

the labor unions, what happens to the union's fees? More money. So is it about helping those people who need our help or is there another agenda here?

I have great respect for Senator KENNEDY. He is very eloquent on the floor. But when you see his charts, there are false questions asked. He showed the increase in the level of income in this country since we raised the minimum wage. It doesn't consider all of the other things that have happened over the last 20 years that, through productivity increases, have raised wages. Mandating a minimum wage in any market by any economist will not increase the market. That is not the reason. It looks good on a chart. But you don't consider all of the other benefits and factors that might have considered that. You just say this must have been it because it looks like it. I can show that on anything that we do in the Senate.

Here is a chart for New York. The State of New York is another example. The wage per-job average is \$51,165. A single mom earning minimum wage under New York's level, which is at \$7.15 right now, and taking advantage of all of the benefits there, aftertax income is \$49,000 a year in benefits. I am not saying cut the benefits; I am saying don't do something that will cut the benefits to those people you say you are going to help.

It is interesting when you look at this number, knowing that taxes—if you look at New York City's tax, you pay a city income tax, a State income tax, and a Federal income tax. Those people making minimum wage have more aftertax income in terms of benefits and salary than the average household in New York City. We have to ask the question, do we want to help people?

The Senator from Alabama talked about making sure that the earned income tax credit comes as a part of your wage every month instead of at the end of the year. It is a great idea and ought to be something we want to do. I want to show again what is going to happen to families earning the minimum wage in Oklahoma. There is a net loss of \$232, but that doesn't include the taxes. So the net loss for Oklahoma families who are on minimum wage under the new minimum wage, in essence, will be about \$1,200. Is that what we want to do to Oklahoma and 18 other States? I don't think so. We have to take the lid off of this pressure cooker. For us to pass a minimum wage that undermines the very people we are saying we want to help does not, in the long run, do anything except help organized labor; 1; No. 2, it makes certain jobs go away; we know it will, No. 3, send more jobs out of this country.

I believe and I hope the Senator from Massachusetts will look at our data. I hope he will try to amend his bill in such a way so that we have either a safe harbor or some other mechanism so the people in these 19 States don't

lose the very benefits we say we want to give to them. In fact, that is what will happen if this bill passes.

With that, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

#### COMMITTEE ON INDIAN AFFAIRS RULES OF PROCEDURE

Mr. DORGAN. Madam President, I ask unanimous consent to have printed in the RECORD The Committee on Indian Affairs Rules of Procedure.

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

##### COMMITTEE ON INDIAN AFFAIRS

Rule 1. The Standing Rules of the Senate, Senate Resolution 4, and the provisions of the Legislative Reorganization Act of 1946, as amended by the Legislative Reorganization Act of 1970, to the extent the provisions of such Act are applicable to the Committee on Indian Affairs and supplemented by these rules, are adopted as the rules of the Committee.

##### MEETINGS OF THE COMMITTEE

Rule 2. The Committee shall meet on Thursdays while the Congress is in session for the purpose of conducting business, unless for the convenience of the Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he may deem necessary.

##### OPEN HEARINGS AND MEETINGS

Rule 3. Hearings and business meetings of the Committee shall be open to the public except when the Chairman by a majority vote orders a closed hearing or meeting.

##### HEARING PROCEDURE

Rule 4(a). Public notice, including notice to Members of the Committee, shall be given of the date, place and subject matter of any hearing to be held by the Committee at least one week in advance of such hearing unless the Chairman of the Committee, with the concurrence of the Vice Chairman, determines that the hearing is non-controversial or that special circumstances require expedited procedures and a majority of the Committee Members attending concurs. In no case shall a hearing be conducted with less than 24 hours' notice.

(b) At least 72 hours in advance of a hearing, each witness who is to appear before the Committee shall submit his or her testimony by way of electronic mail, in a format determined by the Committee and sent to an electronic mail address specified by the Committee, or shall submit an original, printed

version of his or her written testimony. In addition, each witness, on the day of the hearing, shall provide an electronic copy of the testimony on a computer disk formatted and suitable for use by the Committee.

(c) Each Member shall be limited to five (5) minutes of questioning of any witness until such time as all Members attending who so desire have had an opportunity to question the witness unless the Committee shall decide otherwise.

(d) The Chairman and Vice Chairman or the ranking Majority and Minority Members present at the hearing may each appoint one Committee staff member to question each witness. Such staff member may question the witness only after all Members present have completed their questioning of the witness or at such time as the Chairman and Vice Chairman or the Ranking Majority and Minority Members present may agree.

##### BUSINESS MEETING AGENDA

Rule 5(a). A legislative measure or subject shall be included in the agenda of the next following business meeting of the Committee if a written request by a Member for consideration of such measure or subject has been filed with the Chairman of the Committee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee to include legislative measures or subjects on the Committee agenda in the absence of such request.

(b) Notice of, and the agenda for, any business meeting of the Committee shall be provided to each Member and made available to the public at least two days prior to such meeting, and no new items may be added after the agenda published except by the approval of a majority of the Members of the Committee. The notice and agenda of any business meeting may be provided to the Members by electronic mail, provided that a paper copy will be provided to any Member upon request. The Clerk shall promptly notify absent members of any action taken by the Committee on matters not included in the published agenda.

(c) Any bill or resolution to be considered by the Committee shall be filed with the Clerk of the Committee not less than 48 hours in advance of the Committee meeting. Any amendment(s) to legislation to be considered shall be filed with the Clerk not less than 24 hours in advance. This rule may be waived by the Chairman with the concurrence of the Vice Chairman.

##### QUORUM

Rule 6(a). Except as provided in subsection (b), a majority of the Members shall constitute a quorum for the transaction of business of the Committee. Consistent with Senate rules, a quorum is presumed to be present unless the absence of a quorum is noted by a Member.

(b) One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure before the Committee.

##### VOTING

Rule 7(a). A recorded vote of the Members shall be taken upon the request of any Member.

(b) A measure may be reported from the Committee unless an objection is made by a member, in which case a recorded vote by the Members shall be required.

(c) Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only for the date for which it is given and upon the terms published in the agenda for that date.

##### SWORN TESTIMONY AND FINANCIAL STATEMENTS

Rule 8. Witnesses in Committee hearings may be required to give testimony under

oath whenever the Chairman or Vice Chairman of the Committee deems it to be necessary. At any hearing to confirm a Presidential nomination, the testimony of the nominee, and at the request of any Member, any other witness shall be under oath. Every nominee shall submit a financial statement, on forms to be perfected by the Committee, which shall be sworn to by the nominee as to its completeness and accuracy. All such statements shall be made public by the Committee unless the Committee, in executive session, determines that special circumstances require a full or partial exception to this rule. Members of the Committee are urged to make public a complete disclosure of their financial interests on forms to be perfected by the Committee in the manner required in the case of Presidential nominees.

#### CONFIDENTIAL TESTIMONY

Rule 9. No confidential testimony taken by, or confidential material presented to the Committee or any report of the proceedings of a closed Committee hearing or business meeting shall be made public in whole or in part, or by way of summary, unless authorized by a majority of the Members of the Committee at a business meeting called for the purpose of making such a determination.

#### DEFAMATORY STATEMENTS

Rule 10. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence.

#### BROADCASTING OR HEARINGS OR MEETINGS

Rule 11. Any meeting or hearing by the Committee which is open to the public may be covered in whole or in part by television, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

#### AUTHORIZING SUBPOENAS

Rule 12. The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.

#### AMENDING THE RULES

Rule 13. These rules may be amended only by a vote of a majority of all the Members of the Committee in a business meeting of the Committee: *Provided*, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least seven (7) days in advance of such meeting.

### SPECIAL COMMITTEE ON AGING RULES OF PROCEDURE

Mr. KOHL, Madam President, in accordance with rule XXVI, paragraph 2, of the Standing Rules of the Senate, I hereby submit for publication in the CONGRESSIONAL RECORD the Rules of the Special Committee on Aging.

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

#### SPECIAL COMMITTEE ON AGING—JURISDICTION AND AUTHORITY

S. RES. 4, § 104, 95TH CONGRESS, 1ST SESSION (1977)

(a)(1) There is established a Special Committee on Aging (hereafter in this section re-

ferred to as the "special committee") which shall consist of nineteen Members. The Members and chairman of the special committee shall be appointed in the same manner and at the same time as the Members and chairman of a standing committee of the Senate. After the date on which the majority and minority Members of the special committee are initially appointed on or affect the effective date of title I of the Committee System Reorganization Amendments of 1977, each time a vacancy occurs in the Membership of the special committee, the number of Members of the special committee shall be reduced by one until the number of Members of the special committee consists of nine Senators.

(2) For the purposes of paragraph 1 of rule XXV; paragraphs 1, 7(a)(1)-(2), 9, and 10(a) of rule XXVI; and paragraphs 1(a)-(d), and 2(a) and (d) of rule XXVII of the Standing Rules of the Senate; and the purposes of section 202(I) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

(b)(1) It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to problems and opportunities of older people, including, but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(2) The special committee shall, from time to time (but not less than once year), report to the Senate the results of the study conducted pursuant to paragraph (1), together with such recommendation as it considers appropriate.

(c)(1) For the purposes of this section, the special committee is authorized, in its discretion, (A) to make investigations into any matter within its jurisdiction, (B) to make expenditures from the contingent fund of the Senate, (C) to employ personnel, (D) to hold hearings, (E) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate, (F) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence books, papers, and documents, (G) to take depositions and other testimony, (H) to procure the service of individual consultants or organizations thereof (as authorized by section 202(I) of the Legislative Reorganization Act of 1946, as amended) and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(2) The chairman of the special committee or any Member thereof may administer oaths to witnesses.

(3) Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any Member of the special committee designated by the chairman, and may be served by any person designated by the chairman or the Member signing the subpoena.

(d) All records and papers of the temporary Special Committee on Aging established by Senate Resolution 33, 87th Congress, are transferred to the special committee.

#### RULES OF PROCEDURE

##### I. CONVENING OF MEETINGS AND HEARINGS

1. Meetings. The committee shall meet to conduct committee business at the call of the chairman.

2. Special Meetings. The Members of the committee may call additional meetings as provided in Senate Rule XXVI (3).

##### 3. Notice and Agenda:

(a) Hearings. The committee shall make public announcement of the date, place, and subject matter of any hearing at least one week before its commencement.

(b) Meetings. The chairman shall give the Members written notice of any committee meeting, accompanied by an agenda enumerating the items of business to be considered, at least 5 days in advance of such meeting.

(c) Shortened Notice. A hearing or meeting may be called on not less than 24 hours notice if the chairman, with the concurrence of the ranking minority Member, determines that there is good cause to begin the hearing or meeting on shortened notice. An agenda will be furnished prior to such a meeting.

4. Presiding Officer. The chairman shall preside when present. If the chairman is not present at any meeting or hearing, the ranking majority Member present shall preside. Any Member of the committee may preside over the conduct of a hearing.

#### II. CLOSED SESSIONS AND CONFIDENTIAL MATERIALS

1. Procedure. All meetings and hearings shall be open to the public unless closed. To close a meeting or hearing or portion thereof, a motion shall be made and seconded to go into closed discussion of whether the meeting or hearing will concern the matters enumerated in Rule II.3. Immediately after such discussion, the meeting or hearing may be closed by a vote in open session of a majority of the Members of the committee present.

2. Witness Request. Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his examination to be in closed or open session. The chairman shall inform the committee of any such request.

3. Closed Session Subjects. A meeting or hearing or portion thereof may be closed if the matters to be discussed concern: (1) national security; (2) committee staff personnel or internal staff management or procedure; (3) matters tending to reflect adversely on the character or reputation or to invade the privacy of the individuals; (4) committee investigations; (5) other matters enumerated in Senate Rule XXVI (5)(b).

4. Confidential Matter. No record made of a closed session, or material declared confidential by a majority of the committee, or report of the proceedings of a closed session, shall be made public, in whole or in part or by way of summary, unless specifically authorized by the chairman and ranking minority Member.

##### 5. Broadcasting:

(a) Control. Any meeting or hearing open to the public may be covered by television, radio, or still photography. Such coverage must be conducted in an orderly and unobtrusive manner, and the chairman may for good cause terminate such coverage in whole or in part, or take such other action to control it as the circumstances may warrant.

(b) Request. A witness may request of the chairman, on grounds of distraction, harassment, personal safety, or physical discomfort, that during his testimony cameras, media microphones, and lights shall not be directed at him.

#### III. QUORUMS AND VOTING

1. Reporting. A majority shall constitute a quorum for reporting a resolution, recommendation or report to the Senate.

2. Committee Business. A third shall constitute a quorum for the conduct of committee business, other than a final vote on reporting, providing a minority Member is present. One Member shall constitute a quorum for the receipt of evidence, the swearing of witnesses, and the taking of testimony at hearings.