same thing—a strong and healthy America and a fair shake for working people.

There is a fundamental American truth in those words—working people deserve a fair shake. It has always been the promise of our country, and as we debate legislation here in the Senate, we should do all we can to give life to that promise.

We should make certain that no American who works full-time lives in poverty. Unfortunately, the gap between promise and reality is widening. Among full-time, year-round workers, poverty has doubled since the late 1970's to 2.6 million workers. All told, the working poor are raising 9 million American children.

Moreover, as recent work by the Family Economic Self-Sufficiency project shows, the level of income it now takes just to pay the basic bills is far above what we consider to be the poverty line. No working American wants a handout. These families are playing by the rules. But as hard as they work, they cannot escape the grip of poverty.

A few weeks ago a Sioux Falls family sent me a letter. The father works 56 hours a week as a skilled welder. His wife is a substitute teacher who only works part-time so she can care for her son, who suffers from autism and diabetes. They live in a 20-year-old mobile home that has sinking floors and a leaking ceiling. They wrote:

We are facing possible foreclosure. Lights, heat, phone, etc. are all 60 plus days past due and on the verge of disconnection. . . . Medical bills have been turned over to a collection agency.

Their final question was: "Now what?"

They feel trapped. Since they can't afford insurance, their son's medical bills have erased their savings and destroyed their credit. Without good credit, interest payments eat up much of their income. And without affordable child care, the family's mom can't shift to full-time work, which could help lift them out of poverty.

They are working as hard as they can and want to work even harder. But that doesn't seem to be enough. They are farther away from President Roosevelt's vision today than when they first wrote to me. It's in our national interest not to look away from this difficult problem, but to face it squarely and honestly.

If the people who work hard don't get a fair shake, then our Nation risks losing an essential value that has contributed to America's excellence and ongoing success. We cannot let that happen. We should not kid ourselves and pretend this is an easy problem. It is not. It is enormously complicated. But there are things we can and must do.

First, it is important that American business leaders live up to their responsibility as good corporate citizens and share the benefits of increased productivity with their workers, not just their shareholders. The Chief Economist at Merrill Lynch recently noted that there's been a notable "redistribution of income to the corporate sector." While salaries have remained flat over the past 4 years, corporate profits now occupy a greater share of our GDP than at any point since tracking began nearly 60 years ago. We are moving in the wrong direction, and leaders in the private sector have a responsibility to help us move back in the right direction.

Here in Congress, we also have a responsibility to address the problems confronting the working poor, and we should start by requiring a long overdue increase in the minimum wage. Today, the minimum wage of \$5.15 per hour is worth \$3 less than it was in 1968. Americans who work at the minimum wage for 40 hours a week, 52 weeks a year, still fall \$5,000 short of the poverty line. That means, as the Sioux Falls family knows, that adequate housing, enough food to eat, health insurance, and college funds are the stuff of fantasy, not reality. In the time we have left this year, we should increase the minimum wage to \$7. That won't solve all our problems, but it is a beginning.

We should also revisit the Earned Income Tax Credit. It was created 20 years ago as an incentive to help working families lift themselves out of poverty through hard work. President Reagan called it the "best anti-poverty, the best pro-family, the best job creation measure to come out of Congress." I agree. Now we need to expand it, so that every American child grows up seeing that work is rewarded and respected.

We should also make sure all families receive their fair share of the child tax

credit. Extending the credit to all working families would restore a basic level of fairness and offer millions of working families the same child tax credit given to those higher up the income ladder.

We must also acknowledge that despite the many benefits of globalization, it has placed downward pressure on low income wages. We won't make progress if our wages fall faster than the prices for the products we need.

"What do the American people want more than anything else?" President Roosevelt asked in 1944.

This was his answer:

To my mind, they want two things: work, with all the moral and spiritual values that go with it; and with work, a reasonable measure of security. . . . Work and security. These are more than words. They are more than facts. They are the spiritual values, the true goal toward which our efforts should lead.

That was the challenge 60 years ago, and it remains a central challenge today. It is, as President Roosevelt said, "our duty."

I hope we can all join together to make that vision a reality for millions of hard-working and honest Americans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, how much of our morning business time has elapsed?

The ACTING PRESIDENT pro tempore. There are 22 minutes remaining; 8 minutes has elapsed.

### THREE YEARS OF PROGRESS

Mrs. HUTCHISON. Mr. President, I want to talk today about the 9/11 Commission report, the war on terror, and the progress we have made since we were attacked 3 years ago in this country.

For years, terrorists have attacked the United States with little or no reaction from us. We have highlighted time and time again the trail of terror that led to September 11, 2001.

In 1993, terrorists bombed the World Trade Center, killing 6 people and wounding more than 1,000. It is still not fully solved.

In 1996, terrorists bombed the U.S. military living quarters at Khobar Towers, Saudi Arabia, killing 19 brave Americans and wounding scores more—never solved.

In 1998, followers of Osama bin Laden attacked U.S. Embassies in Kenya and Tanzania, killing and wounding hundreds—never solved.

In 2000, Osama bin Laden's followers attacked the U.S.S. *Cole* in a harbor in Yemen, killing 17 sailors and wounding 39 more—not solved.

Sadly, it took four hijacked airplanes being turned into weapons of mass destruction and the loss of nearly 3,000 innocent Americans and visitors to our country for us to resolve that we had been attacked, our way of life had been

attacked, and the United States of America is going to fight back. We are in a war on terrorism.

The 9/11 Commission is going to report on Thursday, and we know there will be blame for everybody about the failure of our intelligence capabilities. The administration of President Bush provided unprecedented access and cooperation to the Commission because the President said we want to know what went wrong so we can make it right. The President himself said:

The 9/11 commission will issue a report this week and will lay out recommendations for reform of the intelligence services of the United States. I look forward to seeing those recommendations. They share the same desire that I share which is to make sure that Presidents and Congress get the best possible intelligence. I have spoken about the reforms, and some of the reforms are necessary—more human intelligence, better ability to listen and see things and better coordination among the various intelligence gathering services.

This is what President Bush said about the 9/11 Commission. He went further to say:

Based on published accounts, we expect the commission report will show that government institutions failed to adapt to the threat of terrorism over more than a decade, enabling terrorists to exploit dangerous weaknesses in our defenses. We expect the commission to confirm that the blame for the 9/11 attacks lies squarely and exclusively with al-Qaida. It is clear as the threat of international terrorism evolved over more than a decade that our national security and counterterrorism institutions did not resolve to meet the threat under both Republican and Democratic administrations, Republican and Democratic Congresses. The kind of systematic changes and reform that might have made it more difficult for the terrorists to strike on 9/11 did not take place.

We have established that we can put the blame everywhere—in Congress, with Republicans, with Democrats, with administrations of the past and administrations of the present. We have taken some steps already as the Commission hearings have resolved.

We have taken the steps of implementing a new policy on terrorism by holding to account terrorist groups and the states that sponsor them and not allowing dangerous threats to gather overseas unchecked. We have cut off their money supply in many instances where we could with cooperation from allies.

We have transformed the FBI into an agency focused on preventing terrorist attacks through intelligence collection and other efforts while also trying to help it perform its traditional role as a world-class law enforcement agency for investigating terrorism and other crimes.

We conducted the largest reorganization of the Federal Government since 1947 by creating the Department of Homeland Security, bringing unparalleled focus and resources to homeland security efforts.

We have dramatically increased security on airplanes and other transportation systems on our borders and in our ports, providing significantly in-

creased support for America's first responders.

We have broken down the unnecessary "wall" between law enforcement and intelligence gathering with the USA PATRIOT Act and with internal procedures and guidelines that are reformed so that our intelligence agencies and our law enforcement agencies can do their job without artificial restrictions that would keep them from doing something as simple as tracing through cell phones potential terrorists who are planning some kind of action against innocent law-abiding Americans.

We are going to challenge these security issues. We are not going to ignore them. We are not going to wait for a future tragedy.

Recently, President Bush articulated three commitments in our strategy for peace.

First, we are defending the peace by taking the fight to the enemy. We are not sitting here waiting for the enemy to come back to America; we are taking the fight where the enemy is. We are taking the fight to the Taliban resurgents in Afghanistan. We are taking the fight to Iraq where, Heaven knows, we have seen the brutality of Saddam Hussein in his support for terrorists by giving \$25,000 rewards to suicide bombers in Israel.

Second, we are protecting the peace by working with friends and allies and international institutions to isolate and confront terrorists and outlaw regimes. We are laser-beam focused in the war on terrorism.

We are working with the United Nations, the International Atomic Energy Agency, and other international organizations to take action for our common security. We are not facing a security threat just in the United States; we are facing a security threat to every freedom-loving country. Every country that lives in freedom is a target. We have seen it in bombings throughout the world, and recently in Spain.

Third, we are extending the peace by supporting the rise of democracy.

It is absolutely proven that in democratic and successful societies, men and women will not allow the malcontent and zealots and murderers to stay among them. They turn their labor to rebuilding and to better lives.

Is there one person in the world who has children who doesn't want the best for them? Is there a person in the world who doesn't want an education for their children so their children will have a better life than they did? Is there one person in the world who doesn't want that? It is clear that the way to get education for every child and a quality of life that would be good for every child to grow up in is democracy and freedom. That is how you get it. That is what we are trying to provide. We are doing it in places such as Afghanistan and Iraq where they haven't known freedom for years. We have some successes.

Look at Afghanistan. Three years ago, Afghanistan was the home base of