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

FLOOR AMENDMENTS TO SENATE GOP FY 2005 BUDGET

| (FY 2005–09; $ billions) | | Vote | Amount | Offset | Net cost |
|---|---|---|---|---|---|
| Democratic Amendments: | | | | | |
| 2703 | Lautenberg—Polluter's Pay/Reinstate Superfund taxes | 44–52 | 0.000 | −8.315 | −8.315 |
| 2710 | Daschle—Veteran's medical care (reserve fund) | 44–53 | 2.687 | −5.373 | −2.686 |
| 2717 | Wyden—Healthy Forests Restoration Act/Function 920 | Adopted u.c. | 0.343 | −0.343 | 0.000 |
| 2719 | Murray—No Child Left Behind (reserve fund) | 46–52 | 8.600 | −17.200 | −8.600 |
| 2725 | Kennedy—Pell Grants/Close tax loopholes (reserve fund) | 44–53 | 4.900 | −9.802 | −4.902 |
| 2745 | Nelson—Veterans Medicare care reserve fund/Close tax loopholes (reserve fund) | 46–51 | 1.791 | −1.791 | 0.000 |
| 2762 | Dodd—After School Programs/Close tax loopholes (reserve fund) | 42–54 | 1.000 | −2.002 | −1.002 |
| 2774 | Daschle—Indian Health Service (reserve fund) | 42–54 | 3.440 | −6.880 | −3.440 |
| 2775 | Landrieu—Military Survivor Benefit Plan/Close tax loopholes (reserve fund) | Adopted v.v. | 2.757 | −5.514 | −2.757 |
| 2777 | Corzine—Tax savings to strengthen Social Security | Withdrawn | 0.000 | −160.000 | −160.000 |
| 2780 | Clinton—Minority Health/Deficit neutral requirement (reserve fund up to $400 M) | Adopted u.c. | 0.000 | 0.000 | 0.000 |
| 2783 | Boxer—Job creation (reserve fund) | 41–53 | 24.000 | −24.000 | 0.000 |
| 2786 | Dayton—IDEA Part B/Reduce tax breaks for the wealthiest (reserve fund) | Rejected v.v. | 39.423 | −60.529 | −21.106 |
| 2789 | Sarbanes—Fully fund FIRE and SAFER Act/Reduce tax breaks for top 1% (reserve fund) | 41–55 | 1.430 | −2.860 | −1.430 |
| 2790 | Reed—Higher Ed Financial Ed/Close tax loopholes (reserve fund) | Rejected v.v. | 3.082 | −6.164 | −3.082 |
| 2793 | Dorgan—Increase funding for COPs, Byrne grants, and local law enforcement grants (reserve fund) | 41–55 | 1.100 | −2.200 | −1.100 |
| 2799 | Harkin—Increase funding for health programs/Cigarette tax (reserve fund) | 32–64 | 30.500 | −39.000 | −8.500 |
| 2803 | Lincoln—Expand health care coverage/Close tax loopholes | 43–53 | 60.000 | −60.000 | 0.000 |
| 2804 | Byrd—Increase discretionary caps/Close tax loopholes & other (reserve fund) | 43–53 | 24.246 | −24.246 | 0.000 |
| 2807 | Lieberman—Restore cuts in homeland security/Reduce tax breaks for millionaires (reserve fund) | 40–57 | 6.800 | −13.621 | −6.821 |
| 2817 | Levin—Homeland security grants/SPRO sales (reserve fund) | 52–43 | 1.545 | −1.700 | −0.155 |
| 2820 | Mikulski—Tuition tax credit/Deficit neutral requirement (reserve fund) | Adopted v.v. | 0.000 | 0.000 | 0.000 |
| 2833 | Bingaman—Pediatric vaccine distribution/Deficit neutral requirement (reserve fund) | Adopted u.c. | 0.000 | 0.000 | 0.000 |
| 2848 | Byrd—Correct scoring for Project Bioshield (make consistent with 2004 resolution assumptions) | Adopted u.c. | 2.528 | 0.000 | 2.528 |
| 2850 | Dorgan—Homestead Act/Function 920 | Adopted v.v. | 1.915 | −1.915 | 0.000 |
| | Subtotal, Democratic Amendments | | 222.087 | −453.455 | −231.368 |
| Republican Amendments: | | | | | |
| 2697 | DeWine—Child Survival & Health Program/Function 920 | Adopted v.v. | 0.330 | −0.330 | 0.000 |
| 2715 | DeWine—Reconstruction of Haiti/Function 920 | Adopted v.v. | 0.500 | −0.500 | 0.000 |
| 2731 | Graham—TRICARE & GI Bill/Rescind Iraqi reconstruction (2 reserve funds) | Adopted v.v. | 6.800 | −6.800 | 0.000 |
| 2733 | Sessions—NASA Space exploration/Function 800 | Adopted v.v. | 0.600 | −0.600 | 0.000 |
| 2741 | Specter—NIH—Discretionary health/Function 920 | 72–24 | 1.300 | −1.300 | 0.000 |
| 2742 | Warner—Restore cuts to Defense/No offset | 95–4 | 7.638 | 0.000 | 7.638 |
| 2784 | Crapo—Clean Water State Revolving Funds/Function 920 | Adopted v.v. | 2.850 | −2.850 | 0.000 |
| 2794 | Thomas—Rural health programs/Function 920 | Adopted u.c. | 0.100 | −0.100 | 0.000 |
| 2821 | Coleman—Pell Grants/Function 920 | Adopted v.v. | 1.884 | −1.884 | 0.000 |
| 2822 | Murkowski—Indian Health Service/Function 920 | Adopted v.v | 0.281 | −0.281 | 0.000 |
| 2823 | Inhofe—ESPC Directed Scorekeeping (CBO costs of $1.7 B over 5 years) | Adopted v.v. | 1.660 | 0.000 | 1.660 |
| 2832 | Enzi—Workforce Investment Act/Function 920 | Adopted u.c. | 0.247 | −0.247 | 0.000 |
| 2839 | Snowe—SBA programs/Function 920 | Adopted v.v. | 0.115 | −0.115 | 0.000 |
| 2843 | Hatch—Restore cuts to law enforcement grant programs/Function 800 | Adopted v.v. | 0.600 | −0.600 | 0.000 |
| 2844 | Dole—Child Nutrition Programs/Function 920 | Adopted u.c. | 0.820 | −0.820 | 0.000 |
| 2845 | Lugar—Restore cuts to International affairs/Function 920 | Adopted u.c | 1.524 | −1.524 | 0.000 |
| 2846 | Murkowski—Veterans Medical Care/Function 920 | Adopted u.c. | 1.194 | −1.194 | 0.000 |
| 2849 | Kyl—Veterans Medical Care (reserve fund) | Withdrawn | 0.000 | 0.000 | 0.000 |
| 2852 | Collins—Postal Service reform/Deficit neutral requirement (reserve fund) | Adopted v.v. | 0.000 | 0.000 | 0.000 |
| | Subtotal, Republican Amendments | | 28.443 | 0.000 | 0.000 |
| | Grand Total, All Amendments | | 250.530 | −472.600 | −222.070 |

*Outlays (excludes associated interest costs/savings). Amount of each amendment includes estimated costs of any contingent reserve funds (which may or may not be released).

Mr. CONRAD. What it shows is if you do cumulate the spending over 5 years, it was $222 billion, but the deficit reduction was $231 billion. That is a fact.

On the other side, they increased by $28 billion, and added to the deficit by $9.3 billion. So the only folks who had cumulative totals here on the floor that added to the deficit were our friends on the other side of the aisle. That is a fact.

We have been very careful to insist amendments on our side be paid for and reduce the deficit. We insisted that not only amendments offered on this side be deficit neutral, but they actually reduced the deficit in addition to any change in funding priorities.

The Senator once again says the budget before us will reduce the deficit in half in 3 years. The problem is, if you look at increases to the debt in each of those years, you don't see a reduction. The debt continues to be increased between $500 and $600 billion a year in every year of this budget proposal—$3 trillion. On the Senate budget, in fairness, $2.9 trillion added to the debt in just the next 5 years.

The President's plan adds $3 trillion to the national debt in just the next 5 years. That is a mistake. That is a mistake because it is coming at a critical time, right before the baby boomers start to retire. That will happen in the fifth year of this 5-year budget plan.

Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. The Senator has 30 seconds.

Mr. CONRAD. I want to conclude by thanking the chairman. We have had differences on budget policy; we have had differences in how we should proceed; but we have done it, I think, in a way that should be done in the Senate. We have done it in a way where there is respect and a serious listening to both sides in order to achieve a result and a rational process for this body.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I yield back the remainder of our time.

The ACTING PRESIDENT pro tempore. All time has expired.

Under the previous order, the Senate disagrees to the House amendment to S. Con. Res. 95, agrees to the request for a conference with the House, and the Chair is authorized to appoint conferees on the part of the Senate with a ratio of 4 to 3.

The Acting President pro tempore appointed Mr. NICKLES, Mr. DOMENICI, Mr. GRASSLEY, Mr. GREGG, Mr. CONRAD, Mr. HOLLINGS, and Mr. SARBANES conferees on the part of the Senate.

## PERSONAL RESPONSIBILITY AND INDIVIDUAL DEVELOPMENT FOR EVERYONE ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4, which the clerk will report.

The assistant journal clerk read as follows:

A bill (H.R. 4) to reauthorize and improve the program of block grants to the States for temporary assistance for needy families, improve access to quality child care, and for other purposes.

Pending:

Boxer/Kennedy amendment No. 2945, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I again thank my colleague from North Dakota for his cooperation and I look forward to the conference.

I see my good friend from Massachusetts is here. I know he offered an amendment on minimum wage. I know

he would be disappointed if I didn't respond to his proposal. While he is here, I want to make a couple of comments about the amendment which I believe is pending before the Senate. It may have been set aside, but I believe it is pending, Senator KENNEDY's amendment, which increased the minimum wage from $5.15 to $7 an hour. Is that the pending amendment?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. NICKLES. Mr. President, I have great respect for my colleague from Massachusetts. If the State of Massachusetts wants to increase the minimum wage to $7, or $8, let them do it. What may work in Boston probably does not work in my hometown of Ponca City, OK, or maybe in Sallisaw, OK.

I used to work for minimum wage. I made minimum wage when it was $1.60 an hour in 1968. My wife and I made that.

That was our first job when we married. And by having a job, we could start climbing the ladder.

I am afraid Senator KENNEDY's amendment which says let us increase the minimum wage from $5.15 to $7 an hour is going to hurt some of the people he professes to help. I heard his comment yesterday that this is going to lift a lot of people out of poverty, or help them. If that is the case, let us not stop at $7. Let's make it $10 or $20. If you can lift people out of poverty by mandating a higher wage, why in the world would we stop at $7 an hour? I frankly want people to make more than $7 an hour. Why in the world would we set this level? If you are actually going to be eliminating poverty or lifting people out of poverty, let us increase it dramatically more. Let us make it $20 an hour.

I do not know if a second-degree amendment is in order. Maybe we should have an amendment to make it $10 an hour. I would like for everybody in America to make at least $10 an hour. My daughter who works close to minimum wage and is a college student would love to have $10 an hour. But I am not sure she would have a job.

Maybe in Boston they could pay a student $10 an hour working part time in a clothing store on weekends. Maybe they could pay that much, and maybe they can't. But I know one thing: In some rural areas they cannot. That student who may be working not in Boston, maybe not going to an Ivy League school, but maybe going to a vo-tech school in rural South Dakota where they can't pay $7 an hour, would be out of luck. Maybe it is a minority student in New York City, or maybe in southern California who can't get a job at $7 an hour. Maybe that job is flipping hamburgers. People always make fun of working at one of those fast-food places, how terrible that is. It is a job. Maybe McDonalds can afford to pay for it, but a lot of places can't. Maybe it is pumping gas or sacking groceries.

They may have a job now, let us say, making $5.15, or maybe $5.50, or $6. But if we pass this amendment, we are saying if you don't make $7, we would rather you be unemployed. It is against the Federal law. Even though it is to your mutual benefit and the benefit of whoever is hiring you to make $6.50 an hour, we are going to say no because of Senator KENNEDY's amendment. If you do not make $7 an hour, you are unemployed.

I find that to be a bad economic argument. I am afraid it would hurt a lot of people. I am afraid a lot of lower income people might not start climbing the ladder.

My wife and I worked for minimum wage. We worked for a janitor service in Stillwater, OK for minimum wage. We did that for a couple of months. I asked for a raise. We got a very small raise. As a matter of fact, we quit and started our own janitor service. We learned enough to start our own janitor service.

My point being not to lift this economic ladder so high that some people can't get on. By saying if you make less than $7 an hour, if the job can't pay $7 an hour, we don't want you to have that job, maybe as a result of that we don't have people pumping gas. Almost everything is self- serve. We don't have too many people sacking groceries today. There are a lot of jobs maybe that have been priced out of the marketplace. I don't know if that is good.

I would rather have somebody get a job even if it doesn't pay very much because they start climbing the economic ladder. I would hate to pull that ladder up so high that maybe it would deny them the opportunity to start climbing, to start improving, to learn work habits.

One of the good things about a job—and many people like myself and others started when they were very young—is if they did not learn anything else they learned to be on time. You have to report to work. You have work habits. You have certain things to do that are expected. One of the things you learn many times is it is not enough money. They learned they can't get by. My daughter has already learned that working part time in a clothing store won't cut it. It is not enough. She demands more. So she knows she has to improve her skills and have a higher education so she can demand more in the workplace. But having that job is good.

If we start telling everybody all across America no, if the job doesn't pay at least 36 percent more than the present minimum wage, at least $7 an hour, sorry, I am afraid there will be a lot of jobs lost, I don't know how many hundreds of thousands of jobs this amendment would cost, but it will cost many.

I don't think we should try to legislate economics. As a matter of fact, I know a lot of businesses—I suspect there are a bunch in Montana and other places—particularly rural areas, that are struggling to survive. They might be small mom-and-pop stores, and Wal-Mart came in down the street. Maybe they are not making any money today. They might be struggling. Maybe it is a little hardware store in a town with a population of 12,000 and they have been there for 30 years. They have part-time help. They may pay somebody $5.15 or $6 an hour to work there. All of a sudden, a big Wal-Mart comes in. They are losing money and business. They are just trying to hang on.

Then Congress passes a bill which says the minimum wage is going to go up by 36 percent. Now you will have to increase that from $5.15 to $7 an hour.

We are not making any money now. We are losing money and can't compete. We are just hanging on. They realize they can't lose money forever. I am afraid they will have to close the doors.

How many rural communities have you seen where in downtowns they are really struggling? I wonder what this amendment will do to those towns. Some of those towns are trying to hang on. Some of those towns are trying to revive.

Again, maybe some Members in this body think it is a living wage, or it is getting people out of poverty. That is good. But it may be putting some people in poverty. It may be denying the opportunity for a young student who might be working part time to help pay for vo-tech, or maybe work part time so they can get through college, or to become a secretary, or you name it.

We are just arbitrarily going to say no. If you can't make $7 an hour, we have decided it is against the law for you to have a job. That is what this amendment would do.

If you ask the question in a poll if you support an increase in the minimum, a lot of people used to say yes. If you ask the question whether it should be against the law for anybody to work for less than $7 an hour, even though they might all agree it is not to their advantage to work for less than that, they would say no, it should not be against the law. That is what this says. But this amendment says it is against the Federal law.

Again, if the State of Massachusetts wants to do it, and its economy is good, and maybe wage patterns and living costs are so high, that might be appropriate. But many States have minimum wage laws. There is a lot of difference between them. There is a lot of variance, as well there should be.

But to come in and say we want to increase the federal minimum wage to $7—that may take away the chance for some people to start climbing that economic ladder.

It is far more important to give people opportunity to work than almost anything we do. The work habits and skills they obtain from their first job are very important. The first job for some people is a minimum wage job. I would hate to price people out of the marketplace in so many cases. Clearly,

I think this would do it. Clearly, it would do it in some parts of the country.

One other comment: It was alluded to. We haven't raised this in several years. So now is the time. Why won't these Republicans let us do this?

The Democrats ran the Senate from June 2001 throughout 2002. They could have offered minimum wage. I heard it hasn't been increased since 1997. It has been 7 years and we want to increase it now. They ran the Senate most of 2001 and all of 2002, 4 and 5 years after the last increase. How many votes did we have in 2001 and 2002 when TOM DASCHLE was the majority leader? Senator KENNEDY was chairman of the Labor Committee. How many votes did we have?

We did not have any votes. They controlled the floor. They could have offered an amendment. They could have had a bill reported out of committee and sent it to the Senate floor, and we could have debated it. I would have debated it. But we did not have it. We did not have one during that timeframe.

So, I will mention, this is kind of interesting: they had plenty of chances to debate this when they were in the majority. They had the majority leader. They had control of the Senate. They could have offered the bill at any time during that period of time.

So I mention those issues. I do not want us to make a mistake. I do not want us to pass a bill that will probably cost hundreds of thousands of people jobs, and particularly hundreds of thousands of people who are at the low end of the economic scale. Let's give them a chance to climb that economic ladder. We do not do that by passing laws that say it is against the law for them to work for less than $7 an hour.

I would urge our colleagues, if and when we vote on the Kennedy amendment, to vote no on the Kennedy amendment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. BAUCUS. Mr. President, the great British Prime Minister William Gladstone called the U.S. Senate ''the most remarkable of all the inventions of modern politics.'' If you stop and think about that a little bit, in the political process there is probably no greater truth.

The Senate is a remarkable institution. It is unique. There is no other body, no other political body, no other democratic legislature in the world quite like the U.S. Senate. We have our unique rules and our unique procedures, which I think make it special, and which have stood the test of time and made this body the institution it is. I think it has added significantly to our country's well-being and has helped make the United States the best country in the world.

What are some of those distinctions? What are some of those qualities? One, clearly, is the right to debate. Once the Chair recognizes a Senator, that Senator can stand and talk as long as he or she wants, as long as he or she is physically able. That is a rule of the Senate. It means that if a Senator has something to say, that Senator cannot be denied the right to say whatever he or she wants to say, unless or until that Senator, for physical reasons, has to stop talking.

I think the record for standing and addressing the Senate is held by the late Senator from South Carolina, Strom Thurmond. My recollection is it was 25 hours and some minutes. He had something to say, and, my gosh, he said it. That is a distinct right in the U.S. Senate.

I do not know of any other body in the world where legislators are accorded that right, certainly not in the other body. As you know, in the other body, the standard rule is 5 minutes; that is, when any amendment or bill is up, even assuming under their rules a House Member has the opportunity to seek recognition, the basic rule is 5 minutes. In the Senate it is as long as you can possibly speak.

What is another unique right of the U.S. Senate? One other right is the right to offer any amendment on any bill at any time without notice.

Now, when you stop and think about that, on one level that sounds a little strange. That tends to make things a little disorderly, doesn't it? Yes, it does make things sometimes a little disorderly, but, nevertheless, that unique right to offer an amendment protects the minority interest; it protects an interest of a Senator who is representing some part of the country to be able to present his or her point of view, and to bring it up and have Senators act on it, to debate it, vote on it, and take action. It is very unique. It is very important. Those are two extremely important qualities that distinguish the U.S. Senate from any other legislative body in the world.

In a sense, it is that unique quality that is at the heart of this debate; that is, whether the Senate should vote on an amendment offered by the Senators from California and Massachusetts to raise the minimum wage. Senators have that right. They have the right to offer amendments. They have the right to stand up and be recognized and speak on their amendments. Senators who are opposed to the amendment have a right to stand up and oppose the amendment.

I believe that one of the best attributes—and I hope I am not ''misattributing,'' if that is a correct word, the source of this to John Locke—is the ''marketplace of ideas''—that is, the more people debate and, in good faith, talk about a subject, the more the sunshine is on that subject, the more likely it is the best result will be achieved; the more likely it is we will find the truth; we will find the right result.

It is pretty hard to find the right result to a controversial issue. Certainly raising the minimum wage has some controversy with it, without debating it. If we cannot debate it, it is fairly difficult—it is kind of hard—to know what the right result should be.

My guess is—and, frankly, I believe strongly—if we have a full and open debate on the underlying bill, the TANF bill, as well as on amendments that Senators want to legitimately offer, even if some of them may not be strictly germane, we are going to end up with a much better result, and we are going to be serving our country much better than we would if we just do not have debate on amendments or if the amendments are precluded from being brought up.

I strongly urge Senators, therefore, to think about what we are doing. It is not only the narrow subject of whether there should be a vote on the minimum wage or whether we are going to allow Senator KENNEDY to have a vote on his amendment. It is a broader question: What are we all about as an institution? What are we about as the U.S. Senate? Why do we seek these offices in the first place? Why are we here?

I think I can speak for every Senator, saying that he or she ran for the Senate because we want to help make this a better place; that is, we want to help our States and help America. We profoundly believe in the democratic process. We sought election to the U.S. Senate because we knew, either directly or intuitively, it is a special place where one does have the ability to have a voice in reaching a result, and, clearly, a result that we think is better than the status quo. So I remind all my colleagues that the nature of this Senate is somewhat at stake. It is in question.

My next point is a bit difficult, perhaps, but there are some Senators who have not been here very many years, and who only know the Senate as they have seen it and have experienced it. I have been here a few years. I am in my fifth term. I have seen the Senate operate in lots of different ways.

I saw the Senate operate, a few years ago, where we had votes. We voted on subjects. We voted on amendments. I might say, the last time, in a real legitimate sense, we took up this underlying legislation, the TANF bill, I think we were on it for 12 or 13 days, and there were 43 votes.

Senators offered amendments, Senators debated amendments, and Senators voted on amendments according to what each thought was correct.

And guess what happened. Most people hailed the 1996 bill as being a great step forward in welfare reform. Everyone talks about the great strides and advances this country took as a consequence of that bill that passed, in 1996, the Welfare Reform Act. We have had a 50-percent reduction in caseloads all across the country; and in some States more than that, up to a 70 percent reduction in welfare caseloads.

We did get rid of welfare as we knew it. Both President Clinton and President Bush said we needed to get rid of

the former welfare system as we knew it. I forget exactly what the quotes were, but it happened. And I suggest it happened in part because we so solidly and so comprehensively debated welfare and welfare reform. We had 43 separate rollcall votes on that bill when we first passed it.

Contrast that with where we are today. We have had one vote. A cloture motion was filed yesterday. The point of that cloture motion clearly is to prevent a vote on the amendment offered by the Senator from Massachusetts—to prevent a vote. I do not see why we should prevent votes.

The amendment raises the minimum wage. Clearly that is related. I can't think of anything that is more related to the underlying bill. We are talking about getting people off welfare into work. Clearly, it is much easier to work if the wage that a person is paid is a wage that can allow a person to stay off of welfare.

I have met people personally who have told me they want to get off of welfare, but they can't because the minimum wage—this was several years ago—was so low. One single mother told me she couldn't because she realized childcare was taking up almost all of her income. It wouldn't work. So she had to go back on welfare, and it bothered her so much.

Clearly, this amendment is related. Clearly, Senators have the intelligence to debate the amendment. Clearly, Senators have the intelligence to know if they favor or do not favor it. Clearly, it is directly related. Even more clearly, if we respect the nature of the Senate, Senators should have a right to vote on it.

I urge all my colleagues to vote no on the cloture motion when we vote on cloture tomorrow because a ''yes'' vote would deprive Senators of the right to vote on a very significant amendment to this bill and deprive Senators the opportunity of debating and trying to find the best solution to a complex question; that is, what are the best changes we think should pass in welfare reform.

If that is not bad enough—that is, a cloture motion which is successful prevents us from voting on the Kennedy amendment—there was a proposal by the majority yesterday. Yesterday, on behalf of the majority, the Senator from Pennsylvania propounded a unanimous consent request on this bill. I will take a moment to explain the consequences of that proposal and how that proposed unanimous consent request would further undermine the fundamental rights of Senators to debate and to amend.

The proposed request had four parts: First, at a time determined by the majority leader, the Senate conduct back-to-back votes on the Republican minimum wage amendment and the Boxer amendment; that the bill then be limited to germane amendments; that at 9:30 a.m. on Thursday, the Senate proceed to vote on passage of the bill; and that the Senate request a conference with the House and the Chair and be authorized to appoint conferees on the part of the Senate.

I welcome the prospect of having side-by-side votes on the Republican minimum wage amendment and the Boxer-Kennedy minimum wage amendment. We have done that in the Senate. That is a fair way to proceed. We want to get to amendments and we want to have votes.

But the other three parts of the proposed unanimous consent request raise real problems. First, limiting amendments to only germane amendments is a very tight constraint. Senators often seek to offer amendments to a bill that are very relevant to the bill at hand but do not meet the strict standard of germaneness. Under previous majority leaders, the Senate often chose to limit amendments to relevant amendments but did not go further in limiting amendments to germane amendments. Limiting amendments to the more narrow standard of germaneness is unduly restrictive.

The proposed request sought to set a definite time to vote on passage of the bill. Setting a time for certain passage of a bill makes cloture pale by comparison. At least under cloture you get a right to vote on the amendments that are germane. But under this proposed agreement, a Senator could delay, could stand up and talk. He could use all the kinds of dilatory, delaying tactics one could use. That would prevent votes on amendments and more strict than cloture where you are entitled to a vote.

It is even more strict than reconciliation. In reconciliation, Senators can always offer amendments. Often there is not time to debate them, but they can still offer them. We then have a vote-a-thon. It is not the most illuminating practice, I grant you, but nevertheless, Senators have the right to vote.

Under this proposed consent request, Senators would not even get a right to vote on amendments that may have been brought up or to even bring up amendments.

Finally, the proposed consent agreement would seek to have the Senate go to conference on the bill. This raises probably the most problematic concern of all. If we went to conference and if the consent agreement were adopted, which would require the appointment of conferees and seeking a conference with the House, we would have to ask ourselves, what is in the House-passed bill.

Let me point out some of the provisions in the House-passed welfare reform bill. First, the House bill would impose unrealistically high work requirements on TANF recipients, much higher than under either the Senate bill or current law. Next, the House bill would provide minimum resources for childcare funding. We all know that the Senate passed an amendment which would increase childcare funding by an appropriate amount. The House has levels that are so low, according to CBO, childcare is underfunded by about $4.5 to $5 billion. We would have to work out that one, which would not be easy, particularly where the White House has issued a so-called statement of administrative practice which says not one thin dime for childcare. That would make it even more difficult for Senate conferees to work out a reasonable childcare amount, if we were to go to conference.

The House would not allow TANF recipients to continue education; that is, education they need to get and keep a good job beyond 1 year. That restrictive provision is in the House bill. Moreover, the House would provide what is called a superwaiver which would give the States extremely unprecedented broad authority to combine food stamps, Medicaid, childcare, and other programs, and use that money however they see fit, undermining the minimal safety net and low-income standards that low-income families have to rely on in their time of need.

It would also mandate full family sanctions, not just partial family. That means cutting families off of assistance if they do not comply with the rules, risking real harm to children in the absence of any fault of their own.

Finally, the House bill does not provide for legal immigrants.

The House-passed TANF bill raises serious concerns. Going to conference on such a measure would not be a simple thing. It is the position of the Democratic leader that we would have to have a number of assurances before Democrats would agree to going to conference on a matter that raised such serious concerns. That is extremely important. That is because a conference report is not subject to amendment. Let's not forget, we are in a unique situation where the same political party controls not only the White House but both bodies of Congress. Where the majority runs the conference process without substantial input from the minority, the conference process can substantially limit the rights of Senators in the minority.

Thus, the unanimous consent agreement proposed by the majority yesterday undercuts the basic rights of Senators. It would severely limit Senators' rights to offer even relevant amendments. It would seriously limit Senators' rights to debate; that is, cutting off debate abruptly at a certain time no matter how many amendments we had by then considered.

We on this side of the aisle do not wish to delay this bill. There is no way we want to delay it. We want votes. We will agree to time limits. Let's get this bill up and amendments up and let the Senate work its will. We are willing to do that. We are willing to work to get a finite list of amendments. We are willing to enter into time agreements on amendments. We are not asking for anything out of the ordinary.

During the 13-day period over which the Senate considered the 1995 welfare reform bill, September 7 to September 19, 1995, the Senate conducted 43 roll-call votes on amendments. So far this year we have conducted just one. So we are not asking for anything new. We ask merely that Senators be able to debate, to amend. We ask merely that Senators be able to do that which makes the Senate ''the remarkable invention'' about which Gladstone spoke.

I urge my colleagues to uphold the rights of Senators. I urge Senators to allow a vote on lifting the minimum wage, and I urge Senators to oppose cloture.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, we are hopefully at a position today where there is going to be some decision made by leadership—meaning the Democrat leader and Republican leader—on proceeding on this legislation. In the meantime, we will proceed with amendments and hopefully move along as best we can without having a certain finality.

I had a chance to listen to my colleagues' statements. I will make this commentary. We have already said to the minority, the Democratic leadership, that we are prepared to vote on amendments that are before the Senate. So the issue is not voting on amendments before the Senate. There is some feeling that we are going to get this bill to finality. That doesn't mean not voting on a lot of amendments. That can be worked in as well. All we want is some certainty that we are going to get to finality. Finality means getting to conference.

We have a couple pieces of legislation that have been sitting around this body, after the body has finished work on them, not being able to go to conference. One is the CARE Act, an acronym for legislation that encourages charitable giving. Another one is the Workforce Investment Act. These are two pieces of legislation that have been before the Senate, and the minority, the Democrats, will not let us go to conference on these pieces of legislation.

So, in a sense, the Senate has worked its will, but the legislative process has been shut down. It seems to me if this legislation includes so much of what the Democrats want to accomplish in the way of reform of welfare—particularly the vote we had yesterday, very dramatically increasing by $6 billion the amount to be spent on childcare—that they would want this legislation to become law. So we need some assurance from the other side that if we agree to voting on some amendments that they want to vote on—that is no longer an issue—we want to move ahead with germane amendments.

There is not an argument about the number at this point. We can get to a vote on this, but most important is not have it stalled in the Senate as those other two pieces of legislation. It seems to me the issue isn't a whole lot different now than it was 2 years ago. The only difference is the Republicans were in the minority, then and the Democrats were in the majority. At that particular time, we saw an Energy bill taken away from the Energy Committee and brought to the floor. That bill never became law. We saw a prescription drug bill taken over by the leadership on the floor of the Senate, with the committee effectively cut out. There were 2 weeks of debate on an Energy bill but nothing happened. There was not a budget adopted that year.

We Republicans referred to the leadership at that time as having a graveyard in the Senate because they wanted issues for that election as opposed to products. We Republicans said to the electorate at that time that we want products, not issues. So when we took over in the majority in 2003, the committee system was allowed to work, developing bipartisanship. Nothing gets done in the Senate without bipartisanship. We could bring the issues to the floor and work the will of the Senate and get things through the Senate. That is what we are elected to do—get things through the Senate and let the process work.

So there is nothing that my colleague from Montana said that I disagree with, except we ought to see light at the end of the tunnel. Is there anything wrong with saying: Are you guys—meaning the Democrats—going to do what you did on the Workforce Investment Act and the CARE Act and let the Senate become a graveyard again just because something is happening that you don't like?

It seems to me there would be a lesson learned from the last election. When the Senate became a graveyard, the people of this country sent a message that they don't want the Senate to be a graveyard. They gave the majority to the Republicans. We show that we can produce. Yet look what we are running into—the CARE Act, after a year of not going to conference. I don't know how long the Workforce Investment Act has been waiting to go to conference. We were stalled last week on a bill the Democrats agreed ought to become law, the FSC/ETI bill. That stalled.

I would not say the Welfare Act is stalled. But what do we know is down the road? What is wrong with a little bit of transparency. The transparency is that they present an amendment on minimum wage and they want a vote. So we present a plan to get to a vote on that very important issue, but we cannot get some assurance that we may not be in the same boat as with the CARE Act and the Workforce Investment Act.

When it comes to the minimum wage being important for welfare, I suggest to the other leaders that, as chairman of the committee, in a letter I received from them last year, which is not dated—I received this letter, and it was signed by 41 Democrats—telling us the things they wanted in this legislation that the Finance Committee was going to be working on at that particular time. They were setting out priorities they believed we had not adequately dealt with. In this letter, there was never any mention of minimum wage being an important part of welfare reform legislation.

I did take what they said in this letter very seriously, and they dealt with issues such as universal engagement, ending the caseload reduction credit, strengthening child support, extending TMA, providing additional State flexibility, issues dealing with postsecondary education, no superwaiver, no increase in work without State flexibility. Of all of those provisions they raised concern about, none dealt with minimum wage. I and the majority tried to accommodate the minority members who signed this letter and put these things in this legislation. These provisions are all in this bill.

Other priorities, as stated by the Democrats, included some additional funding for childcare, and we passed that overwhelmingly yesterday. It wasn't something I could get done in committee. I, obviously, agreed with that approach because I voted for it yesterday.

We also had a request from the Democrats in this letter to increase vocational education eligibility for legal immigrants. We have not dealt with that, but that is going to be an amendment before the Senate.

What we have tried to do in this whole process of Republicans gaining control of the Senate and letting the committee system work, as opposed to 2002 when very major legislation, such as prescription drugs and the Energy bill, was taken away from the committees and brought to the floor—we do not develop bipartisanship on the floor, and they never became law—we have tried to make the committee system work. When specific requests are made, such as 41 Democrats sending us a letter raising concerns about their issues, we try to put them in the legislation and accommodate them so that we have a product instead of an issue.

The other side ought to tell us if we are going down the same road we went down in 2002 to have the Senate become a graveyard for important legislation because they need issues instead of product. Did they learn a lesson from the last election? Do they want to lose more seats in the Senate? I don't think they do. But I think they have to get a better game plan than shutting down the Senate because we are in the majority to make this place work.

I know there are a lot of Democrats who are intent upon making this place work, and I know Senator BAUCUS, my ranking Democrat, is committed to making this place work. There should not be any reason we have to have a cloture vote, particularly when we made overtures to the other side to vote on a lot of important issues on

which they want to vote. All we want to know is that we are going to get an opportunity to develop a product. This Senate is not the only body that passes legislation that goes to the President; it also takes the House of Representatives. We do not get to finality until there is a conference committee if there is a difference between the House and the Senate, and in most major pieces of legislation, we have to have a conference committee.

I do not understand why we can't get to conference on the CARE Act, a bill to encourage charitable giving by people who fill out the short form of the income tax by giving above-the-line deduction, or having the tax-free rollover IRAs for people who want to give some of their lifetime savings to charitable giving. There are a lot of other good provisions in that legislation as well.

Do you know what is wrong with that, Madam President? What is probably wrong with that legislation is it is one of the No. 1 goals of the President of the United States, and maybe the other side can't let him have a victory. Yet in the scheme of what the President of the United States has to do, it may be a No. 1 goal of his, but it is a very small part of the total agenda that this President has of leading this Nation and being the Chief Executive Officer for our Government.

What is wrong with the Workforce Investment Act? One would think that with the other side crying all the time about outsourcing—forgetting about insourcing; we have a $58 billion favorable balance of trade on insourcing versus outsourcing—but we all ought to be concerned about outsourcing. What does Senator KERRY, as a Democratic candidate for President, say we need to do about outsourcing? Educate our workforce. And we have opportunities to move legislation that does that, and we cannot get to conference. What is the game?

We have offered to the other side votes on important legislation they want. Can they let us see light at the end of the tunnel so we know there are not games being played? I would hope there are people on the other side of the body who want this place to work, and there are. I would hope people who want product instead of issues will rise to the top, as cream does, and as cream of the crop remind their leadership of what happened in the last election, and do they want to be a less significant minority than we presently are because I think what is good about the Senate is that it keeps the extremes from governing in America—the extreme on the left and the extreme on the right.

The Senate, when it cooperates and gets things done, governs from the center. Whether that is 60 votes or 70 votes or 80 votes, we govern from the center.

This is a body that is going to make sure that Nazis do not take over America or Communists take over America, and there are none of them in the Congress. But when you do not have the center rule, as Germany learned or as Korinsky learned and tried to show the people of Russia in 1917, when the extremes take over, democratic values are lost.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, as the cosponsor of this amendment with my friend and colleague, Senator BOXER, I do want to clarify for the record where we are and the view those who are sponsoring the amendment have with regard to proceeding on the TANF reauthorization legislation, which is before us.

Because we have had characterizations made about our amendment, I wish to clarify for the benefit of the Senate and, more importantly, for the American people exactly what the current situation is before the Senate.

Before the Senate, we have what we call the TANF legislation, to move people off welfare into employment. As has been mentioned on a number of occasions—I have a copy of the report—the point is made by the Republican floor manager that this amendment to increase the minimum wage is not pertinent to this legislation and, therefore, because of the fact we are offering it, we are delaying the whole process even though we indicated to the floor manager we were eager to enter into a very short time agreement, a 20-minute time agreement, time to be evenly divided, a time certain, and then move on to another amendment.

We want to make very clear, speaking for the supporters of the amendment, we are interested in coming to a resolution. The answer on the other side is, well, since this is not relevant to the subject at hand, we are not going to let a vote occur. That is a rather unusual process and procedure. As to amendments on legislation, unlike appropriations, the Senate rules permit a vote on legislation, but the majority does not choose to do so. Therefore, they refuse to let us get a vote on this and then criticize us for delaying the process even though we are prepared to vote this afternoon. It is 12:30 now; we can vote at 1, or whatever time the floor manager would permit us to do so.

I mention once again how ridiculous I think the argument is from the other side that this is not a relevant amendment. If one looks at the legislation itself dealing with TANF and looks through the report, as I have said previously, they can look under "strengthens work," that is what this legislation is supposedly all about. If we take the statement of the Secretary of HHS, Tommy Thompson—listen to this—regarding the TANF reauthorization requirements:

> This administration recognizes that the only way to escape poverty is through work, and that is why we have made work and jobs that will pay at least the minimum wage the centerpiece of the reauthorization proposal for the Temporary Assistance for Needy Families (TANF) program.

Here it is, the administration spokesman talking about the centerpiece of the TANF will pay a minimum wage. That is exactly what we are trying to do. How is it possible that the floor manager can say this is not relevant when the Secretary of HHS specifically refers to a minimum wage? How can they possibly take that position? How can they say we are trying to delay it when we are prepared to go ahead with a short time limit?

The American people must be greatly confused. Here it is, the Secretary of HHS, the President's representative on this issue, saying this administration recognizes the only way to escape poverty is through work and that is why we have made work and jobs that will pay at least the minimum wage the centerpiece of the reauthorization proposal for the Temporary Assistance for Needy Families program. That is the statement he had at that time on March 6, 2002.

As the report goes on, the other references I have talked about, "reasons for change," to move welfare recipients into good jobs, good jobs obviously suggest they are going to be halfway decent.

The committee refers to the reasons for the change, that the committee wants to build by increasing work and reducing the welfare and talking about good jobs. That is the reference all the way through. That is what the Secretary has said. We have indicated we are prepared to move ahead and move ahead immediately, but we are denied the opportunity to do so. And that is with regard to procedure.

I listened earlier to my friend and colleague from Oklahoma saying we really do not need a minimum wage; we ought to let the market decide and make these judgments and decisions. Well, we have heard that. I have heard that since I arrived in the Senate, not only every time we have the chance to debate the minimum wage. Then he talks about the challenges we are facing in rural areas are not the same challenges as they face in urban areas, which we have understood. That is why we have an exclusion for agricultural workers. We have a different kind of a financial situation for mom-and-pop stores rather than the large stores in many urban areas. That is why we have a cap and say if you have approximately $600,000 or less gross earnings, you do not have to observe the minimum wage provisions. We responded to these rifleshot ideas that have been constantly brought up during the debates on the minimum wage.

I would like to go back to the general kinds of themes that were brought out. As we understand, this is a minimum wage, not a maximum wage. We are talking about a minimum wage to meet minimum kinds of standards in this country. Hopefully we have gone beyond the debate about whether we were going to have the robber barons or the monopolists in this society have individuals who are in the workforce so thoroughly and completely exploited.

Many in the Senate have been up to visit the old mill towns of Massachusetts, and one can still travel up to Lowell and visit many of those old textiles and they will see the letters from children who are 7 and 8 years old who were writing and who were working in the mills 10 or 12 hours a day, in many instances 7 days a week. Some of the most moving of those letters are by these children who write looking outside the windows and seeing other children playing outside and dreaming of the time that they might be able to do so.

In the old days when we did not have any kind of protections for any workers, we had extraordinary exploitation of children in the workforce. Well, that goes back to the time where the Government was not involved. In 1938, after a great deal of struggle, sweat, and bloodshed, all that changed with the very important child labor laws. Some had been passed before. Basically, we established the minimum wage, the time and a half for overtime, and the Fair Labor Standards Act, even though the overtime issue in question is now threatened by this administration that wants to abolish overtime for some 8 million workers, mostly firefighters, policemen, and nurses who in many instances are our first responders. All one has to do is go to any hospital and talk to some of those nurses and find out how in many instances they are required to work overtime, and find out their views about quality of care.

Now imagine if overtime is eliminated and there is that kind of requirement. We have a shortage of nurses today. One can imagine what is going to happen tomorrow if that particular recommendation by the administration is put into effect. So basically we are talking about a minimum wage.

We can hear on the other side, as we heard earlier from the Senator from Oklahoma, well, it is important to get on the bottom rung of the ladder because if one gets on the bottom rung of the ladder, they develop certain kinds of skills and attitudes and will be able to move ahead and have a successful life.

Well, there are certain truths to getting on a bottom rung of the ladder if the bottom rung of the ladder is not so low it actually submerges a person and they cannot survive on the bottom rung of the ladder because they are so overwhelmed by the challenges of life, of being able to survive. That is what we are talking about, having the bottom rung of the ladder so that at least one can make a living wage, they are going to at least be treated with some sense of dignity in this country of ours, which is the richest country in the world.

There are people who are struggling. It does appear, by those who are opposed to the increase in the minimum wage, there is some dismissiveness about the individuals who are receiving it. I do not buy that. The minimum wage workers in the workforce I have met are among some of the most courageous and dignified men and women one will ever want to meet.

I am going to mention who we are really talking about. Who are these people who are earning the minimum wage? We have heard speeches on the floor. Let's put some human faces on these individuals. Shreveport, LA: It was early April, and 46-year-old Mrs. Williams was dressed in the dark blue uniform she wears at her first job caring for the aged and infirm at a nursing home. On top there was a gray apron she dons for her second job cleaning offices at night. The place where she works as a nursing assistant, Harmony House, was paying her $5.50 an hour, barely above the minimum wage, even though she had been there for 10 years as a union member and completed college courses to become certified. The cleaning job which she took up because she could not make ends meet pays right at the Federally mandated $5.15 an hour.

''You think you are moving forwards,'' adds Ms. Williams, ''but you're just moving backwards.''

Mr. Valles earns his living serving hamburgers at a McDonald's restaurant in downtown Los Angeles. He's a family man. He and his wife, Lily, have two children.

''I make $5.75 an hour. That's about $240 a week. One hundred ninety dollars after taxes. You can't really live on that. Lily works in a fast-food place, too. She makes the same as me. Two weeks of my pay and two weeks of her pay every month goes for rent. Then you have to pay the fare to go back and forth to work. You gotta pay for your food. You have bills. We're still paying on the sofa. . . .''

I asked if they ever went on vacation. He looked at me as if I asked if his children could fly. ''No,'' said Mr. Valles quietly. ''There is no money for vacation.''

The list goes on. We have this situation:

As she weighs bunches of purple grapes or rings up fat chicken legs at the supermarket where she works, Fannie Payne cannot keep from daydreaming.

''It's difficult to work at a grocery store all day, looking at all the food I can't buy,'' Mrs. Payne said. ''So I imagine filling up my cart with one of those big orders and bringing home enough for all my kids.''

Instead, she said that she and her husband, Michael, a factory worker, routinely go without dinner to make sure their four children have enough to eat. They visit a private hunger center monthly for three days' worth of free groceries, to help stretch the $60 a week they spend on food.

''We're behind on all our bills,'' Mrs. Payne said. ''We don't pay electricity until they threaten a cut-off. To be honest, I'm behind two months on the mortgage—that's $600 a month. We owe $800 on the water bill and $500 for heat.''

The Euclid Hunger Center helped her seek aid from her parish, Saint William's Catholic Church, but it hurt that three cars broke down in six months.

''They all died and we had to get Mike to work, so we bought a good used car we can't afford.''

The first thing to go was money for food herself and husband. ''Some nights Mike and I eat our kids' leftovers, and if we don't have enough money for milk, I feed the kids soup for breakfast,'' she said.

Living with housing hardship. Hector Cuatepotzo, a waiter in the upscale Miramar Hotel in Santa Monica, lives in a tiny, one-bedroom apartment with his wife, Maria, 6-year-old daughter, Ashley, and infant son, Bryan. All four sleep in the same small room, with Bryan's crib nestled in one corner, Ashley's bed in another.

Cuatepotzo earns about $20,000 a year in salary and tips, equal to about $10 an hour, almost twice the minimum wage. But with $625 a month in rent and another $80 monthly gas and electricity, the family spends more than 40 percent of their income for housing. Cuatepotzo works from 6 a.m. to 2 p.m. and travels 40 miles round-trip to work each day because rents in buildings closer to his job are even higher.

Since Maria took time off from her job in the restaurant to have the baby, they received several eviction notices for late payment.

Cuatepotzo is thinking about getting a second job, but that would mean rarely seeing his children. Cuatepotzo, who has worked at the Miramar since arriving from Mexico 10 years ago, would like to own his own home someday. ''It's my dream,'' he says. But he can't imagine how he'll ever get there when his family lives paycheck to paycheck.

This is what is happening all across this country. These are not people who are slackers; they are hard workers.

Here is Deborah, 23, from Pennsylvania, a single mother and survivor of domestic violence. She has two daughters. She was evicted from her home in New Jersey. She now resides in Clairton, PA, where she works as a salesperson in a grocery store earning $5.35 for 30 to 35 hours a week. Deborah has no health coverage for herself or her girls. Her earnings are spread thin to cover childcare expenses, transportation, food, and $50 a month for her bedroom at her aunt's. An increase in the minimum wage would help Deborah catch up on lagging bills, come closer to making ends meet, get needed doctor appointments for her children at a pay-for-service clinic, and purchase clothing for her children, who lost everything in the eviction and the escape from domestic violence.

Pat Rodriguez lives in Washington, has worked at a laundry and drycleaners in Washington for 8 years. She earns $6.15 an hour, the minimum wage for the District of Columbia. Currently she and her colleagues are on strike over low wages and other issues. The money she earns working full time is not enough to pay the rent, pay for the basic necessities for her family. She has a 2-year-old child and is expecting a second child. She has no pension, no access to affordable health care, and relies on Medicaid. She works full time and still does not make enough to be able to save for the children's education. Pat says, ''I support raising the minimum wage, but I also want workers to be treated with respect, and for their work be valued accordingly.''

Elaine Murphy and her three children, 16, 11 and 6, recently moved to Newburgh, NY, from Oregon. Mrs. Murphy is a teacher's aide and special

needs bus aide in the local elementary school. Every morning she is in the bus yard at 6:30, waiting to escort handicapped children on the bus. Then she works in the school offices and in classrooms until around 3, when she gets back on the bus and escorts the handicapped children to their homes. In Oregon, she made $10 an hour doing similar work, but in the new job, she is paid the minimum wage.

The job suits her needs as a mother of three. She can be home in the afternoon to look after her 6-year-old, who is autistic and needs the kind of close supervision the school's afterschool program is not able to provide. There are daycare centers that could care for their son, but the cost is prohibitive. Her 16-year-old son is athletic, and after school she is able to drive him to practices and games.

Despite the fact that Elaine works full time, she is paid so little that she qualifies for food stamps and her children receive health care through Medicaid. This bothers Elaine. She doesn't want Government assistance. She wants to work hard and provide for her family. In the school district where she works, janitors and others are paid enough to support their families while Elaine has little choice but to turn to the Government for assistance. She perceives the problem as this: The assumption is that women who work as teachers' aides or do similar work are not supporting their families but, rather, working to supplement the household income. In her case, this is not true. Elaine is the sole provider for her three children.

For Elaine and her family, a higher minimum wage would mean a greater degree of self-sufficiency. Getting a second job is out of the question given her responsibilities at home. At the present rate of pay, making ends meet is impossible without Government subsidies. Elaine argues that working 40 hours a week for something as important as special needs education, she should not need Government handouts; that through hard work, she should be able to provide for her children.

This is it. These are the real faces of people who are out there, trying to make ends meet. Our proposal was to increase the minimum wage just to $7. I will show the chart here, what more has happened with regard to the minimum wage over recent years.

On the far side of the chart, this is purchasing power in the year 2000, dollar purchasing capability; in 1968 the equivalent of $8.50 for minimum wage. The red line indicates how the minimum wage has gradually dropped, how we were able to get it raised in 1990, and how we were able to get it raised in 1997 and 1998. Now we see it dropping without this increase to about its all-time low.

This is a minimum wage, not a maximum wage. We hear those saying, if you are going to go for $7, why not go $10 or $15? That is missing the point. What we are trying to do is get this increased to $7. That will still put it below where it was for a period of 12 or 14 years, but at least it gets it much closer to a living wage.

That is what this amendment is all about. We should understand it. This amendment affects real people. I gave some examples of real people. I have given examples of why the Secretary of HHS believes a minimum wage job is relevant to this bill. We have indicated we are prepared to vote on it. We daresay it is those on the other side, who do not want to vote on it, who are actually filibustering.

I want to come to this issue and talk a little bit about the impact on families, and particularly the impact on children in terms of hunger, the problems of hunger.

In 1938, we had the child labor law. We had minimum wage, and we put time and a half for overtime pay in there so workers would be considered. What we have looked at in more recent times, as hunger has been a defining aspect for people as well, we have tried to take a look at what the impact is on hunger, what the impact would be.

First of all, this chart: Hunger is increasing for minimum wage families. The Agriculture Department reported more than 300,000 more families are hungry today than when President Bush first took office. More than 12 million American households are worried that they would not have enough to eat, and nearly 4 million households had someone go hungry. African-American households, Latino households, and households headed by single mothers were much more likely than the national average to experience food insecurity, and also more likely to experience hunger.

I have the household food security for the United States. This study, put out by the Department of Agriculture, shows very clearly what is happening to families, and particularly families with minimum wage. What you find out is that in 1998, there were 14 million children who were living in families where there was a real problem in terms of food security, and then that went down in 1999 to 12 million.

In the year 2000, it is 12 million. Then we see in 2001 that it began to turn around. In 2002, it is 14 million going right back up again. We were seeing the decline in terms of the impact of hunger on children in this country. Now we see as a result of the economic policies and failure to increase the minimum wage the fact that hunger is again taking off in these minimum wage households.

This is an excellent report done by the State of Massachusetts. It is called ''Walk For Hunger, Project Bread.'' I will include in the RECORD the appropriate parts of the study.

According to the U.S. Department of Agriculture, 425,000 people in Massachusetts lack access to adequate food. In low-income communities in Massachusetts, 20 percent of households cannot afford to buy enough food to meet the basic nutritional needs of household members. The prevalence of hunger is highest among families with children. Today, in low-income communities, one child in three lives in a household struggling to put food on the table.

Our State is one of the most prosperous, fortunately, in the country. This is what is happening in households in my State. If it is happening in Massachusetts, it is happening in States across this country.

We have the broad figures. As we go along, I will have the opportunity to continue to give speeches and to point this out.

Listen to this one more time.

According to the U.S. Department of Agriculture, 425,000 people in Massachusetts lack access to adequate food. In low-income communities in Massachusetts, 20 percent of the households cannot afford to buy enough food to meet the basic nutritional needs of household members. The prevalence of hunger is highest among families with children. Today, in low-income communities, one child in three lives in a household struggling to put food on the table.

And we have opposition to an increase in the minimum wage.

How much evidence do you need over there? How much child hunger do you need to increase the minimum wage? What more in the world do you need?

That is happening not only in my State but in States all over this country. Children are facing real hunger because the parents are falling further and further and further behind.

I have a book full of those examples, some of which I read. I have a book full of examples from all over the country. This is what is happening. The problem is getting worse.

The Department of Agriculture indicates there are 35 million Americans hungry or living on the edge of hunger for economic reasons—35 million of our fellow citizens. There are 290 million people in this country, and 35 million of them are facing serious challenges with hunger in the United States today.

We will have a chance in half an hour, if you want to take a very modest step to increase the minimum wage. It is not going to solve the problem, but it will sure do more about it than the current legislation which is before us. That we know.

There are 300,000 more families hungry today than when this administration first took office. Twenty-three million Americans sought emergency food assistance from the hunger relief organization Second Harvest.

Isn't that a fine description of what our country is coming to.

As I indicated, these are men and women of dignity and respect, people who are working hard. We find in a number of the hunger programs, the Food Stamp Program and others, they are vastly underutilized because men and women have a sense of pride. They don't want to take handouts from the Federal Government. Even some of the school lunch programs are underutilized in some areas because parents don't want to have their children appear to come from a poor community.

They are used to a higher degree than food stamps, but, nonetheless, that happens.

These are men and women of pride. It is a real problem. These families, as I mentioned—23 million, Second Harvest—cannot afford balanced adequate diets. Parents are skipping meals so their children can eat. Nationwide, soup kitchens and food pantries and homeless shelters are increasingly serving the working poor—not just the unemployed.

Both the U.S. Conference of Mayors and Catholic Charities report witnessing sharp increases in the use of emergency services offered by the cities and the Catholic Charity agencies.

In 2003, the survey by the U.S. Conference of Mayors that looks at hunger found 39 percent of adults requesting food assistance were employed.

Effectively, 40 percent of people who are trying to get some additional food assistance are employed and work hard.

This is the conclusion of the U.S. Conference of Mayors, as well as Catholic Charities—a leading cause of hunger is low-paying jobs.

How much more evidence do you need? Do we think the U.S. Conference of Mayors is a tool of just the Democratic side of the Senate when Republican and Democrat mayors alike across this country are talking about the increasing problems they are facing and the challenges that families and their communities are facing when they say one of the principal reasons there is explosion in the hunger needs of children in this country is because of low-paying jobs?

That is what this amendment is about—to do something about low-paying jobs.

We have a chance to do something about it. We have done it in the past. We are denied the chance to do something right now about it.

If cloture is successful, we ought to say it as it is. It will defeat this amendment. Evidently, the Republican leadership fears voting on this amendment, for reasons I can't possibly fathom, so much they are delaying the Senate a whole day. Here we are on Wednesday at 1 o'clock, and we are not going to be permitted to vote. We could vote on this in half an hour. No, you can't vote on it. We are going to make sure the Senate doesn't do any work this afternoon because we feel so intensely about increasing the minimum wage. We are against it going to $7 an hour over a 2-year period. We are going to insist on cloture—the unusual step of cloture in the Senate—in order to bring that amendment down so we will not even have to vote on it even though the Secretary of HHS has indicated minimum wage is essential to the success of this program.

Is there anything more ludicrous? Is there anything that makes less sense?

It is absolutely out of our imagination that Republicans feel so intensely in opposition they will refuse to let this institution vote on this measure which can make a difference in terms of children in poverty, families in poverty, proud men and women who are trying to provide for their children, a step that we have taken 11 different times since the minimum wage was passed with Republicans and Democrats alike. But what it is about is this Republican leadership that says: No, we are not even going to let you vote on it.

We had difficulties other times trying to get a vote on it. I will certainly admit that. And the record will show that. But eventually we were able to do that, and eventually we were able to get it passed. But the ferocity of opposition this time is mind-boggling to this Senator.

Listen to this, again from the U.S. Conference of Mayors: Emergency food assistance increased by 14 percent. This is just in 1 year. These are the 2003 figures. Fifty-nine percent of those requesting emergency food assistance were members of families, children.

And then: City officials recommend raising the Federal minimum wage as a way the Federal Government can help alleviate hunger.

Here it is, the Conference of Mayors—Democrat, Republican, mayors from all over this country; North, South, East, West; Republican and Democrat—talking about hunger, talking about the particular hunger needs of children, talking about the problems of the growth of hunger for working families, and they make one single recommendation: increase the minimum wage. And we cannot even get a vote on it in the Senate.

Can you imagine people watching the Senate and hearing: Well, no, we can't vote on that. We can't vote on that. We are just not going to vote. And they say: Why? It looks as if those who are proposing it are ready to vote on it.

We are. When are you ready to vote on it? In 20 minutes, half an hour? We are prepared. We have offered time limitations.

They say: You are?

What is wrong with the other side? They say it is not relevant to the underlying bill. They say it is not relevant.

Let's see. Is that the way the Senate works?

Let me help you figure out why it is relevant because I have a statement from the President's representative on this bill. This is what the President says. The President says:

> This administration recognizes that the only way to escape poverty—

He is talking now about the underlying bill—

> is through work, and that is why we have made work and jobs that will pay at least the minimum wage the centerpiece of the reauthorization proposal for the Temporary Assistance for Needy Families (TANF) program.

Well, then they say: Wait a minute, I thought the Republicans said your amendment is not relevant. And now you are saying the Secretary of HHS says you should have a good job that pays an adequate minimum wage? Yes.

And they say: It would seem to me it would be relevant.

It does to me, too. That should be understandable to any third grader or fourth grader, but it is not to the Republican leadership because they do not want to pass it because they have powerful interest groups that do not want to pass it. That is the reason: special interest groups that refuse to let this pass. That is it. That is what this is about. You cannot get around it.

So we have taken a few examples of who the people are who are affected, what kind of lives they are living, and what has been happening in one State that is a pretty prosperous State, my own State of Massachusetts, that has done a very detailed study. I will include that, as I mentioned, as a fierce indictment in terms of the failure of both our State and the Federal Government to be able to provide the help and assistance.

We have the one recommendation by Republicans and Democrats alike, the mayors all over this country, who are close to the people on it and say: We have one single recommendation. They did not recommend the extension of TANF. They recommended one thing: increasing the minimum wage. That was their single recommendation.

We heard statements just yesterday. I, very briefly, will respond to the arguments that if we raise the minimum wage we are going to contribute to the problems of unemployment in our society. I am glad to go through this issue. We have extended charts. We have debated this frequently the other times we had the increase, with the Kruger studies from New Jersey, which are probably the most extensive studies. I have the whole working paper.

It goes into great detail as to the impact, historically, on the job market.

As I mentioned before, the yellow line on this chart is the rate of unemployment in the year we increased the minimum wage, showing the rate of unemployment in October, when we had the second increase in the minimum wage, and then several months later.

So you have the cumulative two increases in the minimum wage. And what was its impact on the rate of unemployment? As you see, going back to the 1996 increase, 1997, and then several months later, the unemployment rate remained at 4.7 percent.

If you break it out with regard to African Americans, Hispanics, and teens, it is very much the same. You had 10 percent unemployment for African Americans, and 9.5 percent. If you take both the increase in that year and this year, and then take the result for those two, look at the next year; it was at 9.3 percent. If you look among Hispanic Americans, it is the same pattern. And if you look among the teens, it is the same pattern.

Strong opposition said it is going to increase unemployment, it is going to

increase teen unemployment, and minority unemployment. It does not do so.

Another factor is the issue about whether this is going to be an inflater. As I mentioned, if you look it over—for those who want to take the time, it is not very difficult to do—but if you take the increase, the total number of people who are going to be affected by the increase in the minimum wage, and take the total payroll, you will find out the impact.

We know increasing the minimum wage by $1.85, as I have pointed out, is vital to workers but a drop in the bucket to the national payroll. All Americans combined earn $5.7 trillion. And a $1.85 minimum wage increase would be less than one-fifth of 1 percent of the total national payroll. So spare us—spare us—the arguments about the adverse impact of an increase in the minimum wage on unemployment and on minorities and on teenagers, and spare us the argument that this is going to add to the issues of inflation because it does not do that.

What it will do is, it will help some extremely hard-working families. It will help many workers who work hard clearing out the buildings at nighttime, being assistants to our teachers in our high schools and elementary schools in our country, working in nursing homes as assistants. These are minimum wage workers, and they are men and women of dignity. They are not looking for Government handouts. They want to be able to work hard and raise their children and live with the respect of their children and spend time with their children.

That is why this is a women's issue because the great majority of those who receive the minimum wage are women. It is a children's issue because so many of those women have children. It is a family issue because the relationship between, primarily, single mothers—not always but primarily single mothers—and their children is dictated by whether the mother has one or two or even sometimes three minimum wage jobs. The time, or lack of time, they are able to spend with their children, obviously, is enormously important.

This minimum wage is also a civil rights issue because so many of the men and women who receive the minimum wage are men and women of color.

It is a civil rights issue, a children's issue, a family issue, a women's issue. Basically, it is a fairness issue because these men and women in this country believe if you work hard—you work hard—40 hours a week, 52 weeks of the year, you should not have to live in poverty.

If you look, after all is said and done, at where the poverty level is for a family of three, it will be something under $15,000. And even with our increase in the minimum wage, they are going to be well below that.

We are prepared to vote early this afternoon. We don't need more time. We can take more time, but we are prepared to vote at any particular time. This side has made its case. People in this body know what the issue is all about. It is not enormously complicated. They understand it. We are prepared to vote. It is a very simple vote. If it is finally enacted in the House—and I think with a strong vote here it will be—and if it is signed by the President—and if we have a strong vote in the House and the Senate, the President is going to sign it—it is going to make a big difference because 60 days after enactment, the first phase of it will begin to give some new hope to some of the hardest working men and women in the country.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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 Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are involved in debate on a nongermane amendment the Democrats have offered on which we Republicans have said we are willing to vote, assuming we can have finality on this legislation and make sure we get to conference.

In the meantime, while those procedural issues are being worked out, I wish to express some views on the subject of minimum wage.

The proponents of this legislation claim they want to make sure that workers are able to earn a livable wage. Who doesn't know that is necessary for people to get along in this world? It is not very clear to me what the term ''livable wage'' means. But those who use the term seem to believe a person working at a minimum wage ought to earn more than the poverty level.

So let us consider that goal for a moment. Although there is more than one way to define poverty, the Department of Health and Human Services publishes the poverty guidelines each year. These guidelines are used to determine eligibility for low-income programs like food stamps. For a single individual, the poverty guideline then would be $9,310 a year. Under current law, any job subject to the Federal minimum wage must pay at least $5.15 an hour. Assuming a person worked 40 hours a week, 52 weeks a year, at a minimum wage, they would earn over $10,000 a year. Even after deducting Federal income taxes owed on this amount, a minimum wage worker is left with more money than the poverty guidelines.

I would like to repeat that a full-time minimum wage worker already earns more than the poverty level.

Now, is that a livable wage? The answer is that it depends. Even in my State of Iowa not very many people would say that is very ideal; in fact, just the opposite. Most people would look for much higher than that. According to the Census Bureau, more than 2 million workers have hourly wages at or below the minimum wage. More than one-fourth of these workers are between the ages of 16 and 19.

So is $5.15 an hour a livable wage? If one is a teenager living at home with their parents, they probably feel like they are making a lot of money. But what about other minimum wage workers? According to the Census Bureau, 85 percent of the people earning the minimum wage live with their parents, have a working spouse or live alone. Only 15 percent of the minimum wage workers are trying to support a family.

For those few who are trying to support a family, $5.15 an hour is obviously not enough income. Fortunately, these families do not have to get by on $5.15 an hour because under current law these families are eligible for Federal assistance through the earned income tax credit and through the food stamp program, two programs that are meant to encourage people into the workforce in a way that there is good return on it.

A single mom with two children working full-time at minimum wage would qualify for more than $4,000 in refundable tax credits and more than $2,000 in food stamps. On an hourly basis, that works out to more than $8 an hour. Even after Federal taxes are withheld, a single mom with two children is left with more than $15,670, which is the poverty guideline for a family of three. Thus, the debate cannot really be about getting people out of poverty.

Some people might say that these workers should not have to rely on Government programs to escape poverty, and those people working would look for a day in the future when they were making enough money that they would not qualify for the earned income tax credit or qualify for food stamps. But other people might say that employers should not be so cheap, that they ought to pay their employees more than the poverty level wages.

As I have just explained, the poverty level varies by the size of the families. Employers cannot pay their workers based on the size of their families. I do not know that they ever have. When one stops at a local donut shop, they do not charge $5 on Tuesday when the cashier is a teenager living at home with his parents and then charge $7 on Thursday when the cashier is a single mom raising two children. That is not the way the real world of economics or the business place works. Any business that tried to do things that way would no longer be in business.

The wages earned by workers are determined by the value that consumers place on the goods and services produced by the workers. Employers cannot pay their employees more than customers are willing to pay. In fact, in most cases, customers do have

choices of where to buy their goods and services. They do not have to stop at the local donut shop. If they want to, they can eat at home, or some may just decide to do without.

Those who support raising the minimum wage claim that they are helping workers earn a livable wage, but if Congress could wave a magic wand and if Congress would raise wages by legislative decree, why would they stop at $7 an hour? Why not $70? Why not $700? Then everybody could be a millionaire.

The reason supporters of a minimum wage stop at $7 is because they know if the minimum wage is raised higher it means yet higher prices and fewer jobs. To deny these facts is to deny economic reality.

Proof? There is plenty of proof. It is very evident by the fact that no one has proposed raising the minimum wage to $70 or $700 an hour. Raising the minimum wage by $7 or $70 or $700 all have ensuing ill effects. The only difference is the smaller the increase the smaller the effect. Those who support a smaller increase are hoping that by only raising the minimum wage to $7, the price increases and the job losses will be small enough that no one will complain too loudly.

Minimizing the damage will not stop the damage. Raising the minimum wage to $7 an hour is going to cost employers $6 billion a year. That is a $6 billion tax increase on a small segment of our economy, particularly the small business sector of the economy. Ironically, out of those costs of $6 billion, roughly $5 billion will go to workers who are not supporting a family while $1 billion is going to go to workers who are supporting a family.

In other words, raising the minimum wage for everyone means only $1 out of every $6 goes to those who are most in need and particularly those we are trying to help with this bill to move people from welfare to work. That is a very expensive way to help low-income families.

One might try to justify this costly and inefficient policy if it were the only way to help those in need, but as I have already discussed raising the minimum wage is not about getting people out of poverty. A single mom working full-time at the minimum wage, with one or two children, is already out of poverty, thanks to the earned income tax credit and thanks to food stamps. If we want to help low income workers, we should support policies like the earned income tax credit and food stamps that provide help to those who need it the most.

Congress does not have a magic wand. It cannot repeal the law of supply and demand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I listened to my friend from Iowa, and he is my friend. It is amazing to hear the response to an increase in the minimum wage. They say we are going to let other Government programs look out after these proud, hard workers who are trying to provide for themselves and for their families. Effectively, if we follow the way that the Senator from Iowa suggests, we are going to have to tax more people a lot more so that those programs are going to be there because we refuse to have employers do what they should do, and that is to pay a fair wage.

Sure, everybody could be put on welfare and not have any minimum wage. What is the possible logic? Those Senators on the other side have been trying to cut those programs back for years. The programs dealing with nutrition, home heating and programs for food, they have been trying to cut those back for years. This administration has been trying to make EITC much more difficult to get.

In order to oppose the increase in minimum wage, they say, well, the EITC program is out there. We are talking about proud men and women who want to work hard and look after their children and have a sense of dignity and not depend on welfare programs. The answer for those who are opposed to us is, give them more welfare programs.

That is an insult to these working men and women. We reject that as an argument. We reject it.

We are standing for the dignity of those working men and women who ought, in the richest country in the world, in the strongest economy, to be able to work hard and bring up their children with respect and dignity and not a handout.

The Senator makes the point why we need the increase in the minimum wage. Because those workers are not receiving it today on their own. They should be able to get it. We are committed to trying to get an increase on the minimum wage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, parliamentary inquiry: We are under a cloture motion that has been filed on this amendment?

The PRESIDING OFFICER. A cloture motion has been filed on this amendment.

Mr. HARKIN. Since I have been recognized and I have the floor, is there a time limit on how long this Senator can speak?

The PRESIDING OFFICER. There is no time limit at this point.

Mr. HARKIN. I thank the Presiding Officer.

Mr. President, first I ask unanimous consent I be added as a cosponsor on this amendment to raise the minimum wage. I strongly support the amendment offered by the distinguished Senator from California, Mrs. BOXER, and Senator KENNEDY.

Let's be clear at the outset. The current level of $5.15 an hour as a minimum wage is a poverty wage—actually less than a poverty wage, which I will show in a minute. It is a wage that does not respect the dignity of work, including the most humble work in this country. That is wrong. I say the President of the United States ought to be ashamed of himself, this Senate ought to be ashamed of itself, the House of Representatives ought to be ashamed of itself, that we would let the minimum wage get as low as it has gotten, forcing more and more families into poverty and on food stamps.

I just heard my colleague from Iowa saying, rather than raising the minimum wage, we ought to be putting more into food stamps. What kind of a solution is that? I thought we were going to give people the dignity of work. We ought to get them off welfare and get them into jobs. Now I hear some people say the best thing is giving them more food stamps. I am all for food stamps. It has been a real blessing to our society. But that is sort of a welfare answer. It sounds as if we turned the clock back and we go back on welfare again.

The economic policies of this administration are simply not working as advertised. It is still sputtering. The recovery remains fragile. The President has assured us again and again that tax cuts overwhelmingly for the wealthy will stimulate the economy and create more jobs and get this country moving. Over the last 3 years we have had nearly $2 trillion in tax cuts, but we have lost more than 2 million jobs. The President's economic policies, including tax cuts, outsourcing of jobs, not increasing the minimum wage, refusing to extend unemployment benefits, are not working. Trickle-down economics simply, again, is not working.

You don't have to be from Iowa or Nebraska to know you don't fertilize a tree from the top down. You fertilize the roots, and that is how we need to stimulate the American economy, by applying stimulus to the roots, not to the treetops.

There are obvious ways to do this. No. 1, instead of the tax cuts for the wealthy, you focus tax cuts on working people who need the money and who will actually spend the extra money here in America.

No. 2, you increase the minimum wage. You put more money in the pockets of people who will spend the money because they have to, out of necessity.

No. 3, you extend benefits for the long-term unemployed. Today, March 31, a record 1.1 million Americans will lose their unemployment benefits—this quarter. This is unfair. It is indecent. It is foolish, because it will create more drag on the economy. Again, we ought to be ashamed of ourselves for not extending the unemployment benefits to all these people who have now lost them.

I strongly support the Boxer amendment as one step we need to take in addressing the fact we have too many people out of work, and that people on the bottom of the economic ladder are falling further and further behind.

No one in America who works for a living should live in poverty. Yet for the millions of hard-working Americans with minimum wage jobs, that is exactly what is happening. In fact, if you look at what has happened over the last few years, you can see if this is the poverty line right here for a family of three, going back here to 1971, 1974, 1977, the minimum wage was pretty darned close to the poverty line. Then during the Reagan years it started coming down. During the Clinton years it went up a little bit. Now we are back down again. Look at this gap compared to where we were before, or even before 1970 when the minimum wage was actually above the poverty line. When you look at that, it is no wonder our society has problems. No wonder we are being torn apart in this country. We have more people working, yet falling further below the poverty line because we don't increase the minimum wage.

The other side filed a cloture motion, I understand. I asked the Presiding Officer. He said a cloture motion has been filed on this amendment. This bill we have before us is TANF, the Temporary Assistance to Needy Families. The other side has filed a cloture motion, saying an increase in the minimum wage is not germane, it is not pertinent to the TANF bill, to Temporary Assistance for Needy Families. They are saying it is not pertinent because if the cloture motion is successful tomorrow, this amendment will fall. So they say it is not pertinent.

Why don't they tell that to Secretary Thompson? Here is what he said regarding TANF reauthorization:

> This administration recognizes that the only way to escape poverty is through work and that is why we have made work and jobs that will pay at least the minimum wage the centerpiece of the reauthorization proposal for the Temporary Assistance for Needy Families Program.

It is the centerpiece. And they say it is not pertinent. Somebody better get hold of Mr. Thompson. You better start getting your story straight. He says it is the centerpiece.

If minimum wage is the centerpiece for TANF reauthorization, then we ought to be about discussing how much of a minimum wage—not whether it is pertinent but how much.

Bear in mind again, I heard some talk about teenagers. I keep hearing about teenagers making minimum wage. They are living at home, they have this and that. Teenagers, teenagers, teenagers, I hear that all the time. But you have to look at the facts. Facts are stubborn. Sometimes facts get in the way of stories. The fact is, 7 million workers would directly benefit from a minimum wage increase; 35 percent are the sole earners in their families—35 percent. Maybe some of them are teenagers. Maybe they are married and out of school, maybe they are 18, 19 years old. Mr. President, 61 percent of those affected are women and one-third of them are raising children; 15 percent are African American and 19 percent are Hispanic Americans.

What is this all about teenagers? This is not about teenagers. This is about Americans who go to work every day. As I said, they do some of the most humble work in America.

I think I heard my colleague from Iowa saying something about if you raise the minimum wage, it is bad for business because people will shop elsewhere because they will raise the price of goods and people still have choices. We are not putting the minimum wage on one company and not another, one employer and not another. This is across the board. So if all of them go up, then there is still competition out there. Maybe through the competitive urges of the free marketplace they will find other places to cut costs, be more productive. But don't take it out of the hides of those who work for a minimum wage.

That is what we are basically saying. That is what Congress is saying. That is what this President is saying, when we don't increase the minimum wage. They are saying to businesses all over America: If you want to cut costs, if you want to increase your profit margins, we will help you by keeping your minimum wage as low as possible.

If we raise the minimum wage, maybe businesses will find some other ways of cutting costs and being more productive.

I also heard that if you increase the minimum wage to $7 an hour, it is a drain on business. It doesn't help the family that much. There would be more help with food stamps, for example. An increase to $7 an hour for full-time, year-round workers would add about $3,800 to their income.

Maybe for Senators and Congressmen who make $150,000 a year—I assume most of us have stocks and different investments—when you look at the net worth of the Members of the House and the Senate, what is it? Is it 500 times more than the average American? Maybe $3,800 doesn't seem like a lot to people here, but to a family on minimum wage, for a low-income family, $3,800 would be more than a year of groceries. It would pay 9 months of rent, a year and a half of heat or electricity, or full tuition at a community college for one of the kids. That is nothing to scoff at.

People say, Well, it will impact business. Again, facts are stubborn things. History clearly shows that raising the minimum wage has never had an impact on jobs, employment, or inflation. In the 4 years after the last minimum wage increase passed, the economy experienced the strongest growth in over three decades. Nearly 11 million new jobs were added at a pace of 218,000 per month. There were 6 million new service industry jobs, including more than 112 million retail jobs of which nearly 600,000 were restaurant jobs.

This was after we raised the minimum wage last time. It sure made a bad impact on this country, didn't it?

It is long overdue. We should be ashamed of ourselves for letting it fall so low.

Now we are being told we can't have a vote on the TANF bill because it is not germane. That is exactly what Secretary Thompson said.

> Work and jobs that will pay at least a minimum wage is the centerpiece to the reauthorization proposal of TANF.

Those are Secretary Thompson's words.

We also have to keep in mind that a great majority—61 percent, as I have pointed out—who would be affected are single parents, mostly women with children. Unfortunately, the kind of jobs that women who leave welfare find are minimum wage jobs, which makes it difficult, if not impossible, to sustain families and meet the demands of raising children. For these people, survival is a daily goal. They work hard enough. Their hours are long enough to make ends meet, but only barely.

What this means is they don't have time for their families. They cannot participate in activities with their children, especially school-related activities that most of us take for granted.

I would like to do a survey in the Senate of everyone here. I wonder how many Senators know someone or a family living on the minimum wage. I wonder how many Senators would actually have some friends who are families on the minimum wage. I bet you would not find very many who would actually know anyone. They read about them, but I mean actually know them or maybe have them as neighbors or friends and meet with them and talk with them about how they are living on a minimum wage. That would be an interesting survey to take.

For these people, as I said, survival is their daily goal.

Bear in mind the real value of the minimum wage has fallen dramatically over the past 30 years. Here is the real value of the minimum wage shown earlier by Senators KENNEDY and BOXER. We have to keep showing them because these facts are stubborn things. People are working the same.

Back in 1968, in real 2003 dollars, the minimum wage was $8.50.

In other words, if we had indexed to inflation the minimum wage in 1968, it would be $8.50 an hour. That is just indexed for inflation. But if you look at where people were back in 1968, look where we are now. The people who were working back in 1968 at minimum wage jobs are the same people, the same kind of people, the same class of people who are working today. They are doing the same kind of jobs. Why was that job worth $8.50 in 1968, but that same job today is only worth $4.98 an hour?

You might say the minimum wage is $5.15. But if we don't increase it by the end of this year, the real value of that will be $4.98 an hour.

Why? It is the same job, the same work. Why was it worth $8.50 an hour then, and it is only worth $4.98 an hour now? It is because we haven't done our job about keeping up the minimum wage. We keep pushing people down.

That is why there is unrest in America. That is why low-wage people are saying there is nothing in the system for them because it is so skewed against them. They work hard and never can get ahead because the minimum wage is stuck.

The minimum wage employee working 40 hours a week, 52 weeks a year, earns $10,700 a year. That is $5,000 a year below the poverty line for a family of three.

Again, here is the poverty line. The red line is for a family of three. Here is where we were in the past. Before 1970, the minimum wage was above the poverty line. Now look at the gap. Look how far down it is.

Poll after poll after poll taken of low-income Americans show that they don't believe the system is fair. You can read the polls. Look at what happened to them. You add on to that they don't have health insurance. You add on to that they do not have any retirement benefits. You add on to that their pay goes for high heating bills this last winter. You add on to that many of these people earning the minimum wage are paying one-third to one-half of their paychecks just for rent.

How many of us pay one-half of our paycheck for rent?

As I said earlier, the minimum wage—I stand corrected. It is not a poverty wage; it is less than a subsistence wage. And we can't ignore it any longer.

Three million more Americans are in poverty today than when President Bush first took office.

I am not saying that to blame it all on the President. I am not going to say that. Of course not. I am just saying it is a fact.

Today, more than 34 million people live in poverty including 12 million children.

I am not blaming it on the President, or anybody else. I am just stating a fact.

Among full-time, year-round workers, poverty has doubled since the late 1970s—from about 1.3 million to 2.6 million in 2002. Poverty has doubled since the late 1970s.

There is a lot of blame to go around. Rather than blaming anybody, let's fix it. The best way to fix it is to raise the minimum wage. That is at the heart of this problem.

An increase to $7 an hour would affect nearly 7 million workers.

I just saw the figures as to what it would mean in Iowa. I have the figures here as to an increase in the minimum wage in Iowa. If we were to increase this minimum wage, there would be 104,000 workers in my State of Iowa who would be making more money—104,000 workers. Do you know what? They will spend that money. They will spend that money because they have to spend it, because their rent is high, their heating bills are high; if they have any health insurance at all, that is skyrocketing. They are paying for food, paying for the kids. That money gets spun around in the economy. It would be a shock of stimulus for the economy.

I am proud to cosponsor the amendment. To say it again, at the heart of this problem is the fact we are just not paying people for the work they do. Why is it people who do the dirtiest kind of work, the humblest kind of work—the kind of people you walk by, and you never notice them; you go into a restaurant, you go in to eat, and then walk out, and you do not notice them; a lot of times you go into stores, they are there, but you kind of walk by them—well, it is time we noticed them. They deserve to be noticed. They are Americans, and they are working hard. They are trying to raise their families and do the right thing, and what do we say to them? Forget it.

I almost hear echoes from some of the comments I have heard on this floor. I have heard echoes there should not even be a minimum wage. Now, I did not hear anybody say that. I said I sort of heard echoes of that: Well, if we set the minimum wage at $7, why can't we set it at $70 an hour or $700 an hour or $7,000 an hour or something like that? Well, that is sort of scoffing at these poor people who are working because it is almost like saying maybe we should not have a minimum wage at all.

There are a lot of countries that do not have the minimum wage. I suppose we could be like them. I always tell people: When it comes to things like having a minimum wage, just keep in mind, there is always someone poorer than you, more desperate than you, lower down on the ladder than you, who will work for less than you are going to work for because they need it. There is always someone poorer, more needy, more desperate.

Is that what our society says: The law of the jungle? Turn the clock backward and just have a welfare system? As Senator KENNEDY said, rather than taxing the American people to provide food stamps and welfare benefits and things like that, it is better to raise the minimum wage and give them a decent living wage rather than putting them on welfare. That is bad for the people on welfare.

I supported welfare to work. I believe in it. But in order to move people from welfare to work, they need some health care benefits; they need some childcare. Fortunately, we passed the Snowe amendment. We need an increase in the minimum wage, and they need housing. But keeping them at this less-than-subsistence wage will not do it.

I have almost heard some echoes, also, that this is some kind of a partisan issue. I went back to look at this issue. Senator KENNEDY pointed this out, and I have a chart to point it out again. I think it is very instructive. Since Franklin Roosevelt, when we got our first minimum wage in 1938, almost every President has raised the minimum wage, including Eisenhower, Gerald Ford, and George H. W. Bush. Interestingly, Reagan and this President Bush are both missing. But it has been bipartisan in the past. We have had Republican Presidents who have raised the minimum wage, as well as Democratic Presidents. So I do not think it is a partisan issue at all. It is an economic issue. And it is how you view the value of work.

Now if you believe people ought to go out there and work for whatever an employer wants to pay you, and if you don't like it, you can go somewhere else and try to get something better. We have tried that before in our country. We see that happening in other Third World countries because there is always some poor sucker worse off than you who will work for less than you will.

I really do not think that is the kind of country we want to become. Work should have honor and dignity, and the minimum wage today is not giving dignity to the work these people do.

I will close. I see the Senator from Idaho wants to speak. I will wrap up in a second.

We are talking about Temporary Assistance to Needy Families. The bill on the floor is food assistance.

Listen to this. A 2003 survey by the U.S. Conference of Mayors—these are not Democrats—looked at the hunger issue, and here is what they found: 39 percent of the adults requesting food assistance were employed. Thirty-nine percent seeking food assistance were employed. This is from the Conference of Mayors.

They found a leading cause of hunger was low-paying jobs. The Conference of Mayors found emergency food assistance increased by an average of 14 percent. Fifty-nine percent of those requesting emergency food assistance were members of families—children and their parents. Fifty-nine percent of those who sought emergency food assistance—which means they were at wits end; they had no money, and they had no other place to go, so they requested emergency food assistance—59 percent were members of families—children and their parents.

What did the mayors recommend? What did the Conference of Mayors recommend? They recommended raising the Federal minimum wage as a way the Federal Government could help alleviate hunger. We are being told we cannot do that; we cannot add it to this bill; we cannot even vote on it.

We saw the same thing on overtime: No, we can't vote on that. Put it someplace else. No, we can't vote on minimum wage either.

What is the Senate coming to? Why don't we do as the House of Representatives did, where we used to serve—have a rule where you can't do anything, just pass it. That is why the Senate is different than the House. That is why we are supposed to have open and free-form debate and be able to vote on these issues. But these parliamentary tactics keeping us from

voting on things such as overtime, extending unemployment benefits, and now the minimum wage are unworthy of the Senate, unworthy of this country, unworthy of our jobs.

I close by saying again, this is an issue that cuts very deeply. I remember I was in my home State in the last year, and I found an interesting thing, that more people were relying upon the food banks in Iowa. I thought to myself: Why is that happening? Our unemployment is not that high. It went up a little bit, but why were more people going to food banks in increasing numbers than the unemployment rate was rising?

I found out these are low-income workers. They are minimum-wage workers. They get food stamps. But because we have cut back on food stamps, their food stamps run out about the 20th of the month, and they have to go to the food banks for the rest of the month. I have to believe if it is happening in Iowa, it is happening all over the country.

It is time to give dignity to the people who do the humblest work in our country. Let's get them back up to what they had in the past. If their job in the past was worth what today would be $8.50 an hour, it is at least worth $7 an hour now.

What if we took corporate CEO salaries from 1968 and said they have to now have the same percentage reduction this year as those on minimum wage? Boy, the hue and cry that would go up on that one.

I have made my point. I hope we defeat the cloture petition. I hope we have a vote on increasing the minimum wage, and I hope it passes overwhelmingly. I hope the President will be on board and support it so we can give dignity to our workers.

I thank the Senator from Idaho for his patience and yield the floor.

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

Mr. CRAIG. Mr. President, I have listened most seriously to the Senator from Iowa on the issue of the minimum wage. My guess is, before the legislative year is out, we are going to vote on this issue. I believe it is important the Congress express its will. Certainly the minimum wage is a part of the total economic makeup of our country, and we need to be concerned about it. When we are talking about welfare reform, we know good-paying jobs are a part of getting people off welfare.

We also know creating an economic climate in which jobs can grow is another way of making sure we have good-paying jobs, be they minimum wage or slightly or substantially above. It is the whole of the economy that makes our country what it is. It provides for the middle class and the upper class and all of those others who have been the tremendous energy and engine of this economy for so long.

The day before yesterday and yesterday, I came to the Chamber to speak about the ever increasing price of energy. Today if the Senator from Iowa or the Senator from Idaho gassed their car up in this city or in Idaho or in Des Moines, we would have paid the highest price for gas ever paid in our history. Does that have impact on poor people or poorer people? You bet it does. They spend more of the total percentage of their income for energy than does someone who makes more money, who is in the upper class of society.

When we talk about the minimum wage and welfare reform and the economy, should we not be concerned about the price of energy as it relates to that minimum wage employee who drives to work and drives home and spends a higher percentage of the amount of money they get from the minimum wage on energy than any other segment of the economy? We ought to.

This Senate has denied us the right to speak to that. Now the other side is suggesting that again we have to go through multiples of amendments if we bring up an energy bill, even though we debated it a year ago and even though we debated it the year before that, and even though we passed it out of the Senate twice and we have had ample time. And tens of plus amendments later, we have to go through that again, when this country is hurting more on energy and energy costs than it ever has.

I think the American people expect more of us than just an endless debating society that never produces anything. What have I heard in the Chamber, as I have been speaking about energy the last several days? It is big oil's fault or it is the President's fault. It is somebody other than the Congress.

Let me suggest to my fellow Senators: No, it is not the President's fault and, no, it is not big oil's fault. It is the Senate's fault for denying the American people a modernized, contemporary energy policy.

The House passed a policy. The House passed the conference. But not the Senate. No, the Senate couldn't get there because too many of us had too many different ideas. We are here now sitting as Senators while the American consumer is spending more today for gas at the pump or gas that goes to the home for heating than ever in our history.

Shame on us. Shame on us for denying a contemporary, modern energy policy. We have not touched energy policy in our country for the last 14 years. As a result of that, our policy is obsolete. It doesn't fit modern America.

As I said yesterday and the day before: Consumption overall as a part of per capita has gone down, whether it be with the individual consumer or whether it be with corporate America or business and industry. But growth in our country has gone up. Yet we have largely denied our country a progressive supply-related energy policy. In other words, we have simply ignored the reality of the marketplace of supply and demand.

We have had all these cute ideas over the last several years about how we can conserve our way out of this one or we can deny the consumer the right to have more energy in one form or another and that will solve the problem. It didn't solve the problem.

During the decade of the 1990s, with unprecedented economic growth in our country, we used up all of the surpluses that had been built into the system. Whether it be gas supply for space heating, gas supply at the pump, whether it was commercial, we used it all up. At the end of the decade, we were beginning to experience blackouts in California. We were beginning to experience shortages. But most importantly, that supply/demand equation had begun to work and prices were edging up very rapidly.

Here we are, with a 14-year-old policy, and we haven't recognized the rest of the world has also grown. One of the great growth giants today in the world is China. China's crude oil imports grew 30 percent last year, from the same supplier that is supplying 60 percent of our crude oil, the crude oil markets of the world.

What is happening out there is this very rapid acceleration. We all want the economy to come back. We want our economy to come back. We want the world economy to come back so it can buy our goods and services. And as that economy comes back along with ours, they will demand more energy.

We know the facts for high gas prices. The price of crude oil yesterday was $36.25 a barrel. That is why we have high gas prices. Inventory stocks are down. Fragmented gas markets are different today, and the introduction of new fuels is phenomenal. We know those are the realities of what we are doing and what we are dealing with. I don't know that you can deny it in any other way, unless you want to play raw politics.

We also know what the situation is in our country today. We import 62 percent of our crude. So the same people supplying that phenomenal growth in China are also supplying us with our crude. Our refineries are now operating at record high rates. Gas production is running at record levels all over the country. Throughout the year, demand continues to be strong, as we try to get the economy going again. It is going, and it is growing. That is part of the reason for these record prices.

Let's talk a little bit about big oil. Let's talk about the collusion some suggest might be out there. The attorney general of the State of California did exactly what you would expect. We better go out and investigate big oil again because gas prices are over $2.30 in California. Investigate, if you will, but I offer the following for the record; that is, the reality of all of the investigations we have had. We have had 29 State and Federal investigations over the last several decades. Most recently, the U.S. Department of Energy looked at it and said: Demand exceeds supply.

What happens when demand exceeds supply? The price goes up.

California Energy Commission—I guess the attorney general out in California ought to listen to the energy commission. What drove increases were unusually high costs for crude in a world market. Is that collusion, or is that supply and demand?

California, listen up. There is your problem. It is called not enough supply to meet demand of the drivers of California today.

Connecticut Department of Consumer Protection—while numerous factors contributed to sharp increases in gasoline prices this summer, wholesalers and retailers were not hiking prices to pad their profits.

Again, a marvelous thing is happening out there. The marketplace, supply and demand.

I ask unanimous consent to print in the RECORD a list, starting in May of 1973 and going through this past year of 2003, of literally almost 30 different investigations, State and Federal, as it relates to big oil. Every one of them found there was no collusion.

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

COMPLETED INVESTIGATIONS OF OIL INDUSTRY PRICING

| Date of investigation | Investigating body | Description of probe |
|---|---|---|
| May 1973 | FTC | ". . . investigation of competition in the industry is incomplete and no decision about any antitrust action has made made"—New York Times. |
| August 1975 | Pennsylvania | Grand jury investigation underway—Newsweek. |
| 1977–1983 | DOJ | "The Justice Department yesterday ended a six-year investigation it said produced scant evidence that the major oil companies had conspired to run up the price of Persian Gulf oil in the late 1970s."—Washington Post. |
| May 1979 | DOJ | "President Carter orders investigation of gasoline shortages in California. Report cites loss of Iranian crude supplies following overthrow of the Shah and finds insufficient evidence of collusion."—Houston Chronicle, May 29, 1996. |
| 1984 | DOJ | "investigates increases in home heating oil prices in the winter of 1983–84."—Houston Chronicle, May 29, 1996. |
| 1989 | 37 State Attorneys General | "Over half the states . . . have launched investigations of possible price-gouging . . . Thirty-seven state attorneys general wrote to the Justice department requesting an investigation of gas-price increases."—St. Petersburg Times. |
| January 1990 | DOJ | ". . . again looks into home heating oil and propane prices after prices spiked during an especially bitter cold snap in December 1990."—Houston Chronicle, May 29, 1996. |
| August 1990 | DOJ | "The antitrust division began the investigation on Aug. 6 in response to the nearly immediate increase in gasoline prices after the invasion [of Kuwait]."—New York Times.<br>"The investigation is called off two years later."—Houston Chronicle, May 29, 1996. |
| September 1990 | United Kingdom | "The five major UK oil companies, Shell, Esso, BP, Texaco and Mobil, were today cleared by the Office of Fair Trading of fixing petrol pump prices . . . There was no evidence of collusion . . ."—Press Association. |
| 1993–1995 | North Carolina | "Apparently, the monopoly question needs further study."—Charleston Gazette (editorial). |
| AG Investigation Initiated in 1994 | Minnesota. | |
| 1994–1998 | Arizona | "Gas prices in Arizona are high, but don't blame hush-hush price-fixing meetings in corporate boardrooms, the Attorney General's Office concluded in a report released Monday after a four-year investigation."—Arizona Republic. |
| May 1996–May 1997 | DOJ | "Bingaman has set up a five-member panel of attorneys and economists within the division 'to study recent increases of gasoline prices.' If this task force finds that market forces are not responsible . . . it will investigate to determine whether there is any evidence of collusion within the industry."—BNA Antitrust & Trade Regulation Daily.<br>"No enforcement action was taken," a DOJ spokeswoman said.—Houston Chronicle, May 20, 1997.<br>"The [DOJ] completed its investigation of rapidly rising gasoline prices that occurred last spring by declaring it found no evidence that refiners and marketers engaged in price fixing or any illegal activity."—21st Century Fuels, June 1997. |
| May 1996 | Canada | "The [Competition] Bureau first investigated allegations of collusion and price-fixing in 1973. Several subsequent inquiries have all produced the same result: no evidence was found to prove that the big oil companies act in concert to dictate retail gasoline prices."—Maclean's, May 27, 1996.<br>"Officials from the departments of industry and natural resources say privately that the inquiry . . . is unlikely to uncover a sinister conspiracy by the oil companies to fix pump prices that often fluctuate in unison according to gas supplies and the time of year."—Maclean's, June 3, 1996. |
| October 1997 | Connecticut | "The U.S. Conference of Northeast Governors (CONEG) . . . called on major oil companies to explain recent gasoline price increases, and Connecticut Gov. John Rowland (R) is expecting a report this month that might be referred to the State Attorney General for an investigation into possible price-fixing."—Octane Week, October 13, 1997. |
| May 1998 | FTC | "After an almost three year investigation, the Commission found no evidence of conduct by the refiners [in the Western States] that violated federal antitrust laws." FTC press release, May 7, 2001. Investigation closed. |
| May 1998 | Iowa | "The Iowa Attorney General's office launched an investigation into price fixing in Dubuque and Waterloo. The Attorney General's office said from the beginning that proving price-fixing without insider would be difficult and did not find evidence of it."—Des Moines Register. |
| GAO Study of California Prices Initiated 1999 | GAO | GAO study of California gasoline prices requested by Sen. Feinstein finds the state's high gasoline prices are due to the strict supply and demand nature of gasoline. |
| AG Investigation Initiated Summer of 1999 | California | Preliminary investigation reveals no evidence of wrongdoing; high gas prices may be the result of low competition in the market. |
| AG Investigation Initiated Summer of 1999 | Alaska | "The investigation was initiated in 1999 in response to public complaints about the high price of gasoline in Alaska in comparison to other states," [AG] Botelho said, "I am closing the investigation because there is insufficient evidence indicating a violation of the antitrust laws."—Governor's Press Release (Nov. 21, 2002). |
| AG Investigation Initiated Summer of 2000 | Iowa | "Iowa Attorney General Tom Miller said Thursday he uncovered no evidence of illegal price-fixing, collusion or antitrust violations while investigating spikes in gasoline prices last summer."—The Gazette, April 20, 2001. |
| AG Investigation Initiated Summer of 2000 | Missouri | No evidence of wrongdoing. Investigation closed. |
| AG Investigation Initiated Summer of 2000 | Indiana | No evidence of wrongdoing. Investigation closed. |
| Investigation of Midwest Prices Initiated Summer of 2000 | FTC | No evidence of industry wrongdoing/collusion. Final FTC Report released March 30, 2001. Investigation closed. |
| AG Investigation Initiated Summer of 2001 | New York | "Recent higher gasoline costs [in New York] are not the result of price gouging, price fixing or other collusion, conclude State Attorney General Eliot Spitzer."—Times Union, May 13, 2001. |
| AG Investigation Initiated Summer of 2000 | Kentucky | Initial investigation of Kentucky gasoline prices last summer [2000] found no wrongdoing; specific investigation in Louisville's West End remains open.—Cairrier Journal, May 11, 2001 |
| Impact of Mergers on Gas prices; Initiated Summer of 2002 | GAO | GAO findings due to Senate Subcommittee on Investigations (Senate Government Reform Committee) by August 2002. |
| AG Investigations Initiated Summer of 2001 | Minnesota | No evidence of illegal pricing behavior by retailers or refiners following terrorist activity of September 11. |
| DOE Investigation of Gasoline Price Increases; Initiated September 2003. | DOE. | |
| Department of Consumer Protection | Connecticut | DCP press release of 11/26/03 states, "While numerous factors contributed to a sharp increase in gasoline prices this summer, wholesalers and retailers were not hiking prices to pad their profits . . ." |

Well, if they are not polluting, out there conspiring to fix the market, they are profiteering. They have got to be making huge amounts of money today at $2.35 a gallon in California, or $1.80 in my State.

Look at last year on this chart. This is from BusinessWeek magazine. Let's talk about the most profitable businesses in the economic sector of the United States. It is not profitable to own an oil company. You ought to own a bank. You ought to own diversified finances, real estate, semiconductor equipment, pharmaceuticals, and biotech. That is where the returns are, 19 percent, 17, 16, 14, and 12 percent. Let's go find big oil. Where is big oil? Well, let's see. Big oil is all the way down at the bottom in the utility area. I believe it is something like a return on investment of 1.4 percent. Oh, my goodness. Is that profiteering? I don't think it is profiteering. I think it is called return on investment versus competition versus price of input product. And the price of crude oil is $36. That is the reality of what we are dealing with.

Here is a problem out in California. Let's go to the next chart because California worries me. I am glad I don't live there at the moment. I am glad I am not paying $2.35 or $2.40 a gallon. I am sorry that Californians are. This is a very interesting chart. It deals with what we call U.S. gasoline requirements under the Clean Air Act. We know we have air problems in heavily congested areas where air is stagnant, and it doesn't move as rapidly as in some other areas. That is certainly true in the State of California.

Every one of these different colors on this map represents a requirement for the refining industry to produce a unique kind of product. We see in the State of California one, two, three—possibly four types of what we call boutique fuels, or certain blends of fuel. Every refinery has to shut down and readjust before they can produce that kind of fuel, and that kind of fuel costs more money than a standardized kind of fuel. As a result, it does drive prices up, and we know that to be a reality.

That is part of the problem we face when we look at our clean air standards in the Clean Air Act. I am not arguing we should not have the Clean Air Act, but there are times when reasonable flexibility ought to be offered when consumers are paying unprecedented prices, or maybe we ought to be concerned about refinery capability and capacity. We have lost numerous oil refineries in the continental United States over the last good number of years. Many of our companies today are saying it is better that we—here is that bad old word—outsource if we want to keep prices low in this country because Federal regulations and certain State standards are costing us a great deal of money.

In the area of gasoline, to understand the reason it is $1.80 in Idaho and $2.35 in California, look at the map. There is part of the reason. It is not all of the reason, but a substantial part of the reason that we are dealing with energy in a way that is very frustrating. Here is the most frustrating thing to do, along with not being able to pass an Energy bill. When we talk about the economy and jobs and job creation—this is the investor thinking at this moment—the average investor who puts money in the business that creates jobs—here is investor attitude this month. In fact, it comes from a headline in a Gallup poll survey. It says: ''Overall investors' optimism declines for the second month in a row in March.'' The No. 1 reason for the decline in investor attitude was the price of energy because an investor looking at a company knows that company is going to have to pay for energy as a part of the output of that company, and it is going up dramatically. Sixty-four percent said high energy costs are hurting the economy a lot.

If you listen to the rhetoric on the floor of the Senate for the last several days, you would not have gained one inkling of that. Nobody has talked about passing an Energy bill and developing a national energy policy that gets us back into production. Yes, there is a Senator over there from Nebraska who agrees with me. We are talking about things that make for good political ads but darn bad economy, at this moment. I don't blame the American consumer, and now the American investor who drives the economy of our country, for saying high energy costs are going to hurt us and are hurting a lot.

I mentioned on the floor of the Senate yesterday that I talked with a banker in Idaho who does a lot of operating lines for farmers—not big farmers but medium-size and small farmers. He called all of his branch bank managers and said: See if that farmer can afford a 20- to 30-percent cost in doing business this year because that is where the energy costs are going to take them on the fertilizer and hydrous ammonia, a direct result of gas gone up almost 100 percent—how can we keep an abundant, safe, high-quality food supply if we are going to cause farmers to produce less because they cannot afford to produce more?

Now, all of our chemical companies are headed offshore to cheaper gasoline because we are too busy locking up the public lands of the West and denying exploration, all in the name of the environment. We are now talking about raising the minimum wage, and we cannot even create jobs in other wage categories because we will not allow the investment. One of the great competitive characteristics of our country is the tremendous ingenuity and initiative of the American workforce and low energy costs. Historically, our great wealth was driven by low energy costs. Now, we are no longer in that category. We are competing in a much tighter world market because somehow in the decades of the 1980s and 1990s, we forgot you had to produce it before you could use it. As a result, now we are 60-percent dependent upon foreign oil—60-percent dependent upon someone other than an American for determining the price of gasoline at the pump. Well, shame on us. It is a very real world we live in, and that is the consequence we are dealing with.

So why are we not debating an Energy bill on the floor of the Senate? Our President, when he came to office, while he was still President-elect, said the No. 1 priority in this country was to develop a national energy policy. He acted quickly, put a team together under the Vice President. They recommended a variety of ideas to us in their policy. That was 3 years ago, or more, and we are still sitting around debating it and saying we cannot get there. Now the American consumer is paying at the highest price ever.

Doesn't the Senate get it? I don't think so. I think the politics of energy is so sweet that somehow we deny the reality at hand. I think it is time to cease denying that reality. Here are the facts. The investment community is saying: Wait a minute, energy prices are high and getting higher, and they are hurting the economy. It is time that we do something about it.

Here is the only thing I can do about it, and I am willing to help my fellow Senators. Go to my Web site, if you would, craig.senate.gov. There are all the facts and statistics on energy. Anybody listening can go there, too, and they can see who voted for it and against it and their phone numbers. I don't think Senators ought to call Senators. They ought to talk to them on the floor and say that is the thing to do. There are Senators in this body who deserve a phone call and deserve to be asked why they voted against the conference report on energy, why they are denying the American consumer—the minimum wage person, along with the millionaire—a reasonable energy policy for this country, which sustains our economy and creates jobs, and that allows us that competitive force we have always had in the world market. We were not allowing it. The Senate is not allowing it.

There is a sole reason today why this country does not have a modern energy policy that involves production, that involves conservation, that involves new technologies, that involves new resources. The reason is the Senate is denying that. They have denied it now for 2 years, and it is time we ante up, we get honest with ourselves and have a vote.

Go to my Web site if you want, I say to my fellow Senators. There it is: Craig.senate.gov. All the facts and figures are there. The voting records are there. It is time we get honest with ourselves. It is time we drop the price at the pump instead of breaking the piggy bank from which we all live.

That is my priority, and I think as American consumers pay the bill, it will become their priority. I wish it was the Senate's priority.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. NELSON of Nebraska. Mr. President, I agree with much of what my colleague from Idaho said with respect to passing the Energy bill. I think it is important we find ways to become far more energy independent, rather than dependent, on foreign sources of oil. In addition to looking for ways to become self-sustaining in our energy needs, we need to look to the Western Hemisphere for a Western Hemisphere energy policy to bring together the countries in this hemisphere to work jointly for our energy needs. I will have more on this in the future. I commend my colleague for his comments about the importance of getting an Energy bill. We need to look at renewable sources of energy.

I know my colleague from Iowa will agree that soy diesel and ethanol would be just a few of the kinds of things we could do as an alternative energy policy, and they are all included in the Energy bill the Senate has passed on a

couple of occasions and hopefully the White House will work with the House of Representatives to fashion their version of a bill that will mesh with ours so we can ultimately pass in the very near future an Energy bill for the United States so 60 percent reliance on foreign sources can be reduced as dramatically as we possibly can do it, as quickly as possible as well, so we can become self-sustaining with our energy needs.

I wish to also talk today about the effort that has been undertaken since at least 1996 by Congress and the previous administration, and that is the fundamental reform of the welfare system. This system, while seeking to prevent hardship among those hurt by economic deprivation by providing a safety net, had unfortunately become a spider web. Too many families were caught in the cycle of poverty, and the system that was supposed to help them became instead complicit in maintaining the cycle.

Chief among those reforms was providing more flexibility to States. As a Governor at the time, I saw firsthand the results of giving those closest to the unique challenges of the system, the States, the ability to implement changes to the welfare system.

In Nebraska, we instituted a program called Employment First. This was a fundamental change to the way welfare worked. No longer would a person automatically be entitled to benefits if able-bodied. He or she had to sign a contract which laid out a plan for becoming self-sufficient. The maximum period of being eligible for benefits was 2 years barring extraordinary circumstances. Yet Employment First also recognized some persons, especially single women with children, needed additional help with family matters such as childcare and transportation.

We provided transitional aid for these challenges, even after they found employment; if you will, a bridge from welfare to work, a bridge that was put in place to help people become self-sufficient in the process of finding employment and leaving welfare.

Public officials were encouraged to consider a new view of the measurement of assistance. Instead of focusing on how many were added to the rolls, they looked at how many entered employment. That change in vision produced dramatic results. The total Nebraska caseload dropped 11 percent by 1998, the lowest number in 18 years. Average monthly caseloads fell 30 percent from 1993 levels. A family's time on assistance had been cut almost two-thirds to 11 months from the time under the old system, and Nebraska taxpayers saved $14 million moving families from dependence to independence, from welfare to work.

This is important to note. Nebraska saved $14 million under the new system. It is important because States, including Nebraska, are now facing serious budget shortages. In fact, today's Lincoln Journal Star reports Nebraska leaders had to borrow from the State's cash reserve fund to make payroll and pay its bills this week. In fact, $58.2 million, which is the exact amount Nebraska received in additional Federal funds this year, was borrowed from the reserve to fund schools and other programs throughout the State.

The Federal funds stored in the State's reserve have helped States during this recession period. Those funds came from a State fiscal relief measure sponsored by my colleagues Senator SUSAN COLLINS of Maine, Senator JAY ROCKEFELLER of West Virginia, Senator GORDON SMITH of Oregon, and myself. This is exactly what that State fiscal relief effort intended: to provide fiscal assistance to help States, such as Nebraska, that are facing chronic budget shortfalls and help them meet their obligations.

It is important to remember this welfare reform bill will also help States continue to meet those obligations. For example, the State of Nebraska sharply cut back eligibility for childcare assistance from 185 percent of poverty to 120 percent of poverty. As a result, about 1,600 Nebraska children lost childcare assistance from the State.

Yesterday the Senate adopted an amendment to add $6 billion for childcare services to this bill. Under that amendment, Nebraska would receive $40.8 million of that money to help the State provide for Nebraska's children. I am proud to say I was one of those in the majority who voted for that amendment.

With flexibility, the States can tailor their programs to meet their specific needs and save money in the process. A large part of our success in Nebraska in the 1990s was due to the new flexibility allowed under the 1996 law. We now want to expand that flexibility so more States can craft their own unique methods to succeed.

Yet Employment First also recognized some persons, especially single women with children, needed additional help with family matters, such as childcare and transportation, and with the Federal funds that were provided were able to do that.

Today I wish to talk briefly about the Alexander-Nelson-Carper-Voinovich amendment or, if I am talking to Nebraskans, the Nelson-Alexander-Carper-Voinovich amendment that would provide that flexibility to the States.

Our amendment would create the accountability for a results demonstration project to provide greater flexibility to up to 10 years. But we wouldn't just provide flexibility, we would demand results and accountability. States participating in the project would be required to ensure all adult TANF recipients have a self-sufficiency plan, much like Nebraska.

As I said, we have put this to work in Nebraska. It has made a tremendous difference in how recipients look at their own lives. It helps them map out their own paths to success and assures they will have the institutional assistance they need to follow it.

Our amendment would also include targets for increasing the State's performance, not just increasing employment and job retention, but in tracking entry earnings and earnings gains and, most importantly, child well-being. This is vital because reducing the welfare rolls will mean little if it comes at the expense of children. The amendment would institute penalties for States that fail to meet their agreed-upon targets because it means little if it is not accompanied by results.

This proposal will expand upon existing reform measures and will help strengthen States' abilities to assist those most in need while giving them the tools they need to succeed. It is worth pointing out this amendment is sponsored by four former Governors.

We understand the role of the States in making welfare reform a success because we have all been there. States can do more. They want to do more. This amendment will help them meet the unique needs of their citizens by tailoring their programs to address the needs of recipients in their States.

I recall the times when it was necessary to come to Washington to get the approval of Health and Human Services to take a unique approach. This was time consuming, expensive, and delayed the process. What we want to do is give the Governors the opportunity, through their legislatures, to address the needs of recipients in their own respective States, under the theory of the States as the laboratories of democracy as envisioned by Thomas Jefferson. We want to give them the opportunity to make those changes and meet the needs of their respective citizens.

I thank my colleagues, Senator ALEXANDER, who has arrived on the floor, Senator CARPER, and Senator VOINOVICH for their hard work on behalf of welfare recipients and their efforts on this amendment. I urge my colleagues to support this amendment and help the States help their residents.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I simply wanted to congratulate the Senator from Nebraska on his comments. He and I served as Governors, as he said. We may not have gotten over that entirely as we look at legislation. We strongly support the revolutionary change in American life the welfare reform bill has brought since 1996. Half of those on the welfare rolls are off. The hardest cases remain.

What we are attempting to do with this amendment is to suggest that we want to try, with up to 10 States, to give the Secretary some flexibility in finding the best way to help people get from dependence to independence. If State plans using a combination of work and removal of barriers to work

and a variety of other factors can do that according to measurable results, then that will give us some successes now and information we can use when we consider this bill in the future.

I congratulate the Senator from Nebraska on his leadership and look forward to working with him on the amendment.

The PRESIDING OFFICER. The Senator from New Mexico.

ENERGY

Mr. BINGAMAN. Mr. President, I rise to very briefly speak about some of the issues my colleague from Idaho raised related to the high price of gasoline at the pump. I am afraid the impression was created by my colleague that if the Senate were just to go ahead and pass the energy bill that is now on the Senate calendar, that would solve the problem of high gas prices for the American consumer. I think we need to dispel that notion if that was the impression that some people had.

The truth is, there are three big issues I heard referred to. One is clearly production of oil is not what it needs to be relative to demand today to bring prices down, and the world market is indicating that. We received the very unfortunate news this morning that OPEC had decided to go ahead with the cut in production they had earlier talked about. That is unfortunate. Some of the media has speculated that would result in $40 per barrel of oil in the reasonably near future. If that is the case, then we will see very high prices for gasoline in this summer driving season.

In a letter I sent to the President last week on March 24, I had urged the administration to do all it could to dissuade the OPEC nations from going ahead with that proposed cut in production. I do not know what actions the administration took. Clearly, if they did take actions they were not effective, and accordingly the amount of oil being produced by OPEC nations will decrease and that will add to the problem of high prices of gasoline at the pump.

A second item mentioned by my colleague from Idaho was that there is inadequate refining capacity. That is clearly true. I recognize that. It is one of the items we deal with in this letter I sent to the President last week. In that letter, I have urged that the President take the necessary steps to bring the parties together and to identify what the barriers are to the construction of additional refining capacity in this country.

That is not something we are proposing to legislate in an energy bill. There is nothing in the energy bill that deals with expanding refining capacity. I do not want anyone who has been watching this debate to think by passing an energy bill the problem of refining capacity will be solved.

The Presiding Officer asked the Energy Information Administration to do a report as to the effect of the pending energy legislation on prices, production, and availability of fuel in the future, and essentially the conclusion was the effect of that legislation would be negligible. Let's not give people the impression the problem of high prices at the pump is going to be solved by the Senate going ahead and passing a particular energy bill at this stage.

I would also point out what we all know, which is that we have passed an energy bill in this Senate in this Congress. We passed an energy bill in this Senate in the last Congress. So it is not that the Senate has been unwilling to act on responsible energy legislation.

The third item I wanted to talk about is this whole issue of boutique fuels. My colleague from Idaho correctly pointed out that one of the problems we have and one of the reasons why prices stay higher than they should is there is not enough what is called product flexibility, that we do not allow refiners to produce product which can be shipped to enough parts of the country. We have too many different types of boutique fuels and too many formulations for these boutique fuels around the country. There are estimated now to be 110 formulations of these boutique fuels.

What I recommended to the President is what the Cheney energy task force recommended nearly 3 years ago, and that is the Administrator of the EPA be directed by the President to work, with technical assistance from the Secretary of Energy, to require revisions of State implementation plans to reduce the overall number of fuel specifications by at least a factor of 5, and preferably closer to a factor of 10. This is not something that requires legislation. This did not require legislation when the Cheney task force recommended it; it does not require legislation now.

In fact, when people go back and look at the Cheney task force recommendations, there were 105 recommendations listed. They are all detailed in the appendix to that report. By the administration's own calculation, 76 of the 105 do not require legislative action; they are recommendations for administrative action.

This recommendation to the Director of the EPA to deal with this boutique fuels problem is one of those actions that can be taken by the administration without any action by this Congress. Again, it is one of the items I included in the letter we sent to the President last week urging that they move ahead with this. As far as I am informed, there has been no action taken on this since May of 2001, when the Cheney task force report was released.

These are things that could be done. None of them, in and of itself, is going to dramatically affect the price of gasoline at the pump, but together they would help moderate the prices of gasoline as we move into the summer driving season. For that reason, I think there are actions that should be taken. These are 3 of the 13 different recommendations contained in the letter. None of those recommendations requires legislation to be passed.

Clearly, there are provisions of law that I favor enacting and I think we should try to enact before the end of this Congress, and I hope we are able to do so. To leave the impression that inaction in dealing with the price of gasoline is purely a failure of the Congress is just misleading.

For that reason, I urge everyone to review that letter I sent last week. I hope we will have more debate in the coming days about those steps that can be taken in the near term to deal with the very high price of gasoline and to deal with the very high price of natural gas, which, of course, we are seeing in the utility and heating bills we all have to pay.

I know my colleagues are waiting to speak. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I know we are here today to talk about TANF, the Temporary Assistance to Needy Families program. That program is a safety net for the American public. I want to talk about another safety net program—the safety net for American workers—that will provide its last benefit today, March 31. Today is the last day any American worker will receive benefits from the Temporary Emergency Unemployment Compensation program, which has been providing the last of the Federal unemployment benefits to those who came onto the program before it expired on December 21. As of today, there are 1.1 million people who have exhausted their State benefit without any Federal program to pick them up.

This is more than a dozen times that I have been to the floor to talk about this program and the need to reinstate the Federal unemployment benefits program. I think my colleagues clearly understand why I am here. In fact, we have had a majority of my colleagues in the Senate and a majority of my colleagues in the House support a reinstatement of this Federal program for unemployment benefits. The reason they have supported this program is that our economy has not recovered from the recession and has not created enough jobs to get America back to work. That means Americans who have been unemployed through no fault of their own, who are going out, hitting the pavement, trying to find jobs, can't find work.

The Federal program for unemployment benefits was created to take care of Americans during times like this. That is why we have, in the past 2 years, supported a Federal program that provides 13 weeks of Federal unemployment benefits to all states and 13 additional weeks for other States that have unemployment rates significantly higher than the national average.

I have come to the floor today because today we are leaving that last

person in America, who today is receiving his or her last bit of federal help, out in the cold. And we are going to continue to see thousands more Americans left out in the cold every week.

I met with many of my constituents who have had to cash in their pensions, or who have had to withdraw from long-term savings meant for college tuition, or who have had to take all sorts of extraordinary measures to make sure they can continue to pay their bills. They have had to take these measures because we have not owned up to our obligation, which is to help individuals and the economy in a time of recession.

Let's recap this issue and how we got to this point. Many people look at this debate and see what amounts to fairly minor job growth and conclude that the economy is going to get better. I am all for the economy getting better. I actually believe in the potential of many sectors in the American economy to lead us back to a stronger place. I believe in aviation and biotech and nanotechnology and software. Someday jobs are going to grow in America.

Right now, however, we are still feeling the aftershocks of a recession. Back in 2002, the Bush administration projected that the economy would lose about 100,000. What happened in 2002, however, was that we actually lost 1.5 million jobs in America. The Administration did not have a handle on what was going on with the economy, which resulted in job projection that were way off.

In 2003, the Bush administration tried again. They projected that the economy was actually going to pick up. A lot of us, while we might not have agreed with the President's economic policies, wanted to hope for the best and wanted to see economic growth. We wanted those Americans who were without jobs to actually find employment. But, the economy in 2003 certainly didn't perform the way we thought it was going to perform. Even though the White House projected 1.7 million new jobs, the economy actually lost 406,000 jobs.

That leads us to 2004. The President and his economic advisers have projected that the economy will grow by 2.6 million jobs this year. And by God, this Member of the Senate would sit down and not say another word about unemployment benefits if this administration would say that they actually believe in their projection. I would sit down and not say another word on unemployment benefits, even though they were wrong in 2002 and 2003. But, in fact, three Cabinet Secretaries of the administration came to my State, and when asked about the projection of 2.6 million number jobs—their own projection—they basically said: Well, we don't really believe those numbers. It is kind of a rounding error.

I can tell you that the constituents of my State and across America are not a rounding error. They are people who are counting on a Federal program to help them. Their employers paid into this program for this very circumstance, when the economy is suffering from the aftershocks of a recession and there are no jobs to be had. That is why we want to help these individuals with a bill to reinstate the unemployment benefits program.

Let's look at the rest of the country because some of my colleagues seem to think that apart from a few states with high unemployment, things aren't so bad. I know Washington State has been hit hard. In fact, the Northwest as a region has topped the unemployment rate spectrum for some time. So, there are those who say this is a Washington state problem, or a Northwest problem. Yes, we were deeply affected by 9/11. Washington is heavily dependent on aviation. Yes, there was a huge downturn in the aviation industry. There is no surprise that people don't want to fly when you have an international recession going on. No wonder people don't want to travel. That has started to recover now, after almost 2 years. But this is not only a problem for the Northwest.

Look at these numbers throughout the country: In Ohio, 168,000 manufacturing jobs lost since 2001; in Texas, 175,000; my State, 66,000 jobs; California, 350,000; Pennsylvania, 154,000.

Practically all across America, save Nevada—maybe the Senators from Nevada could tell me why—and Alaska, every state has lost manufacturing jobs since Bush took office. This is only manufacturing jobs. In the Northwest we have lost jobs in software and in a variety of other industries. But this chart proves it is a nationwide problem. Everywhere in America, everywhere, we have lost manufacturing jobs. That has been a challenge to the American workers.

Let's talk about this as an economic issue because, having been in business, I want my colleagues to understand that this is a complex problem. We ought to celebrate the high productivity growth. This high growth means the economic pie is getting bigger but all that extra money in Gross Domestic Product has actually gone to corporate profits.

Now, it is not a bad thing for companies to be profitable. They need to be. They want to give a return to investors. There is nothing wrong with that, in and of itself. But what is wrong is when we fail to recognize that investors are winning, but laid-off workers are not. Our economy is not behaving the same way it did in the past. We are seeing a growth in productivity growth, but that has not actually helped us produce jobs.

In the 1990s we had some job loss, but we also had tremendous job growth. People don't think about that. They think in the 1990s it was probably just go-go-go and everything was very nice for America.

We actually had a lot of job loss in the 1990s.

The point is we had more job growth than we had job loss. So, unlike today, the people who lost their jobs in the 1990s were actually able to go somewhere else and get a new job. Today, people don't have that same opportunity once they have lost a job to find other employment.

A Business Week article came out just a few weeks ago entitled ''Where Are The Jobs?'' I recommend it to all my colleagues. It goes through each of these issues and greatly amplifies the problems we are facing and why it is imperative for us to do something about jobs and unemployment benefits. We see executive salaries have gone up and corporate profits have gone up, but then number of jobs has actually gone down.

Again, I am not saying it is horrible that we have had productivity increases—not at all. I'm just saying that if we only look at Gross Domestic Product, we miss a key part of the story. Everything isn't fine if you are not creating jobs.

Let's take a look at a cartoon from one of my favorite cartoonists from the Seattle paper. I thought this cartoon depicted the problem best. While the CEO compensation is going up, middle-class wages and the number of workers with health insurance is going down. These workers are the people who are barely holding on in this difficult economy.

That is what we have to recognize—millions of Americans are barely holding on. I am not saying our colleagues are totally heartless about this. But when you know that there are 1.1 million people without a paycheck or an unemployment check, and you know that you have the power to do something about that and you don't, I start to wonder whether either there is some heartlessness, or whether it is just a fundamental misunderstanding about what is going on with the economy. You can't just simplistically say everything is great because gross domestic product and productivity are up. It doesn't work that way. We have to get serious about this.

As the Business Week article pointed out, because of technology, cost pressures, the price of health care and political and economic problems the link between strong growth and job creation appears to be broken. We don't know what is wrong.

That is a quote from Business Week. That is a business publication that talks to businesses, reports on businesses, reports on profitability. So when Business Week asked where the jobs are, they answered that the link between strong growth and job creation appears to be broken.

This article chronicles these pressures, which are quite obvious if you think about it, how technology is increasing productivity, how we have increased global competition, how we have skyrocketing health care costs, and numerous other things. So, employers aren't hiring, but then why hasn't the unemployment rate increased?

Some of my colleagues have pointed out that the unemployment rate is holding at 5.6 percent. They say that we don't have to do anything about the unemployment insurance at the Federal level. Well, we cannot hang our hat on the 5.6 number because that number hides what is really going on with jobs in America; chiefly, that people are dropping out of the labor force.

If we count the 392,000 people who gave up looking for jobs, we find the unemployment rate would be more like 7.4 percent.

But, my colleagues want to say all is fine at 5.6 percent. That is a great number. We should be happy with it. Don't worry. Let us all go home. We have jobs. We can pay our mortgage payments, but not everybody in America can. We have 1.8 percent of the labor force totally out of the picture. If we look at the unemployment rate, it would be more like 7.4 percent.

The question is whether we are going to keep hiding behind these economic indicators and claim the economy is rosy for American workers. It may be rosy for corporate America and for shareholders, but it is not so rosy for the American worker. We have to come to terms with whether we are going to do our job are reinstate the Federal program or not.

Is that such a bad idea? I don't think it is such a bad idea. I think it is pretty simple.

I am kind of amazed it isn't more clear to my colleagues how unemployment insurance fits in with a constructive economic plan. My support for this program is not because it as a social program. As a former businessperson I view it as economic stimulus. With these benefits, laid-off workers continue to put money into the local economy and pay the mortgage and everything else. That is helpful.

When Alan Greenspan testified before a committee this month, he said, ''Extending unemployment insurance is not a bad idea.'' In fact, he said, ''At times like this, I support extension of unemployment insurance.''

I wasn't surprised when later I heard that Treasury Secretary Snow last week at a hearing said, ''If Congress acts, the President will sign the legislation.''

Well, there is one hat in the hat trick gone of those who oppose this legislation. At least we know now the President is saying he is going to support it. I wish he would call on a few Members on the other side of the aisle. We could certainly use his help.

I am also bolstered by the fact that even the White House Press Secretary Scott McClellan, at a press conference after Snow's comments said, ''We have always said we would work with Congress on the issue of unemployment benefits.''

If that isn't an invitation to pass this legislation today, I don't know what is.

American workers who have been left out in the cold and who, with their employers, have paid into the unemployment trust fund ought to get the support they deserve.

I remind my colleagues that a majority of Members in both the House and the Senate—58 Members over here and 227 Members in the House of Representatives—have voted in support of reinstating this program.

The fundamental question for an unemployed person sitting at home—whether you are in Detroit or Pittsburgh or in Washington State—is if both the House and Senate have a majority of Members voting for this, if we have the Secretary of Treasury supporting it, if we have the President's spokespeople saying they will work with the Congress on it, why can't we get unemployment benefits for the American worker?

I am not going to continue to belabor this point on the floor.

I go back to my business experience. I trust the fact that people who understand business and how to stimulate the economy know something needs to happen.

This Business Week article didn't give a knee-jerk reaction to our problem. There are probably 40 pages in this publication about this issue—why we have the unemployment rate, what our economy's illnesses are, and what we can do to recover. It is a very thoughtful piece. They conclude that Government action will act as a bridge and will help the economy cross over the extended valley of almost nonexistent hiring.

I think they have said it best. It is time for us to act. It is time for us to do something on this issue.

UNANIMOUS CONSENT REQUEST

I ask unanimous consent that the Senate now proceed to calendar No. 470, S. 2250, a bill to extend the Temporary Extended Unemployment Compensation Act of 2002 for displaced workers, that the bill be read three times and passed, and the motion to reconsider be laid on the table without intervening action or debate.

The PRESIDING OFFICER. In my capacity as a Senator from New Hampshire, I object.

Objection is heard.

Mr. DODD. Mr. President, will my colleague yield before she yields the floor?

Ms. CANTWELL. Yes.

Mr. DODD. I commend my colleague from Washington. She has talked about this on numerous occasions. Again, she has very eloquently laid out a very thoughtful argument about exactly the problems which exist across the country when it comes to job creation. As someone who has spent an earlier part of her life in the private sector—very successfully, I might add—she brings a very special knowledge and awareness to these issues and this debate and discussion.

I wonder if my colleague has seen the most recent statistics. In fact, they were released today from the Bureau of Labor Statistics. I do not believe my colleague referenced them, but they illustrate the point she is making.

According to them:

> As of February 2004, 35 states have failed to get back to their pre-recession employment levels. Furthermore, 49 states have not created enough jobs to keep up with the natural growth in the number of potential workers, as job growth has lagged in working-age population since March 2001. As for the unemployed, 43 states have higher unemployment rates than when the recession began.

And, lastly, they go in and point out a projected job creation of 306,000 jobs per month. Obviously, we are way off those numbers.

According to the Bureau of Labor Statistics, which does not have a political ax to grind at all—national job creation has fallen over two million jobs short of that pace. . . .job growth projected for the Bush Administration's economic plan has fallen short in 49 of the 50 states as of February 2004. Thirteen states have actually lost jobs since the Administration's tax cut was supposed to start creating job growth.

I was not sure if my colleague was aware of those numbers. Don't they make the case even further? These are numbers released today, not going back 6 months. But they point out, once again, the sluggishness, to put it mildly, of job creation.

I wonder if my colleague has any statement on that?

Ms. CANTWELL. I thank the Senator for his question.

I had not seen those specific numbers, but for the year 2004, the estimate was for 2.6 million jobs. And if you take that by a monthly basis, our pace should be more at 250,000 jobs. We have now seen the January and February numbers, and they are nowhere close to that. In fact, December and January were actually revised down from their original projections.

Now, we will either see, this Friday or the following Friday, what the numbers are for March. I do not expect them to be anywhere near close to the 250,000 range that would keep us on pace for the original 2.6 million projection.

But the Senator is correct in saying the job growth is not happening, which is the point I was trying to make. I see the other side of the aisle has objected to my unanimous consent request. I have made my point on this issue.

Does the Senator have another question?

Mr. DODD. If my colleague will yield for one additional question. I heard the objection expressed by the distinguished chairman of the Finance Committee. Does my colleague from Washington have any indication when we might get a chance to actually vote on this matter? I think there have been 90,000 people a week, if I am not mistaken, who exhausted their unemployment benefits—90,000 of our fellow citizens. Yet we cannot even get a vote on whether or not we can extend these benefits.

Is there any indication my colleague has received or heard from the Republican leadership that we might get a chance to vote on whether we could extend these benefits?

Ms. CANTWELL. Again, I appreciate the comments of the Senator from Connecticut, and his question, because I think this must be about the 15th time or 16th time we have been to the floor to ask for unanimous consent to bring this issue up. It is a priority, we believe, for America, and it should be brought up.

As to your question, I have heard rumblings from House Members in positions of leadership from the other side that they, too, want a vote on it. They are interested in having us send them something. So I think the hat trick needs to stop. We need to tell America who is holding up this bill. We need to go forward in giving the American people the kind of security and support they need in this economic downturn.

I yield the floor.

Mr. DODD. I thank my colleague.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. If she is yielding the floor, then I want the floor.

The PRESIDING OFFICER. The Senator has been recognized.

Mr. DODD. Will my colleague from Iowa yield—maybe we can work out a sequence. I know the Senator from Texas has some comments. I presume others do, too——

Mr. GRASSLEY. Would it be OK if I take 5 minutes?

Mr. DODD. Absolutely. Even more.

Mr. GRASSLEY. Or even 6 or 7 minutes.

Mr. DODD. Even 10.

Mr. GRASSLEY. That is what I would like to do.

First of all, the Senator from Connecticut asks a legitimate question of the Senator from Washington about when this might come up. There is an orderly way of doing things around here. And usually in the Senate, the leader—and that is not me; that is Senator FRIST from Tennessee—sets the agenda for the Senate.

It is my understanding that right now we are working on it. I do not know whether the Senator from Washington or the Senator from Connecticut has been in contact with the leadership of the Senate so we can do things in an orderly way or whether they want to make political points. But I hope they want to do it in an orderly way because that is the way things get done around here. So it is not with pleasure that I object right now, and look like a bad person to the Senator from Washington—because she has always treated me very fairly in her service in the Senate—and to object particularly when we are probably, in a matter of hours or a few days, going to pass this legislation. I am sure it is going to be passed in a way so that the unemployment compensation is seamless for those who are otherwise entitled to it.

That is all I can do to answer the question of the Senator from Connecticut. It is my firm conviction it is going to happen.

Now, maybe I think things are going to happen, but they might not because of something beyond what I know now. But I think they are going to happen. I know there have already been suggestions made between the two leaders of the Senate's political parties—our respective caucuses—to move some of these important issues along.

But do the members of the Democratic Party in the Senate think only Democrats have important issues they want to bring up? Don't they think there might be a few Republicans who have something they want to bring up? So you work these accommodations out. That is what I think we ought to do.

But what I would like to do, for just a few minutes, is speak to—not to challenge anything the Senator from Washington said about unemployment because, factually, I do not think you can do that—but there are other thoughts that need to be put on the table at the same time.

I made a presentation here 2 weeks ago to try to bring into this debate points of view that are made by the intellectual wing of the Democratic Party to offset what we have just heard from the political wing of the Democratic Party. And I quoted a former Democratic Secretary of Labor in the Clinton administration, Robert Reich. I want to quote him again because he writes very eloquently about job changes going on in America and about job loss in America.

I will quote this long paragraph:

> It's true that U.S. manufacturing employment has been dropping for many years, but that's not primarily due to foreigners taking these jobs. Factory jobs are vanishing all over the world. Economists at Alliance Capital Management took a look at employment trends in 20 large economies and found that between 1995 and 2002, 22 million factory jobs had disappeared.

Now get this:

> The U.S. wasn't even the biggest loser. We lost about 11 percent of our manufacturing jobs in that period, but the Japanese lost 16 percent of theirs. Even developing nations lost factory jobs: Brazil suffered a 20 percent decline, China a 15 percent drop. What happened to factory jobs? In two words, higher productivity.

He says:

> I recently toured a U.S. factory containing two employees and 400 computerized robots. The two live people sat in front of computer screens and instructed the robots. In a few years this factory won't have a single employee on site, except for an occasional visiting technician who repairs and upgrades the robots, like the gas man changing your meter.

The points about productivity she made very well, I believe. But here is the other side of that. You can create jobs and not have productivity—be inefficient, be uncompetitive, and not have a business after a while. Or you can be productive because enhancing productivity in America is what it takes to raise wages. If you want to increase the standard of living in America, you have to raise wages. To raise wages, you have to enhance productivity.

So are they suggesting we ought to turn the clock back and forget about productivity, forget about raising the standard of living in America? Do they want us to become some Third World economy over the period of the next 50 years, if you went down that road, or do you want to do what America can do best, the other things Secretary Reich is referring to? We have a knowledge base in America. Take advantage of that knowledge base. Create jobs that are more productive and, in the process, raise wages and raise the standard of living. Those are the choices we have.

America is a dynamic economy. Every month 7 million jobs go out of existence, and 7 million jobs come into existence. It would be ideal if it were more than 7 million jobs coming on board. That hasn't happened, and that is why we have the 2.3 million jobs that are referred to all the time.

Do you think it is always going to be this way in America? Absolutely not, because of the dynamic economy we have. It is because we are always enhancing productivity that we are going to do better.

You don't have to be a defeatist when it comes to the economy. We have gone through tougher times. We have gone through tougher times when unemployment was 25 percent, not 5.6 percent. We got through it. America is stronger today. Don't lose faith in America.

Ms. CANTWELL. Will the Senator yield for a question?

Mr. GRASSLEY. Yes, I will yield for a question.

Ms. CANTWELL. I thank the Senator. This Senator has the utmost respect for him and his positions and his understanding of this issue. He is right. Productivity is something we want to embrace. It is good for America. You will not that I did not talk about the outsourcing issue. I talked about the fact that these things are good and there are lots of sectors of the economy that are going to be very robust for us in the future, issues the Senator is well advised on—nanotechnology, biotechnology, aerospace, and software. They are all going to be positive sectors.

The question is, what do we do in this particular recession when things haven't been so positive? I certainly respect the challenge the Senator has managing this particular legislation and moving it through the process. I have found him one of the most cooperative Members with whom to work.

But I feel compelled to ask: Is it possible, then, if we cannot pass this bill by Unanimous Consent, can we bring up amendment No. 2940 for an up-or-down vote which is a vote on the unemployment benefits and do that as part of the TANF legislation?

Mr. GRASSLEY. The Senator asks a very legitimate question. For my part, eventually we have to face this. I don't care how we face it, as a separate bill or as an amendment. I think she has to ask somebody just one step above my

pay grade to get an answer to that. I am not prepared to answer that. I do not have an answer from the people that give it because, as I said, the leader sets the schedule. I respect the leader, and I don't want to put him in a position. I might be able to say, but I don't have certainty of it. So I don't want to put him in a bad position.

Ms. CANTWELL. I thank the Senator from Iowa.

The PRESIDING OFFICER. Does the Senator from Iowa yield the floor?

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, there are three or four of us here. Maybe we should make a unanimous consent request. I plan on taking about 15 minutes. I would ask unanimous consent that I be allowed to proceed for 15 minutes. My colleague from Texas was next on the floor. I don't know how much time he would request, and then I know our colleagues from Wisconsin and from Delaware are here as well. Maybe we could set up a process so we will have predictability to proceed. May I ask my colleague how much time he would like?

Mr. CORNYN. Fifteen minutes.

Mr. DODD. And the Senator from Wisconsin?

Mr. FEINGOLD. Twenty minutes.

Mr. DODD. And my colleague from Delaware?

Mr. CARPER. Ten minutes.

Mr. DODD. Mr. President, I ask unanimous consent that at the conclusion of my remarks, the Senator from Texas be recognized for 15 minutes, the Senator from Wisconsin be recognized for 20 minutes, and the Senator from Delaware for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Reserving the right to object, I don't think I need to object, but I think there ought to be some consideration that if other Republicans come to the Chamber, we don't have Democrats ganging up on us to give one point of view. There ought to be some accommodation to Republicans if they would come over here. I don't expect anybody beyond the Senator from Texas to come over and speak, but if they do, I would hope you will be a gentleman and try to work them in so we let America know there are two sides to every story.

Mr. DODD. I have no objection to that.

Mr. GRASSLEY. With that consideration, I do not object.

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

The Senator from Connecticut.

Mr. DODD. Mr. President, before my colleague from Iowa leaves the floor, I want to express my gratitude to the Senator from Iowa, as I did yesterday, for his support of the amendment offered by the Senator from Maine, Ms. SNOWE, and me on the childcare provisions. It was a significant vote: 78 to 20 was the final vote.

Certainly, the chairman of the Finance Committee, the Senator from Iowa, was tremendously helpful in that regard. I wouldn't want him to leave without once again expressing my sincere appreciation for his support. I have always been treated well by him. We have served together now for almost three decades in the Congress, and we have always had a strong and good relationship with each other.

I was disappointed by the position of the administration. To quote them from their bulletin:

> In considering this legislation, the administration would strongly oppose any amendment that increases funding for the Child Development Block Grant fund.

''Strongly oppose'' is an indication of how they fail to understand what I think the Senator from Iowa pointed out—certainly the Senator from Maine did—the critical transition that is necessary from welfare to work, particularly considering the jobs these people are able to get. Most of them are very low-wage jobs. Having a strong childcare component is the lifeboat that will get them from one side of the shore of this raging river to the other, the side of the shore from welfare dependency to work.

If you cannot get across that gulf because you have young children, as many of these people do who are presently on welfare—trying to get to work, or those who work today barely holding on—then the likelihood they are going to succeed is very small.

There was a strong vote in this Chamber yesterday to support the effort to provide the assistance for literally thousands of young children who are on waiting lists in 24 States that we know about, some 600,000 who will need that kind of assistance.

I am terribly disappointed the administration strongly opposes childcare assistance. My hope is the position of this body will prevail in the conference, if we get there.

I also want to comment briefly on the issue of the minimum wage. I thank our colleagues from California and Massachusetts who have raised it. The better description of this might be called a livable wage. We talk about the minimum wage, but what we are really looking for is a livable wage. It is a standard we have embraced for years. Administrations, regardless of party, have always embraced the idea of setting a floor of what ought to be a livable wage. It is hardly livable when you consider the poverty level for a family of three is $15,700 and we are talking about people making $10,700 a year working full time making minimum wage. That is $5,000 below the poverty level. I can't even imagine anywhere in the United States one could live today as a family of three with a gross income of $10,700. And that is what we are talking about.

There are 34 million people who are living in poverty in the United States. In a nation of 280 million people, 12 million are children living in poverty. Obviously, we are not going to solve that problem simply by raising the minimum wage level, but we certainly want to give people a chance to be hired for a little more than $5 an hour in the 21st century. As we begin trying to move people from welfare to work so they at least have a chance, once they get that job, to hold on and then move into more independent living, they must be able to earn a livable wage.

So I am terribly disappointed again that we have not been able to have a vote on this matter. I don't think it is terribly complicated. A livable wage in the United States, certainly in light of what happened since the last time we raised it, is in order—considering that every administration, from the most progressive to the most conservative, has found time and space in which to increase the minimum wage. This is one of the longest periods of time we have ever gone without increasing that. It has been 7 years since we have actually raised the minimum wage.

During that same time, by the way, this body found room to increase our salaries six different times; six times we have raised our salaries. Yet, in 7 years, we have not increased the minimum wage. I have not objected to salary increases for Congress. I understand that. The point is, when we find time to debate and vote on matters that allow us on six different occasions to raise our salaries and not on one occasion have we been able to raise the minimum wage or the livable wage for people living in the levels of poverty they do, this is something I find rather distressing, to put it mildly.

The great majority of welfare payments go to single mothers. Unfortunately, the kinds of jobs women leaving welfare find are often minimum wage jobs, making it very difficult, if not impossible, to sustain a family and meet the demands of raising children. Life is precarious for low-income people, particularly for single mothers raising children. In the U.S., regardless of whether they have been on welfare or not, for them, survival is a daily goal. If they work hard enough and their hours are long enough, maybe they can make ends meet, but only barely. They don't have time for their families because they are working tremendous hours, sometimes a couple of jobs to make ends meet. They are not buying homes, going on vacation, going to the theater, or symphonies, or buying extra clothes. They are trying to hold their families together. The idea of buying gifts for children, taking them on special trips, that is not part of the family's agenda if you are part of the 34 million people in this country living in poverty. We are trying to get that minimum wage after 7 years to a point that makes it possible to at least make it a little easier to meet the daily goal of survival. We must stop asking families to do it alone. They are working too many hours for too little pay.

Often these children who are being raised in this environment are not entering our school system—particularly well prepared to learn. Talk to any teacher in any rural area where there is poverty, or to a teacher who works in our inner cities where poverty exists. Without exception, regardless of their politics, teachers will tell you children who are not getting the attention and time and care needed are starting their lives way behind.

Ultimately, we pay a price in this country for that. I will not suggest to you the minimum wage solves all of those problems. But should we not in this great country, after 7 long years, provide an extra couple of dollars an hour so people might have a little bit more income to provide for their children. We need to help raise wages for these families so they can make ends meet and improve the quality of their lives. One of the best first steps is to ensure the work pays a fair, livable wage. The real value of the livable wage has fallen dramatically over the past 30 years. The livable wage workers are being left further behind every year. Working families have waited long enough. Minimum wage employees work 40 hours a week, 52 weeks a year, and earn $10,700. That is if you work every week. Forget that 2 weeks vacation or even 1 week of vacation—you earn $10,700.

This is the 21st century. In America, what community can you live in with a family of 3 on $10,700? I don't think you are going to find one. The poverty level is approximately $15,000 for a family of 3. We must raise the minimum wage to $7 an hour, and I think we can do it.

Under the proposed bill, we go from $5.15 to $5.85 to, one year later, $6.45, and the year after that, to $7. That is what we are proposing. I suspect some negotiation might happen in order to get something done. But, we cannot even vote on the issue.

Today, more than 34 million people live in poverty, including 12 million children. Among full-time, year-round workers poverty has doubled since the late 1970s, from 1.3 million then to 2.6 million in 2002. An unacceptably low minimum wage is a key part of the problem we are trying to solve. Every day the minimum wage is not increased, it continues to lose value and workers fall farther behind.

Minimum wage workers have already lost all of the gains of the 1996–1997 increase, 7 long years ago. Today, the real value of the minimum wage is more than $3 below what it was in 1968. To have the purchasing power it had in 1968, the minimum wage would actually have to be closer to $8.50 an hour than to $5.15, which is where we are today.

In the past 7 years, salaries of lawmakers have gone up by $23,400, giving ourselves 6 raises, while minimum wage workers continue to earn $10,700 a year. Nearly 7 million workers would directly benefit from the proposed minimum wage increase 35 percent are their family's sole earners and 61 percent are women. Almost one-third of those women are raising children. An increase to $7 an hour for a full-time, year-round worker would add $3,800 to their income.

What does that buy? If you are living in affluence, not much. But $3,800 for a minimum wage worker and their families means buying more than a year of groceries; 9 months of rent; a year and a half of heat and electricity in their homes; or full tuition for a community college degree. I know there are those who object to this increase and believe it is going to slow economic growth in the country. That is not true.

Ever since there has been a minimum wage increase, there has been no ill effect on economic growth in the country. I suggest by doing this, there is a greater likelihood we are going to keep people in the workforce—even if they are minimum wage jobs—and allow them to provide the bare survival needs of their families, so they don't fall back into a dependency situation of one kind or another.

I think we all become winners if we give these people a chance to have a higher standard of living than that which they are presently getting with the $5.15 an hour wage.

I know it is not the job of the chairman of the Finance Committee to set the agenda. But somebody has to set the agenda around here. We have been debating other issues of almost total irrelevancy. I guess at some point we are going to debate gay marriage. Well, that is a compelling issue for the vast majority of people who are trying to make ends meet. Or we will debate medical malpractice where you cannot even negotiate what comes out of it. We can debate whether the gun manufacturers ought to be excused from any liability. Heaven forbid we take an hour or two and debate whether we increase the minimum wage a few dollars more than $5.15 an hour.

I will emphasize to you again $10,700. That is what the minimum wage provides today. I don't think anyone believes that is a condition or a circumstance, economically, in which you can expect a family of 3 to survive. You cannot make it, no matter how determined you are. I believe we ought to be able to take care of this issue and do it promptly. It would be a great piece of economic news for millions of Americans and not just for those living in poverty. I think for millions more who don't live in poverty and see people doing it every day there would be a sense of gratification that we are doing something for people. We are doing something for people who make the effort every day not to fall back into dependency, but to provide an opportunity for their families, to stay independent, become self-sufficient, and raise a family. I have often said that the best social program ever envisioned was a decent paying job. The second thing you and I ask a person we meet for the first time after their name is: What do you do?

Everybody I have ever met wants to take pride in what they do. By giving people a livable wage, we allow them to be able to say to their children and families and neighbors: I do something. I have value. I have worth.

Providing an additional $3,800 over 2 or 3 years is not asking too much. I would hope we could adopt the Boxer-Kennedy amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I rise to make a few comments about what I believe to be a better way than we have heard today, which has so far been a proposal for greater Government regulation and intervention, more of a straitjacket on those who create jobs and create those livable wages about which the Senator from Connecticut has spoken.

I also want to say a few words in response to the breathless negative comments we have heard in recent weeks about our economy and about job creation in this country, and in the process the attacks that are made repeatedly on this floor and elsewhere against President Bush.

Of course, in every election year, we all understand there will be a rise in political sniping, but no one should ever cross the line and mislead the American people about the fundamental strength of our economy or champion this negative view just because they view it to be in their own political self-interest to undermine public confidence in the economy.

Sadly, it seems there are some interested in playing on fear and anxiety. Some who talk about job loss and unemployment provoke, rather than actually working, as we have the opportunity to do on this floor, to actually fix some of the problems and some of the conditions that would give rise to job creation and more job security in this country.

The truth is we ought to be able to agree on the facts. The public policies we argue based on those facts are something else. We are going to have policy differences. We are going to have differences of position, and that is to be expected, and that is fine. But we should agree on the facts.

Fact No. 1: Home ownership is at an all-time high in the United States of America, and that is an enormously good and positive thing. More people in this country are achieving part of the American dream.

Interest rates we know are at a historic low. Productivity is booming which, in turn, increases the ability of employers to invest in their business and to create even more jobs. And indeed, the gross domestic product in this country is growing by leaps and bounds.

One fact we should and I think we can agree on is the unemployment rate is standing at about 5.6 percent. The interesting thing about that is the

story we heard in 1996 from the distinguished minority leader from South Dakota, back at a time when we had a 5.6 percent unemployment rate. Senator DASCHLE said:

> The economy is doing extraordinarily well. . . . We have the lowest rate of inflation and unemployment we've had in 27 years.

What was the unemployment rate then, and what is the unemployment rate now? It is identical.

Today I read the comments of the junior Senator from New York who said with a 5.6 percent unemployment rate, it is obvious the economy is not creating any jobs. But indeed it was another Clinton back in 1996 who said:

> I was gratified to hear our partners praise the strength of our economy . . . Lower interest rates have helped us slash unemployment—

To what? That is right, to 5.6 percent.

It seems for many of our colleagues on the other side of the aisle, a 5.6 percent unemployment rate under a President named Bush is a travesty, but a 5.6 percent employment rate under a President named Clinton is just fine and dandy.

We have more than 138 million Americans working today, a figure we should be very proud of, the highest in our Nation's history. But you would not know that from listening to those who try to talk down the economy.

Something we can all agree on, I am sure, is any person out of work who wants to work is one person too many. Indeed, I would hope the one thing we would all be able to agree on is we ought to pursue policies which encourage full employment and we ought to provide everybody in this country who wants a job the ability to provide for themselves and their families.

Sometimes you get the idea our colleagues on the other side of the aisle really want to have it both ways. They want to have low unemployment, which is what we all want, but they also want to oppose policies which are designed to reduce unemployment and to encourage full employment. For example, I read this morning the reaction of some in this body to the comments made by Treasury Secretary John Snow who pointed out that outsourcing, a subject of frequent commentary in this body, is an important aspect and, indeed, an inevitable aspect of free trade that ultimately produces jobs in this economy.

The Senator from Massachusetts, who happens to be a candidate for President of the United States, said he wants to crack down on ''Benedict Arnold CEOs and corporations'' who engage in outsourcing as a way to maintain their competitiveness in this global economy. As the junior Senator from New York said, when it comes to outsourcing:

> I really don't know what reality the Bush administration is living in . . . [outsourcing] isn't good for America.

I suggest those who say outsourcing is something that we actually have the capacity to stop or they think is bad to job creation in global competitiveness sit down and have a conversation with Robert Reich, President Clinton's former Secretary of Labor, who claimed in a Washington Post op-ed on November 2, 2003, that ''High-Tech Jobs Are Going Abroad, But That's Okay.''

Getting a meeting with Professor Reich should be convenient, as Mr. Reich is candidate Kerry's top labor adviser and a member of his steering committee.

I think Mr. Snow, the Treasury Secretary, knows an awful lot about economics, but I also agree that so does Mr. Reich. They both agree outsourcing is an inevitable result of free trade that ultimately benefits America and America's competitiveness in the world economy.

As Mr. Reich wrote:

> It makes no sense for us to try to block efforts by American companies to outsource.

Just this month, Mr. Reich was interviewed in the Pittsburgh Post-Gazette and asked: What do you think about the move in Congress to bar Federal contracts from being outsourced to other lower cost countries? Mr. Reich's response:

> A silly political ploy.

Yet even as outsourcing continues to be a subject of discussion and even as some of my colleagues in this body throw it out as something that is bad and hurtful to America and America's competitiveness, we all seem to have forgotten it also goes the other way. Indeed, my State of Texas is one of the leading beneficiaries of what I will call insourcing; that is, foreign investments in America.

According to the Texas Department of Economic Development, Texas has more than $110 billion in foreign investment, direct investment in our State, and that is approximately $5,000 in foreign investment for every Texan—$5,000 for each of 22 million Texans in direct foreign investment because of free trade.

There are 430,000 jobs in Texas thanks to outsourcing by these foreign corporations. People who would otherwise be out of work if we did as some of my colleagues on the other side of the aisle suggested. Members who are appealing to the anxieties and fears of the American people rather than giving them the information they need to understand and that we all need to embrace in terms of maintaining our global competitiveness.

I ask my colleagues to tell me why creating jobs for the hard-working citizens of my State by encouraging this foreign investment in our country is a bad idea. If we are to cave in to fear mongering by those who want to erect a protectionist wall around our country, do my colleagues think other countries might choose to retaliate against the United States? You bet.

This is a two-way street, and there is a natural flux. New jobs are created and old jobs fade away. That is what being part of a market economy is all about. In the end, the net increase is a good one.

This week in my State, a study found we will lose 3,000 technology jobs over the next 5 years due to outsourcing. That is the bad news. The good news is we are going to gain 24,000 jobs over the same period.

I reassure my colleague from New York, according to this report, her State will have a net gain of more than 18,000 jobs over the same period thanks to outsourcing, which she has said is a bad idea and out of touch with reality.

When companies that provide employment save money and maintain their competitiveness in a global economy because of outsourcing, they can afford to hire more U.S. employees. As a matter of fact, if we were somehow trying to find a way to prohibit this phenomenon, the only choice some of these employers would have would be to pack up their American company and simply move it overseas. What good would that do? That would obviously cause more harm than good.

We are dealing with a simple economic truth, and one that far too many ignore or choose to distort for partisan political purposes in this election year. We have to recognize that in the 21st century, we are competing in a true global economy, and our job in Government ought to be to try to find ways to enhance America's competitiveness in the economy, not the other way around. That is why I believe education, job training, and the President's community college initiative he talked about during his State of the Union address are so important, steps also endorsed by Chairman Alan Greenspan. These programs, which I have seen in operation in communities across my State, from Amarillo to Houston to Austin, have created opportunities for young men and women to train and retrain, to hold better paying jobs in an ever-changing economy. I have seen the positive results of these partnerships between businesses and community colleges when it comes to training and retraining the workforce for these good, high-paying jobs.

High taxes, overregulation, and rising health care costs, in an environment that encourages people to sue first and ask questions later, are damaging our global competitiveness. Those on the other side who seem to persistently favor higher taxes and more regulation are at the same time complaining about America's inability to compete and to keep these jobs in America. Those who still honestly believe we can sue, tax, and regulate our way to economic growth and prosperity are just flat wrong.

In this body, we have had many opportunities to address some of these competitiveness issues. We had the opportunity earlier this year to pass class action reform and medical liability reform which would lower health care costs so more employers could provide health care coverage at a more reasonable cost to more employees. We have

had a chance to reform our broken asbestos liability system. Yet, there are those who consistently vote against these reforms that would make America more competitive in this global economy and would increase the opportunity to create jobs. Members who now are prescribing the wrong medicine for what ails the American economy. This is even at a time when our economy is roaring back, thanks to the leadership of our President and the actions of this Congress in reducing the tax burden on hard-working Americans.

I hope our colleagues on the other side of the aisle, when they talk about their desire to increase competitiveness of American job creators in this global economy, will join us in reconsidering the position they have taken so far in opposing the JOBS bill, medical liability reform, a rational national energy policy, class action reform, asbestos litigation reform, and many other measures that would enhance America's competitiveness in this global economy. They need to allow us to vote.

I believe a bipartisan majority stands ready to pass many of these reforms which would create more jobs and improve the economy. Time and time again, when we have had the chance to fix these problems, when we have had a chance to address these issues, there are those on the other side whose only answer is, no, no vote, no closing off of debate, no improving of the competitiveness of America in the global economy.

In closing, I want to reinforce what I have tried to say throughout. There is a lot of good news I do not think is breaking through the clutter on the 24-hour cable news cycle in this highly politicized election year. There are those who want to bad-mouth the economy, increase the anxiety of people who are working, and compound the misery of those who are out of work by saying there is no hope; America cannot compete; the only way we can protect American workers is to build a wall around our country and to stop free markets.

I think that is absolutely the wrong medicine for what ails this country. What we need is to be true to our principles. Americans have always and will always be able to compete given a level playing field. This is not a time for us to lose confidence in America's ability to compete and to create jobs in a way that has made us the envy of the world. This is not the time to tell the American people that America cannot compete and our only hope is to retreat into our shell and to build the walls of protectionism around our country.

Indeed, we have been preaching to the entire free world, including the new democracies that have just joined NATO and will soon join the European Union, that free markets and free trade are the answer. America must stick by that answer because it is the last best hope for improved quality of life and freedom for people all across this planet.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH). The Senator from Wisconsin.

THE 9/11 COMMISSION

Mr. FEINGOLD. Mr. President, yesterday the 9/11 Commission heard the public testimony of current and former Cabinet and National Security Council officials. It is critically important to make certain the historical record is accurate and complete and to establish all of the facts surrounding what the various elements of the U.S. Government knew about the terrorist threat before September 11, 2001.

The most important task before us, our first priority, should be to stop future attacks, to crush the terrorist organizations that are trying to kill us and trying to kill our children.

Over 2½ years have passed since that horrible day. We are dutybound to get our post-September 11 response right, and I think getting it right means keeping this fight focused on the terrorist networks that attacked this Nation. Putting it more simply, it means keeping our eye on the ball. We need to take this fight to the terrorists. That is why every Member of this body voted to go after those responsible for attacking this country on September 11, 2001. But the further we get from September 11, I am concerned that we are not doing enough to root out the terrorists in Afghanistan.

Recently, we have all heard a lot about the spring offensive in the border region between Afghanistan and Pakistan. I support the offensive and I remain deeply grateful for the service of our men and women in uniform. But why is this offensive happening this spring? We are talking about forces that attacked this country in 2001. This offensive should have taken place last spring. In fact, by the end of last spring, Rand Beers, who had served as counterterrorism adviser to this administration in the National Security Council, had resigned his job and was voicing his concerns about the insufficient effort in Afghanistan. ''Terrorists move around the country with ease. We don't even know what is going on,'' he told a reporter.

The director of the Center on International Cooperation at New York University just found that ''the low level of funding for the reconstruction of Afghanistan remains astonishing, given the importance with which major nations claim to regard it and the consequences of the previous neglect of that country.''

When it comes to terrorists in Afghanistan, we need to finish the job and finish them off. Then we need to make sure that we support the Afghan people and help them create a climate in their country that will make it impossible for terrorist forces to survive there in the future.

Make no mistake: The al-Qaida network is not confined only to Afghanistan. It would be misleading and dangerous to suggest that eliminating a handful of al-Qaida leaders eliminates the threat from the network. None of these al-Qaida forces should ever know a moment's peace. We must wage a relentless campaign against al-Qaida around the world, and we will not be done until they have nowhere left to hide.

I joined my colleagues in authorizing the use of force against those responsible for the September 11 attacks. When I cast that vote, I expected a serious campaign targeting the terrorists who attacked this country. I am pretty confident most Americans expected the same thing. What we did not expect was that elements of that effort would be left to tread water so that we could focus resources on the war in Iraq instead.

Instead of keeping our eye on the ball, instead of focusing on winning the fight we are in, this administration launched into a tremendously costly initiative in Iraq. Of course, they have used a whole lot of different arguments to justify this war, and a lot of arguments trying to link the war to the fight against terrorism, even though on January 8 of this year, Secretary of State Colin Powell stated he had not seen any ''smoking gun or concrete evidence'' of ties between former Iraqi leader Saddam Hussein and al-Qaida. Even though the report The Network of Terrorism, published by the State Department in the wake of 9/11, which begins with the words of the President of the United States, listed 45 countries where al-Qaida or affiliated groups were known to have operated—and guess what, Iraq was not one of the 45. Iraq was not on the list in the report. Even though Richard Clarke, the man whom the Bush administration chose to head up counterterrorism policy within the National Security Council, told the President and members of his Cabinet that Iraq had nothing to do with 9/11.

By the summer of 2002, national security debates weren't about the fight against terrorism anymore; they were all about the invasion of Iraq. We got sidetracked. We are facing one of the most serious threats to our national security in the history of this country, and I dare anyone to say that is an exaggeration, but what did we do? We took our eye off the ball.

As I said before, even as our brave troops were taking Baghdad, 10 men allegedly involved in the bombing of the USS *Cole*—a terrorist attack that killed 17 American sailors—escaped from a prison in Yemen. That news was disturbing, and I wanted answers, answers about what we knew about their escape, the circumstances of their detention and the security of the facility, about the implications of this lapse. The answers were of a deeply troubling ''no one is minding the store'' variety. I can assure you I tried again and again to get some information about this.

This month, reports indicate these escapees have finally been recaptured.

Of course this is good news. But we must take steps to avoid this kind of scenario in the future. We must give these issues the focus they deserve and devote resources and support to monitoring these situations closely and acting to protect our interests.

As you know, by October 2003, even Secretary of Defense Rumsfeld indicated in a memo that, despite over 2 years having passed since September 11, ''relatively little effort'' had gone into developing ''a long range plan'' to win the fight against terrorism. In the memo of the Secretary of Defense, he pointed out that there is no consensus within the national security community in the U.S. about how to even measure success in this fight. No thoughtful and useful way to tell where we stand? So not only have we lost our focus in this fight, we don't even have a way to measure our lack of focus. This is our most important national security priority. Something is not right with this picture.

Iraq is a mammoth undertaking. We only have so many national security resources, and all the resources we used to fight the war with Iraq—the military resources, the intelligence resources, the money, effort, and the long hours—all of them came from what is surely a finite supply. The fight against the terrorists who attacked this country had to be addressed with what was left, wedged into the margins.

Jeffrey Record, visiting professor at the Army War College, published a paper that very clearly acknowledged this problem. His analysis indicated that the U.S. fight against terrorism has been ''strategically unfocused.'' He writes as follows:

> In the wake of the September 11, 2001, al-Qaida terrorist attacks on the United States, the U.S. Government declared a global war on terrorism. The nature and parameters of that war, however, remain frustratingly unclear. The administration has postulated a multiplicity of enemies, including rogue states; weapons of mass destruction proliferators; terrorist organizations of global, regional, and national scope; and terrorism itself. It also seems to have conflated them into a monolithic threat, and in so doing has subordinated strategic clarity to the moral clarity it strives for in foreign policy and may have set the United States on a course of open-ended and gratuitous conflict with states and nonstate entities that posed no serious threat to the United States. Of particular concern has been the conflation of al-Qaida and Saddam Hussein's Iraq as a single, undifferentiated terrorist threat.

He continues:

> This was a strategic error of the first order because it ignored critical differences between the two in character, threat level, and susceptibility to U.S. deterrence and military action. The result has been an unnecessary preventive war of choice against a deterred Iraq that has created a new front in the Middle East for Islamic terrorism and diverted attention and resources away from securing the American homeland against further assault by an undeterrable al-Qaida. The war against Iraq was not integral to the [Global War on Terrorism], but rather a detour from it.

Some have argued that Iraq itself is the central front in the fight against terrorism, despite the absence of significant evidence linking the Saddam Hussein regime to terrorists who attacked this country. They point to the indisputable fact that in post-Saddam Iraq, terrorists are operating in Iraq and they are targeting our brave American soldiers as well as innocent American and Iraqi and other civilians. This is a true statement. It is also a painful reality. But it is not a strategy for defeating al-Qaida. Just because there are attacks in Iraq does not mean there will not be attacks elsewhere. The terrorists working for and with the al-Qaida network will not all be attracted to Iraq. We can't bring them all in there and defeat them there.

Right now, terror cells are plotting and planning and operating in many other places around the world—in the Middle East, in east Africa, in southeast Asia, in northern Africa, in central Asia. Pretending that a ''roach motel'' strategy against terrorist networks is a viable way to protect our national security would be almost laughable if the consequences were not so deadly serious.

There are heartbreaking human costs to the families of killed and injured troops, and there are astronomical economic costs—costs that America is writing bad checks to cover—as well. And there is the cost we can never know or measure, the cost of missed opportunities to make progress in the fight against al-Qaida and associated terrorist networks.

I am glad the brutal dictator Saddam Hussein is gone. I am glad the Iraqi people have a chance at a better life. I recognize it is not in our national interest to let Iraq dissolve into chaotic disorder, but my first priority is my concern for the American people, and I doubt our effort in Iraq has helped to eliminate the terrorist threat we face from the forces that actually attacked us on September 11.

I also fear that the way the administration has approached Iraq—the blurring of facts, the conflating of villains, the shifting justifications for war—may undermine our capacity to lead the global fight against terrorism. As David Kay, the former chief U.S. weapons inspector in Iraq said on March 22, ''We are in grave danger of having destroyed our credibility internationally and domestically with regard to warning about future events.''

International credibility matters. It is part and parcel of our country's power—our power to inspire, to motivate, to persuade. Our enemies have a global network. We must have a global response. That means close cooperation with countries around the world. It means sharing intelligence, and coordinating with other countries to clamp down on terrorist financing, squeezing terrorist networks out of the shadows in which they operate, leaving them vulnerable and exposed. But since September 11, we have seen a loss of this critical American power. In fact, today, a majority of people living in Jordan, Morocco, Pakistan and Turkey say they believe the U.S. is conducting its campaign against terror to dominate others and control the world's oil. Somehow the fight against terrorism, which was and should still be a rallying point for global unity and resolve, has become divisive.

We know that the military plays a critical role in fighting terrorism. But some have twisted the importance of the military's role into an argument that suggests that fighting terrorism is about nothing but military force. I believe at best this is delusional and wildly dangerous at worst. Military force absolutely must be part of our response, and all of us in the Senate voted to give the President the authority to use it. And the vast resources available to DOD, which unfortunately do not always trickle down to the level of our men and women in the field, makes it tempting to turn to our Armed Forces for solutions again and again. But we all know this is true: The answers do not lie with the military alone—and it is not fair to our brave men and women in uniform to make them bear the brunt of conducting the fight against terrorism all by themselves. We must also take a hard look at all the other forms of power that America has at its disposal, strengthen those tools, and apply them wisely.

Consider what a quick glance at the international section of daily newspapers tells us—uranium seizures at insecure borders, money laundering through the diamond trade that has been linked to terrorist financing, and pirates boarding chemical tankers, steering them for a while, and then disappearing.

As the ranking member of the Subcommittee on African Affairs, I know that we do not have the intelligence resources that we should around the world. I know that we do not really have any policy at all to deal with Somalia, a failed state in which terrorists have operated and found sanctuary. I know that there is a great deal of work to be done to help countries in which we know terrorists have operated. We need to improve the basic capacities of border patrols who could stop wanted individuals, and customs agents who could help stop weapons proliferation and auditors who could freeze terrorist assets. And we can do more to root out the corruption that undermines these safeguards at every turn.

In the wake of the terrible bombings in Madrid, my heart goes out to the people of Spain, and my judgment tells me that too many people are misinterpreting the subsequent Spanish election. I don't believe that the Spanish people will let their political choices be dictated to them by terrorists. The real lesson, the most important lesson that we can draw from recent events in Spain is this: A democracy cannot be unified and mobilized to fight terrorism when citizens believe that their

government is willing to mislead them about the threats they face, and when they believe that their government does not have its eye on the ball.

Americans know that the battle against terrorism is not a matter of choice, and they know that the battle is worth fighting fiercely. We will not run scared, and we will not be frightened into abandoning our most cherished national values or liberties. So let us move forward to harness the strength of this great country, to learn from our mistakes, to use all of the tools at our disposal, and to stay focused on the most important national security priority before us—fighting and defeating the forces that have attacked our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I extend my appreciation to my friend from Wisconsin for his statement. When the senior Senator from Wisconsin comes to the floor, he is prepared. I am always so impressed with the substance of his statements. The Senator and I have traveled to parts of the world. He has a great concern about what is going on in the world. He is able to express himself very well. I acknowledge his statement today and extend for the second time this afternoon my appreciation for his statement.

Mr. President, there has been a lot of talk on the Senate floor today, but I am very disappointed it has only been talk. We are not legislating. For this very important bill on the floor, we have had one vote. There are many people in the Senate who have more experience than I as a national legislator, but I have been here 22 years. I know how the Senate operates. I know how it used to operate.

The way it operates today is not pleasant, I am sorry to say. There is no reason we cannot be real legislators, take these amendments and work through them. I am convinced this is not the right way to legislate.

I have the greatest respect for the majority leader. He is a fine man. He is a humanitarian, as shown by his chosen profession. He is a real medical expert. He is an organ transplant specialist. And he has, in his capacity as a Senator, gone to countries where there is a shortage of doctors, and he does work that he is overqualified for but that is badly needed, doing hernias and other types of surgery.

So I do not say this in any way to take away from the dignity of his job. I do not want, in any way, to demean him personally. But I am just saying, the Senate is not being handled right. I do not know if it is because of the advice he is getting from his other Senators or what the reason is. Maybe he is getting advice from the White House. I do not know. But we should be moving through these pieces of legislation.

For example, the FSC bill, this very important tax bill, Senator HARKIN offered an amendment on overtime. Why did he offer this amendment on overtime? Because we believe—and we have substantive facts to back us up—that 8 million people, because of actions taken by this administration, will no longer be entitled to overtime pay.

Who are these people? They are firemen; they are police officers; they are nurses. If someone disagrees with us, let them come and oppose the Harkin amendment in the light of day and say I don't like the Harkin amendment for this reason or this reason or this reason. And then let's vote on it.

Senator HARKIN has said, on many occasions, he will take a very short time agreement on the amendment. What does that mean? It means he would take 15 minutes. The majority could have 15 minutes. Let's have a vote on the amendment.

This amendment passed before. It passed the Senate last October. The House instructed its conferees to do exactly what the Senate did. But that bill was not allowed to move forward because there was an effort made—and successfully—not to vote on that overtime amendment.

So now we move to the reauthorization of the welfare bill, TANF. Senators BOXER and KENNEDY offered an amendment dealing with minimum wage. Certainly, on a welfare bill that is an amendment that seems to have some bearing. We want to do what we can. I have supported the welfare-to-work programs we have had going. But one of the things we have to do is make sure these people moving off welfare and on to work can earn a living.

As we have established on the Senate floor, quite clearly, minimum wage jobs are not jobs that are set aside for kids from high school to flip hamburgers or for old Americans who are in a state of semiretirement and need a little extra work. No. Sixty percent of the minimum wage jobs are held by women. And for the majority of those women, that is the only money they get for them and their families.

We want to raise the minimum wage from $5.15 an hour. If someone opposes, let's have a debate on whether we should raise the minimum wage. But, no, we are not allowed to vote on that issue. There have been some complaints that, well, there are other amendments. We will give you a vote on that maybe, but we have to have an agreement on the other amendments.

Why can't we legislate the way we used to? Just work our way through these amendments and produce a tax bill and produce a welfare bill? It might require we work a night or two. It might require we have votes on Friday and even Monday, but I do not understand why we are in this situation. I do not think it is good for the institution. I know it is not good for the American public.

We are not in control of the Senate. Because of the untimely death of Paul Wellstone, our margin dropped from 50 to 49. It would have been 50–50 had he not been untimely killed in that plane crash. Now we are in the minority, 51–49. We understand that. We understand there will be a day in the future when we will be in control, and we will want as much cooperation as we can get from the minority. I hope when we are in the majority we will be treated to the sense that the Senate is the Senate, as it has been for more than 200 years, and we will work through these amendments.

We have been concerned—and I am happy to see the fact that in a bill earlier today the leader of the Budget Committee, Senator NICKLES, and the ranking member, Senator CONRAD, agreed there would be a real conference where Democrats and Republicans sit down and try to work out differences between the bill. That is the way we need to do it.

There has been a pattern where Democrats are not even allowed into the room at a conference. My limited amount of math shows me we are in the minority. And when you have a conference, we are going to lose most of those votes anyway, but we are entitled to have a discussion in those conference committees about ideas we have. Maybe if our ideas are good enough, we can get somebody from the majority to agree with us and we can win on some issues in those conferences.

I can't imagine why we are not doing a better job on moving these pieces of legislation. I see my distinguished friend, the majority whip, my counterpart. Maybe he is here with some good news that we are going to start moving some of this legislation. I hope that is the case.

I want to be as constructive as I can to help work through this legislation. But for the life of me, I cannot see why we can't vote on overtime and on the minimum wage. It is good for the institution. It is good for the country. We are willing to take our chances. If there are more votes to defeat overtime and the minimum wage, that is OK. That is the way things happen. But we think we can win both measures and move past this on to something else that is related.

I have heard discussions of the ranking member, Senator BAUCUS, who has indicated some of the things we need to get done in the TANF bill. I have said on the Senate floor on a number of occasions, I don't know of two Senators, in leadership positions with committee assignments, who get along better than the senior Senator from Iowa and the senior Senator from Montana. They work out their differences.

I am convinced there is ground to be made up here. We can still do these two bills. We want both of them passed. Forty-nine Democrats want the welfare bill to pass. We also want the tax bill we were on last week to pass. We want these bills to pass, but we believe there are some institutional issues that are important, and the American people are entitled to votes. I am not going to be drawing any overtime, but there are

8 million people who are entitled to a vote on overtime, whether the administration should be able to take that away from them. There are tens of millions of people who are entitled to a minimum wage increase. We need to do that.

Some States have gone ahead and said Congress is acting too slowly, and they have a minimum wage above ours right now. There is going to be a ballot initiative in the State of Nevada this year—they have to get some signatures, but I am sure they will get enough—to raise the minimum wage in Nevada to $6.15 an hour, a dollar more than what we do. The people of the State of Nevada will vote on that in November. I don't think they should have to vote on it. We should be doing our job. But we are not able to do our job because we are being stopped from doing this because we are in the minority.

We are going to continue exercising the rights we have. The Senate allows us to offer amendments. People can say: Why do you offer amendments that have no bearing on what we are doing? I think everyone would acknowledge that this overtime pay issue does have a bearing on what we do. It would be without any foundation in logic to say we don't have a right on a welfare bill to offer a minimum wage amendment. We should be able to do so.

I repeat—I want the record spread—we are not trying to stall. We believe passage of these two measures is extremely important. We want them to pass. We have confidence in the two managers of the bill. But the leadership of the majority has to allow us to move past where we are now because we are in a deadlock, and that is too bad.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, I listened carefully to my good friend from Nevada who is my counterpart on the Democratic side. I recall he said, just a few moments ago—I think this is a direct quote: ''Why can't we legislate the way we used to?''

I say to my good friend from Nevada, I couldn't agree more. Why can't we legislate the way we used to? I have been here a while. But you wouldn't have had to be here all that long to remember how we used to legislate. Just as recently as a Congress ago, we didn't filibuster judges on the floor of the Senate. In fact, we hadn't done that for a couple hundred years.

Just as recently as the previous Congress, we didn't prevent the legislative process from going forward by prohibiting the appointment of conferees, but adhered to the normal legislative process, so that differences between legislation in the House and Senate can be reconciled and we can move forward.

I think we can stipulate the minority has always had a lot of power in the Senate, but never before has the minority insisted on writing legislation for the majority—not just in the Senate but in the House as well. That is the practical effect of preventing a conference. It is the minority of Senators saying: We won't allow the legislative process to go forward unless it is just the way we want it. Even though we are a minority in one of the two bodies, we are going to dictate to the other body the content.

When my friend from Nevada criticizes the majority leader for the way he is ''handling the Senate,'' he is pointing the finger in the wrong direction. I say to my friends on the other side: You have met the enemy, and it is you.

I think I can safely speak for the majority when I say that we are perfectly happy to have votes on the Democratic Party outbasket items. But, of course, one of the privileges each Member of the Senate has is to prevent a time certain for a vote. And that is used around here frequently in order to make sure something else happens.

The something else the majority would like to have happen—and certainly the majority leader would like to have happen—is the chance of finishing a piece of legislation, getting it to conference, resolving the differences, and sending it on down to the President for signature. That is the way we used to legislate, I say to the Senator from Nevada, who was suggesting longingly that we ought to go back to the way we used to legislate, as he put it. That is the way we used to legislate.

Our position has been, as we have discussed this back and forth off the floor, let's see a limitation on amendments that allows the minority the opportunity to have their vote, allows the majority an opportunity to have a similar vote on a similar subject, to work our way through the legislative process, and then a guarantee at the end that there will be a conference allowed so the legislation we have spent time on has some chance of becoming law.

I can say to my friends on the other side, there is no chance—zero chance—that the majority in the House of Representatives is going to let the minority in the Senate dictate to them the final content of legislation that leaves the Senate. That is simply not going to happen.

I agree with my good friend from Nevada: Let's get back to legislating the way we used to. Legislating the way we used to means a limitation on amendments, amendments that are relevant certainly to the underlying bill but not just those, even those that are not relevant, with opportunities for the other side to offer their substitute ideas, and then a chance to get to the end of the process, to finally pass the bill, to get to conference, and to move along.

That is what the majority leader is looking for. We are going to continue our discussions, both on and off the floor, in the hopes that we can reach agreements to move forward on this important piece of legislation.

The Welfare Reform Act of 1996 was a conspicuous success story, a bipartisan success story passed by a Republican Congress, signed by a Democratic President, something all of us are proud of. It should be reauthorized. And the JOBS bill that had to be shelved last week because of an excessive number of amendments is something we know is extremely important to accomplish.

Levies have been put in place, a European tax on American manufacturers, at 5 percent beginning March 1. Tomorrow, it goes up to 6 percent, and then another percent each month until it is up to 17 percent—European taxes on American manufacturers, killing jobs here at home when we are told that jobs is an important issue.

So we need to do business. We need to do welfare reform. We need to get back, as my good friend from Nevada said, to legislating the way we used to. I hope we can reach that point very shortly.

TRIBUTE TO STEVEN J. LAW

Mr. MCCONNELL. Mr. President, I rise to pay tribute to a good friend, Steven J. Law, who is the Deputy Secretary of the U.S. Department of Labor.

Deputy Secretary Law was nominated by the President and was confirmed by the Senate on December 9, 2003. Prior to holding his current position, he served the President and Secretary Elaine L. Chao as Chief of Staff at the Department. In that position, Steven has played a fundamental role in crafting major administration initiatives, such as the post 9/11 economic recovery plan, retirement security, and regulatory reform. Steven is valued as an asset to the Department, greatly admired by his peers, and respected throughout the Washington community.

Steven began his career in this city after graduating from the University of California at Davis. From there, he went on to receive his juris doctorate from Columbia University School of Law, where he was named the Harlan Fiske Stone Scholar and graduated cum laude.

It was after those academic pursuits that our lives happily crossed when he began in my office as a legislative assistant. Displaying the hard work and talent he is well known for, Steven quickly advanced to Chief of Staff shortly after successfully managing my 1990 reelection campaign.

Steven didn't just make a big impression on me. He was recognized by Roll Call as one of the 50 most influential staffers on the Hill. Eventually, he left my office to become executive director of the National Republican Senatorial Committee during my chairmanship and helped secure the Republican majority through both cycles. Over 4 years, and through 2 tough election cycles, he has very skillful and professionally managed that operation in an extraordinarily able fashion.

I have had the privilege of working with Steven for the past 15 years. I

have had the honor of calling him my friend and confidant during that time as well.

Mr. President, it is easy to see why President Bush chose to nominate Steven to this high post. It is easy to see why my Elaine Chao, the Secretary of Labor, also exercised good judgment in giving this talented man this opportunity. I applaud his confirmation and wish both Steven and his marvelous wife, Elizabeth, and their two beautiful children, Charlotte and John James, continued success in their future endeavors. Elaine and I have been blessed to be a part of their lives for the last 15 years. This is truly a remarkable individual and a magnificent public servant. I wish him well not only in his new job as Deputy Secretary of Labor, but in all of the endeavors he may undertake in the coming years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. REID. Mr. President, we have an opportunity to, based on the statement of the Senator from Kentucky, move some of this legislation. But I cannot understand why, when we finish running one race, we have to immediately go to the other race. We need a little time to rest.

What I am saying about that is that we have on many occasions passed bills in the Senate and accomplished the desire of the people working on that legislation by working things out with the House. We have done that without using conference. We have done this simply in negotiating the differences between the House and Senate. We have done it in the 108th Congress; we did it 21 times then. In the 107th Congress, we did it 51 times.

I think before the end of this year, if we can get a few things done on the floor, instead of 21 bills, we can get it up to maybe 40. We have done it on very important things, such as AIDS assistance, TANF extension, military family tax relief, national flood insurance, Syria accountability, veterans benefits, the Defense Production Act, which are very important pieces of legislation. There have been some things we have done with a conference. As some will recall, last year we had a difficult situation with the fair credit reporting. But Senator SHELBY and Senator SARBANES decided that the best thing they could do would be to set a standard and the two leaders said, yes, we are willing to go to conference, we think we can do a good job. They did that. It became law.

We are one step ahead of where we should be. We want legislation passed in the Senate. When that is done, there are many ways to resolve differences with the House. We can do it in conference and there are occasions when we need to do that. Some may ask why we have balked at conferences. Very simply, for example, the overtime measure which passed here went to conference, and Democrats weren't even invited into the room where the conference was held. A bill came back here and, of course, overtime was stripped from it, and we had a bill that did not go through the conference process. They did not follow the Shelby-Sarbanes model.

We are willing to work to get legislation passed. We have said we want to do that, we want to work our way through these amendments. But to come here and say we will do it if you only have 4 amendments, the best way to get these bills passed is to work on them. These bills don't come magically. We have 49 of us here and 51 on the other side. We all have ideas as to how the legislation could be improved. Sometimes our ideas are good and sometimes they are bad. But individual Senators—there are two Senators from every State with the ability to get elected. We have wide interests we represent in our States. We have an obligation to allow them to offer amendments and move through this legislation.

I am not an expert in parliamentary procedure in the Senate. I don't think many people can claim that. I do understand a lot of the procedures in the Senate, and I understand that the best way to do legislation is to work through it. If you have an amendment you don't agree with, speak against it and vote against it. But don't stop others from having the opportunity to vote.

So, again, we are being told today, yes, we will let you have some amendments, or we will let you have more than some, but if we do that, you have to agree to go to conference. We are not going to do that. We are going to do everything we can to get a bill passed.

As I have indicated, Mr. President, in the 108th Congress, 21 times we have been able to get legislation passed and sent to the President without a conference. We have negotiated our differences in the language between the House and Senate. We can continue to do that. We did it 51 times in 107th Congress. So as I said before, and I repeat, there is no reason we should not legislate the way we always have in days past: You introduce legislation, it goes to committee, comes to the floor, we debate it, offer amendments, and vote on it. When that is done, you figure out how you are going to work your way through the differences with the House.

We want to pass the tax bill that was in effect on the Senate floor last week. I repeat, we want to pass this welfare bill. The only way we can show that is by agreeing to work through these amendments. There is not a single Senator who wants to filibuster this bill. We are not going to be stopped from offering these amendments, and we will hold together as a body and not allow cloture to be invoked tomorrow. It is not fair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized first.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for up to 15 minutes as in morning business.

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

HIGH GASOLINE PRICES

Mr. INHOFE. Mr. President, I rise today as consumers in America—businesses and farmers and families—are facing gasoline prices at a record high. Prices for natural gas, which is used to heat our homes and workplaces, have gone through the roof.

In fact, I chair the Environment and Public Works Committee, and we had a hearing this week on the crisis we are facing, and that is our farmers are having to pay twice as much as they did 6 months ago because of the skyrocketing costs of natural gas. And all of this is due to the fact we have a lot of the far-left environmental groups trying to keep us from being able to produce more oil and gas, and it is a crisis. It is a crisis, as we pointed out in this committee hearing. Unfortunately, due to obstructionist tactics led by the radical environmental groups, bipartisan energy policy legislation continues to just be out of grasp of passage in the Congress.

Yesterday, those who are against domestic energy production and in favor of higher costing energy prices plaguing us today were given a boost by the presumptive Democrat for President who said in a speech in San Diego, CA:

> We need a new direction on energy policy.

And went on to lay blame for the high cost of gas on the Bush administration, while attempting to put forth an energy plan of his own. Rather than advance a policy actually related to our Nation's energy needs and supplies, the Senator consistently suggested policies that would increase cost to consumers, that would consistently increase cost to businesses, that would consistently undermine our economy and force high-paying manufacturing jobs overseas. We have seen this taking place. It is taking place today. I heard our very eloquent junior Senator from Ohio talk about the number of jobs they have lost in the State of Ohio just for this reason.

His statements about the Bush administration are incorrect. One of the first proposals the Bush administration made was a comprehensive energy plan in 2001 that would increase domestic energy supplies and make America less dependent on foreign sources of energy.

Congress took up legislation and incorporated many aspects of the President's plan, and I note that the Senator who finds it easier to criticize than do was nowhere to be found when the bipartisan Energy bill, H.R. 6, was debated and passed by the Senate by a vote of 84 to 14 on July 13, 2003.

It intrigues me that this issue is important enough for the Member to take time to discuss it out of his busy campaign schedule, but not important enough for him to be present and vote on the bipartisan legislation that was brought before this body. In fact, to my

recollection, the junior Senator from Massachusetts, prior to yesterday, never once proposed comprehensive energy legislation during his 19 years in the Senate.

What we heard from San Diego yesterday was really less of an energy policy for the Nation and more of a checklist of how to increase energy costs to consumers. I am not surprised at that fact since it is clear from his voting record over the last many Congresses that affordable domestically produced energy was far from a priority of the Senator. His claim yesterday to aggressively develop domestic oil and gas supplies does not seem genuine to me as he has no specific plan to do so and has spent a lot of his time stopping us and this country from being able to explore such areas as ANWR and offshore that would allow us to be energy independent.

Let me be perfectly fair. This goes back a number of years. I can remember even back during the Reagan administration making talks about the fact at that time we were 35 percent dependent on foreign countries for our ability to fight a war. And yet now it is closer to 60 percent. So there we are only 2,000 acres of ANWR's Coastal Plain, about the size of Dulles Airport, for oil exploration and development; 2,000 acres that could provide the United States with enough oil to replace imports from Saudi Arabia for the next 30 years.

But actually, as the junior Senator from Massachusetts proposes to solve the energy crisis, for one he is going against his own advice and now calling for President Bush to open the Strategic Petroleum Reserve, a move that would threaten our national security without any benefit.

We know from recent history that releasing oil from the Strategic Petroleum Reserve would have no impact on gasoline prices. On September 22, 2000, former President Clinton released 30 million barrels of oil from our strategic stockpiles. The effect, according to Energy Information Administration, was 1 penny savings per gallon of gasoline. So that does not work. It makes good conversation, it sounds good, but we know it does not work, and he knows it, too.

During that time, the junior Senator from Massachusetts stated himself that a release is not relevant. It would take months for the oil to get to the market, he said. Now he has flip-flopped and it is the cornerstone of an energy plan more about politics than meeting the real needs for American families and businesses.

Even experts such as the Federal Reserve Chairman Alan Greenspan, former Carter Energy Secretary James Schlesinger, and other top energy officials have warned for years that the Strategic Petroleum Reserve should not be used as a market management scheme. It is there for national security. I think we all understand that.

Further, it is important to note while we have a Strategic Petroleum Reserve, we do not release our strategically held resources to fit political whims but should only do it to address a major supply disruption, such as political instability from a source nation, which is highly likely, and I think we understand that situation. The relative instability of supply nations is well known. Our Strategic Petroleum Reserve is our Nation's buffer, a safety net. The junior Senator from Massachusetts would have us squander our Nation's strategic reserves for his political gain, forcing our country into a far weaker position.

The presumptive Democrat nominee's call to release oil from our strategic reserves is also surprising to me because what he is really calling for is to increase our domestic supplies. Experts agree that one of the principal reasons that our Nation was able to weather the oil embargo of the 1970s was largely because new supplies were coming online from Prudhoe Bay, AK. Yet, as I said before, the Senator staunchly opposes developing oil from the Alaska National Wildlife Reserve. The policy of the junior Senator from Massachusetts seems to be: Let us use our strategic reserves but not have any more oil to replenish them.

The Senator is also quick to praise himself for his foreign policy experience. Yet that experience must not have translated to the energy sector. Oil is a global commodity; therefore, the world market must be considered. What has happened in the global market? China's increased demand for oil has constrained world oil supplies which have only been exacerbated by OPEC's recent reduction restrictions.

We should also note that another key component of the Senator's plan to address our Nation's high gasoline prices is for the administration to get tough with or jawbone OPEC, the implication being that President Bush is not advocating America's interest, that he is too soft.

The foreign policy of the junior Senator from Massachusetts is interesting on this point. On one hand he criticized the President for not kowtowing to the United Nations and countries such as France in the war on terrorism and on the other hand suggests that the administration is too soft on oil-producing nations. You cannot have it both ways.

In addition, the Senator has been a supporter of drastic climate change legislation that would cripple our economy and legislation that would literally shut down powerplants in the United States, the outcome of which would send hundreds of thousands of American jobs overseas and seriously stress our supply of energy.

It was the Wharton Econometrics Survey that came out with the conclusion that if we signed on to the Kyoto Treaty, it would cost 1.4 million jobs—that is what we are talking about today: jobs—it would double the price of energy, it would cost an increase of 65 cents a gallon on gasoline, and it would cost the average family of four $2,700 a year. That is not JIM INHOFE talking; that is what came from the Wharton School of Economics.

In addition, the Senator has been a supporter of drastic climate change legislation that we have talked about that would be disastrous for this country. Again, since the Senator has not developed an energy policy before and failed to show up for the Energy bill vote, I must look to his words and not his actions to determine what is the intent of his energy policy.

The Senator's recommended energy and environmental policy seems to be tainted with an overriding intent to impose his utopian view of the future without any consideration on present reality at any cost. The junior Senator from Massachusetts makes nonhydropower renewable energy a cornerstone of his energy policy. Again, however, we must look to the Senator's words on the matter and not his deeds.

Last year's energy bill renewed a tax credit for wind and solar energy, a credit that expired on December 31. The Senator failed to show up for the crucial vote and the tax credit died. Prior to that vote, Randall Swisher of the American Wind Energy Association said: If the energy bill dies, extension of the wind production tax credit will also die for any time in the foreseeable future.

Swisher and many in the industry contend the credit is essential to maintaining their businesses. He said:

> If we weren't in the bill, the credit that is the foundation of our industry was going to expire and with it our industry would expire.

So, yes, it was important for them to see the energy bill move forward. President Bush recognizes the valuable contribution renewables can play in our Nation's energy mix. The President dedicated $1.7 billion over 5 years to develop hydrogen fuel cells and related technologies. In 2005, in his budget, it includes $228 million for a hydrogen fuel initiative, an increase of $69 million, or 43 percent, over the 2004 funding to develop the technologies to produce, store, and distribute hydrogen for the use of fuel cell vehicles, electricity generation, and other applications.

The 2005 budget proposes tax incentives totaling $4.1 billion through 2009 to spur the use of clean, renewable energy and energy-efficient technologies.

President Bush's plan invests in the future. He wisely recognizes nonhydropower renewable energy represents only about 1 percent of our Nation's energy mix.

The Senator, on the other hand, would mandate 20 percent of our Nation's electricity be generated with those very same renewable sources by 2020.

In 2003, DOE's Energy Information Administration concluded a 10-percent mandate could cost Americans more than $100 billion. However, the effect would likely be far more severe in certain regions of the country where ''not

in my backyard'' and the risks seem to drive policy without regard to fixed and low-income residents.

The fact is wind energy, the most cost-effective renewable, is only effective when the wind blows. We already know where the rich elite stand on developing wind turbines off the coast of Cape Code in the Senator's home State of Massachusetts.

The presumptive Democrat nominee also supports legislation that would cap carbon dioxide under pollution-reducing bills as well as under the auspices of global climate change. Again, the Senator seeks to impose his utopian world view on people without bothering to consider our Nation's energy makeup, or more likely he is but does not seem to care.

Drastic carbon dioxide reduction strategies the Senator supports would effectively force coal out of use. I think we all understand that. Coal right now, whether the junior Senator from Massachusetts and his special interest radical supporters like it or not, makes up one-quarter of our country's energy mix.

Recently, it has been reported the junior Senator from Massachusetts supported a 50-cent per gallon tax on gasoline. The effects of such a tax on our country are obvious. However, I think it is important to note such a tax is another example of the Senator's overriding opposition to fossil fuels and his blind and unwavering support for nonhydropower renewables without regard to the state of our Nation's actual energy mix.

Nonhydropower renewable energy is a wonderful concept and with the administration's investments in developing technology, I am confident its use will increase considerably. However, today it is too costly, which leads me back to the Senator's overriding intent behind his suggested energy policies.

The presumptive Democrat nominee and his radical environmental group supporters also recognize renewables are not cost competitive compared with traditional energy sources today. Their answer: Embark on a strategy to make fossil fuel use so expensive and burdened with regulations that nonhydropower renewables suddenly become more cost effective by comparison.

Let's recap a few of the highlights of the recommendations of the junior Senator from Massachusetts. No. 1, empty the Strategic Petroleum Reserve. No. 2, do not produce domestic oil. No. 3, impose a tax on gasoline, some 50 cents a gallon. No. 4, impose a mandate increasing nonhydropower renewable energies from 1 percent to 20 percent in 15 years. No. 5, restrict carbon dioxide emissions, which translates to reducing U.S. economic production.

The Senator's energy policy is certainly bold, if nothing else. It is just that the Senator's utopian view of the future ignores our very real present.

Like his radical special interest supporters, the Senator's energy policies would increase costs on American consumers, disproportionately affect the low and fixed-income taxpayers, and drastically undermine the ability to compete in the global market.

If this were not a Presidential election year and we were asked to judge a man not on his words but on his actions, we would in large measure know what the Senator's energy policy would be: Do nothing but make speeches.

Some may scoff at what I am saying. We all know the Senator was too busy campaigning to do the job his constituents elected him to do and the job American taxpayers have paid him to do. Instead of actually doing some work and crafting an energy policy, the junior Senator from Massachusetts chooses to make outrageous allegations from the comfort of multi-million-dollar mansions in Beverly Hills.

I yield the floor.

The PRESIDING OFFICER (Ms. COLLINS). The Senator from Massachusetts.

Mr. KENNEDY. Madam President, I had not expected to hear the kind of statement with regard to the criticism of the Senator from Massachusetts, my colleague and friend JOHN KERRY, on the energy policy. I will include in my comments a response to Senator INHOFE.

I am wondering whether the Senator could possibly tell us what was the position of the President of the United States when OPEC continued to cut back on production today. We have a statement by a colleague talking about a candidate for the President of the United States when today OPEC primarily—

Mr. INHOFE. Madam President.

Mr. KENNEDY. I have the floor.

Mr. INHOFE. Madam President, I was asked a question, and I would like to answer the question.

Mr. KENNEDY. Regular order. Regular order.

The PRESIDING OFFICER. The Senator from Massachusetts has the floor.

Mr. KENNEDY. No, I do not yield.

We have today more than 150,000 servicemen who are over there protecting the oil countries in the Middle East, and American service men and women are dying every single day. If we have a President of the United States who is lacking in sufficient influence to try and indicate to our allies that it is of vital importance to the security of the families and industry in the United States that they increase their production, what kind of influence do we have? Where is our President of the United States on this issue? Why are we hearing Members who are so eager to talk about JOHN KERRY's policy on energy talking about what we ought to be doing over there today as OPEC is cutting back on its production?

We hear silence. We have silence about that. Where is the administration?

I remember last week we had my good friend Spencer Abraham, who is the Secretary of Energy, and I asked him the question whether this President was going to try and persuade the oil-producing countries in the Middle East to produce more energy, particularly at a time when we are faced with difficult economic significance. His answer was: This administration is not going to beg for oil.

Beg for oil? When we have 140,000 men and women over there protecting their interests and protecting their oil and they are cutting back production?

I would not think there would be many Members of the Senate who would be criticizing my colleague, who has done so, who recognize that their President should provide Presidential leadership. This election is about Presidential leadership. My colleague has been demanding that this President do something about the cutbacks in production.

We hear criticism—well, he didn't show up for a vote. Sure, he is running for the Presidency of the United States.

I will certainly respond to my colleague, but I am absolutely baffled that one of the major energy decisions being made in the world is being made within the last 24 hours by the OPEC countries, the primary producers, Saudi Arabia in the Middle East, other middle eastern countries whose security American servicemen have been fighting for and dying for, and this President and this administration has not sufficient influence to be able to stop them from cutting back in production or getting them to increase production. You talk about a bankrupt energy policy—there it is.

Every consumer ought to know when they pay those extra funds for the gasoline, they are paying it directly to countries over there in the Middle East whose security we are protecting and for which American lives are being lost. It is beyond belief to me.

AMENDMENT NO. 2945

Madam President, we have, over the course of the day, had a number of our colleagues speak about the amendment that is before us, and that is the increase in the minimum wage over a 2-year period, up to $7 an hour. I want to wrap up this evening and summarize a couple of important points because during the course of the afternoon, I followed the debate when I wasn't here for a few hours, meeting with the head of the VA about some of the challenges we are facing up in Massachusetts about veterans health.

We heard statements, speeches from some of our colleagues on the other side, that the increase in the minimum wage was delaying action on the TANF reauthorization. Of course nothing could be further from the truth. As Senator BOXER, my friend and colleague who introduced the legislation, and I have stated, we would have been willing to have a 20-minute time agreement, 10 minutes a side, and had a vote and final disposition and then moved ahead with other amendments.

But the opposition is so strong in opposition to this amendment that the Republican leadership has insisted we have, effectively, a cloture vote, delaying progress on the underlying bill for some 2½ days, so if they are successful in getting cloture, cutting off the debate, they will eliminate the possibility of even voting on an increase in the minimum wage.

Maybe there are those who are opposed to the increase in the minimum wage. We have heard some of them speak today in opposition. But the idea that this is not related and relevant to the underlying bill defies any logic and any fair understanding of what the underlying bill, the TANF bill, is all about.

I bring to their attention the statement that was made by Secretary Thompson regarding the TANF reauthorization when he testified on March 6, 2002. He said:

> This administration recognizes the only way to escape poverty is through work, and that is why we have made work and jobs that will pay at least the minimum wage the centerpiece of the reauthorization proposal for the Temporary Assistance for Needy Family Program.

That will pay at least the minimum wage. There it is in the words of the President's own representative. That is exactly the issue we are attempting to address and we are being denied getting final action on it.

I am going to take a moment to review for the benefit of the Senate about where the minimum wage is now. The purchasing power of the minimum wage has dramatically decreased.

We reviewed with the Senate what the impact of the increase in the minimum wage has been on unemployment and have shown many times when we have had increase in the minium wage it had virtually no adverse impact on the question of unemployment. We reviewed the fact if we have the increase in the minimum wage it virtually has no impact on the issue of inflation. We responded to the question of different conditions and different parts of the country. There are small mom-and-pop stores that would not be able to afford the increase in the minimum wage. We responded and pointed out those stores by and large are excluded under the provisions of the existing minimum wage.

We heard: We don't want to do this because we want to encourage young people to work in agriculture. We responded: It doesn't relate to agricultural workers.

We have addressed all of these kinds of conditions.

These minimum wage workers are men and women of dignity. They work hard and long. The men and women who clean out the buildings in this country at nighttime, teachers' aides, and assistants working in homes looking after the elderly are men and women of dignity. They do not want any assistance. They want to have a wage so they can provide for themselves and their children and their families.

I want to reiterate and give some examples. I gave some examples earlier. These are the real faces of people who are going to be affected by what we do here tomorrow on the floor of the Senate, whether we are going to be able to get a vote on the increase in the minimum wage or whether we are going to be denied that opportunity to do so.

The minimum wage affects a person such as Cynthia Porter.

Cynthia Porter is not on welfare. She works as a certified nursing assistant at a nursing home in Marian, Alabama. When Cynthia comes on duty at 11:00 p.m., she makes rounds. She checks the residents for skin tears and helps them go to the toilet or use a bedpan. She has to make sure she turns the residents every two hours or they will get bedsores, and if bedsores are left unattended, they can get so bad that you can put your fist in them.

But there aren't enough people on her shift. Often there are only two nursing assistants for forty-five residents. In addition to responding to the needs of the residents, Cynthia must also wash the wheelchairs, clean up the dining rooms, mop the floors and scrub out the refrigerator, drawers, and closets during her shift. Before she leaves, she helps the residents get dressed for breakfast.

For all of this, Cynthia makes $350 every two weeks. She is separated from her husband, who gives her no child support. The first two weeks each month she pays her $150 rent. The next two weeks, she pays her water and her electric bills. It is difficult to afford Clorox or shampoo. Ensuring that her children are fed properly is a stretch, and she is still paying off the bicycles she bought for her children last Christmas.

She can't afford a car, so she ends up paying someone to drive her the twenty-five miles to work. And there have been a few days when she couldn't find a ride. ''I walked at twelve o'clock at night,'' she said. ''I'd rather walk and be a little late than call in. I'd rather make the effort. I couldn't just sit here. I don't want to miss a day, otherwise, I might be fired.'' There is no public transportation that would take her to work.

I first met Cynthia at a union meeting. She had a quiet, dignified presence with her dark suit and her hair pulled back in a bun. She and twenty-five others from the nursing home—all eighty of her coworkers are African American women like her—gathered in the little brick Masonic building outside of Marian to talk about having a union. Like Cynthia, none has ever gotten a raise of more than 13 cents. Some who had been there ten years were still making $6.00 an hour.

She is effectively a minimum wage worker.

These are the people this legislation is trying to help.

Linda Stevens:

The only job she could find with a high school degree and some college courses was a part-time cashier's position at a small market called George and Stanley's, working the night shift from 6:00 p.m. to 10:00 p.m. Not surprisingly, the $5.00 an hour she made at her retail job was not enough to support her and her daughter, so she worked a second job from 2:00 to 5:00 p.m. as a receptionist at H&R Block, which paid $5.50 an hour. She liked the work and would have preferred to go full-time, but H&R Block only offered work from January through April. The money from these two part-time jobs still did not cover her bills, so she worked as a lunch supervisor for the Flint public schools from 11:30 a.m. to 1:00 p.m. She had to put planners up on the wall to keep track of her schedule. And even then, she had no benefits.

After a year, Linda left her job at George and Stanley's after they refused to give her a 25 cent raise and went to work at Kessell's on the day shift for $5.25 an hour. But Kessell (which has since been purchased by Kroger) would only give her a part-time position and without full-time status, she still did not get benefits. Working three jobs became so exhausting that she left her lunch supervisor position, but had to continue to work her second job at H&R Block.

Linda's typical day started at 6:00 a.m. when she got her daughter ready for school. Her job at Kessell started at 7:00 a.m. and ended at 3:00 p.m. She came home, changed, and went to her job at H&R Block at 5:00 p.m. and got off at 10:00 p.m. Her schedule left little time to spend with her daughter.

She needs a minimum wage to help that family.

Flor Segunda of Newark, NJ:

Flor lives in a primarily African-American neighborhood of Newark, New Jersey, with her husband and three children: Jose, who is nine years old; Luis, who is two and a half; and Paul, who is one and a half. To reach Flor's place, you must walk down a flight of concrete stairs, through a narrow hall, and past the washer and dryer. Like most basement apartments, it is damp and dark. One small window allows the only daylight to enter. They pay $700 per month for this two-bedroom apartment without utilities. There are no parks near her apartment and she doesn't have a car. So most days, the children stay inside.

At night when most workers are at home, Flor begins her day. She cleans, dusts, vacuums, dumps trash, and straightens the offices of law firms in a large suburban office building in West Orange, New Jersey. Flor is a janitor. She works for a private contractor who contracts with the owners of commercial buildings to provide cleaning services.

She would benefit from an increase in the minimum wage.

Finally, Judy Smithfield:

Judy Smithfield works in a superstore as a pharmacy technical assistant, a ''pharmacy tech.'' Her 12:00–9:00 p.m. shift begins with a call from a nurse in a doctor's office dictating a prescription over the phone or a customer at the counter giving her a prescription. Once she has the information, she gives it to the pharmacist to process in the computer. Then it is Judy's responsibility to check that information and get the proper medication from the shelf. She counts the pills that are prescribed, puts them into the bottle, affixes the proper label to the medication, gives the filled prescription to the pharmacist for her review, and puts it in the proper bin for the customer to pick up.

Once the customer arrives, Judy must ensure that she has the right prescription and that the proper forms are filled out. She must ask the customer whether they understand the prescription, whether they want counseling or have any further questions. Their response must be put in writing.

There are two pharmacy techs and three pharmacists on Judy's shift that fill over 400 prescriptions per day. If the pharmacy gets behind in the prescriptions, Judy stays late, sometimes until midnight. Many times she works six days a week because they don't have enough help. Her feet and back ache from standing all day.

This will help Judy.

I want to conclude again by talking about the impact of the minimum wage

and the failure of increasing the minimum wage on families, particularly on children.

I pointed out earlier we have 35 million Americans, according to the Department of Agriculture, who are hungry or living on the edge of hunger for economic reasons—35 million in a country of 290 million.

Today 300,000 more families are hungry than there were 3 years ago. The 2003 survey by the U.S. Conference of Mayors that looked at hunger found effectively 39 percent of the adults requesting food assistance were employed. A leading cause of hunger is low-paying jobs.

Emergency food assistance increased by 14 percent. Of those requesting emergency food assistance, 59 percent were members of families with children and elderly parents.

City officials recommend raising of the Federal minimum wage as the way the Federal Government could alleviate hunger.

This is their No. 1 recommendation. This is the survey of the U.S. Conference of Mayors, Republican and Democrat alike, for raising the minimum wage.

Finally, I have the excellent report of the National Urban League, October 2002. I will read just parts of it. In the foreword, it says:

> Too often, changes in the minimum wage are viewed as poorly targeted to the needs of America's working families. Minimum wage workers are too often presented as teenagers, or wives in middle class families. Yet, the clear implications of this study are that the proposed increase in the minimum wage from $5.15 to $6.65 an hour would move 1.4 million American households to the level of being food secure, having enough money to buy nutritious and safe food for their families. And, a disproportionate share of the households that would benefit would be African American or Hispanic. Single parent households would also benefit disproportionately from an increase in the minimum wage.

Again raising the minimum wage is a clear policy solution for helping meet the needs of America's poor children.

Then it goes on in the executive summary:

> Second, we show that increases in the minimum wage raised the food security of households in which the householder, principal person in the household, has no more than a high school diploma or is a single parent or both. The increases in the minimum wage lessened hunger in all households, but particularly in low-income households and in those households in which the householder was less educated, African-American, Hispanic or was a single parent.

Finally, I will include in the RECORD the findings. These are briefly the findings.

> We find that:
>
> (1) Increases in the Federal minimum wage to $4.25 in October of 1996 and $5.15 per hour in September 1997—

That was 7 years ago—

> reduced hunger among all households and in particular, in low-income households where individuals had completed no more than a high school degree. . . . Hunger is defined as a psychological condition where household members experience an uneasy or painful sensation caused by the involuntary lack of food.
>
> (2) Relative to the general population, food security rates are lower among households in which the householder has no more than a high school degree. . . .
>
> (3) A direct relationship between food security and increases in the minimum wage was observed following two modest increases in the minimum wage in 1996 and 1997—when food security rates increased slightly; and following administration of the Food Security Supplement . . . of 1995. Food security rates also increased modestly following 1995. . . .
>
> (4) Inner city households have the highest levels of food insecurity, followed by suburban and rural households. Other studies have demonstrated that groups most-at-risk for food insecurity are those who are most economically vulnerable, and whose households are most directly impacted by increases in the minimum wage.

The failure of our increase in the minimum wage is wrong because Americans believe people who work 40 hours a week, 52 weeks a year, should not have to live in poverty in the United States of America. And it is wrong because we now have millions of children who are going hungry every night, and millions of families who are going hungry as well.

We can make some difference by increasing the minimum wage. It is now at a dramatically decreased level of purchasing power. Certainly, we can do better. We should do better. How can we possibly tolerate the conditions of our fellow Americans and not say that we need an increase in the minimum wage? I hope we will be able to do so tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I appreciate the opportunity to rise in support of the amendment offered by Senators KENNEDY and BOXER to raise the minimum wage over the next 2½ years.

My staff provided me with some information about the history of the minimum wage. One important date cited is 1968, which was my senior year at Ohio State University. I had a couple of jobs then. I was the pots-and-pans man at the Delta Gamma sorority house. I also had a part-time job at the university bookstore. I was paid the minimum wage for both jobs, which at the time was $1.60 per hour. If you adjust $1.60 for inflation, then the minimum wage would presently be $8.50 per hour.

Senators BOXER and KENNEDY propose that we gradually raise the minimum wage over the next 2½ years. They recommend raising it from the current level of $5.15 per hour to $5.85 in the next 60 days, from $5.85 to $6.45 a year later, and finally from $6.45 to $7 the following year.

Some have said that such an increase goes too far, too fast, and have suggested that we take a different approach. However, we should do some math on the decline of the real value of the minimum wage. The current minimum wage has been $5.15 per hour since 1997. If you adjust $5.15 for inflation, then we would have a minimum wage of $5.95 per hour. But, if you adjust the minimum wage for inflation from its 1968 level of $1.60, then the minimum wage would presently be $8.50.

Senators KENNEDY and BOXER are right in the middle between the two, and I would suggest to my colleagues that they are not far off the mark. In fact, their amendment is a pretty good compromise.

I know that some people do not want to raise the minimum wage, and that they are concerned by the potential for job losses if we were to do so. And some of our employers—both large and small—have expressed concerns with an increase in the minimum wage and urge us to be mindful of those concerns.

Having said that, we also need to be mindful of minimum wage workers. Senator KENNEDY shared with us some real-life examples. Let me share with you some of my own experience from when I was a college student earning the minimum wage. A lot of people who received the minimum wage in 1968 were not supporting a family. I was not supporting a family in 1968. Many of them were students or just out of school.

But a lot of the people who earn the minimum wage these days are people with a family, with one child, or maybe two. They may be in a two-parent family. But in a lot of cases, a minimum wage earner is a single parent.

I urge my colleagues to keep this statistic in mind as we consider whether to support an increase in the minimum wage. If you or I were working full time, 40 hours a week for 52 weeks a year, with no time off, then we would be making about $206 a week if we were paid the minimum wage. That is less than $11,000 per year.

Madam President, less than $11,000 per year does not crack the poverty line for one person, much less two or three.

As a Governor who worked on welfare reform in my state and with the National Governors Association I understand what it takes in order for people to move off of welfare. For people to move successfully from welfare to work, four things have to happen: One, they have to have a job to go to; they have to have a way to get to the job; they have to get some help with their health care; and they need some help with their childcare. Those four things: a job, the ability to get to a job, health care, and childcare are critical.

The other thing people have to have when they get off of welfare for work is the belief that they will be better off working than on welfare.

In my own State of Delaware, we adopted comprehensive welfare reform in the mid-1990s and phased in an increase in the minimum wage. Today, the minimum wage in Delaware is $6.15 per hour. We increased the minimum

wage to help people move off of welfare. We wanted to make sure that they were better off working than on welfare.

I ask people to understand, whether you happen to be from Delaware or Maine—where the Presiding Officer is from—or from any other State, to try to make it these days on $11,000 per year, while trying to hold a family together. It is incredibly difficult to do so.

The other thing I want to say is on a more macro-issue with respect to welfare reform legislation currently on the Senate floor. We should be able to pass welfare reform legislation. Both sides agree on about 90 percent of the issues. For those issues that we do not agree on, we should be able to reconcile our differences.

I believe that legislation I introduced with Senator COLLINS, the Presiding Officer, and with Senator BEN NELSON is a consensus bill on welfare reform—we think it is a pretty good compromise from what has been reported out of the committee and has some of the changes that Democrats would like to see. That bill is a good compromise.

On our side, we want to have an opportunity to offer relevant amendments to legislation before the Senate. One amendment is an increase in the minimum wage, which I think is relevant to this particular bill. A second amendment is an extension in unemployment compensation benefits. We should extend unemployment compensation benefits until our economy is stronger and we have more jobs for people looking to work.

Senator HARKIN has an interest in offering an amendment on overtime regulations, which has already passed the House and the Senate. He is determined to make sure he has a chance to offer that again.

We are smart enough around here to be able to work with our Republican colleagues to come up with an agreement that allows those three amendments to be offered.

Once those amendments are offered, we should be able to offer other relevant amendments to this welfare bill. I have a few amendments to offer, and I know others do as well. We should be able to agree on a reasonable number of amendments—it could be 10, 20. We could also agree to an amount of time on such amendments, for example, 10 minutes for proponents of the amendment and 10 minutes for opponents of the amendment. When the debate on an amendment is completed the Senate should vote.

I would be very disappointed if we went along and, at the end of next week, were not able to close our differences on welfare reform legislation and the FSC bill.

The last thing I will mention has to do with conference committees. When the House passes one bill, and the Senate passes a different bill, we end up, a lot of times, in a conference negotiation to resolve differences between the bills. And we, in the Democratic Party, have been stung because we have not been allowed to participate in these conferences.

We saw that happen with respect to the Energy bill, where Democrats were not invited to participate. We saw it happen to a large extent in the conference on the Medicare prescription drug bill, where, for the most part, Democrats were not allowed to participate in conference negotiations. We cannot allow that to continue. Democrats are not going to allow that to continue. Someday Democrats will be in the majority. Someday our friends on the other side will be in the minority. I ask them to keep that in mind because what is good for the goose is good for the gander.

To the extent that we get closed out of conference committees without any active participation, the same thing could happen to them. I would not want to do it to them, and I do not like having it done to us.

Part of this universal agreement in moving welfare reform and getting the FSC bill onto the Senate floor is not just encouraging words about the conference, but a good, hard, fast agreement that Democrats will be full participants in a welfare reform conference with the House.

It is too bad that the presiding officer, Senator COLLINS, and I cannot work out these differences by ourselves. We would pass a bill that we negotiated with Senator NELSON of Nebraska. It would be pretty easy.

I do not mean to minimize nor make light of the toughness of the situation we face, but we can get this done. We need to get this done. We are going to take a recess week sometime around Good Friday. I sure hope we can go home having passed welfare reform legislation through the Senate, and to have made good progress on FSC legislation as well.

With respect to a reasonable increase in the minimum wage, we should be able to get that done. It is the right and fair thing to do. We need to have an extension of unemployment compensation benefits. While we have an official unemployment rate of about 5.6 percent, the rate is actually closer to 7.5 percent once you count all the people who have run out of benefits or stopped looking for employment.

If we agree to those things, we ought to be able to get those bills done and move on to the next step in welfare reform. Welfare reform is a great experiment, made successful by our Nation's Governors. Members of the Senate know how to make it even more successful going forward.

It has been a pleasure to do business with the Presiding Officer and Senator NELSON on our side. I hope we can take some of the provisions in our bill and have an opportunity to offer them as an amendment to the bill in the next day or two.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. TALENT. Madam President, the hour is getting late. I am going to take a few minutes of the Senate's time to talk a little bit about welfare reform. It is a subject that has been close to my heart for a long time. I was a freshman in the House when I introduced, along with then-Congressman Tim Hutchinson who subsequently served in this body, what we called the real welfare reform act.

The idea behind that bill was to stop talking about welfare reform in terms of whether we could save money or whether we could stop fraud in the welfare system and start talking about what was really at stake, which was replacing a system that had punished work, that had discouraged marriage, that had torn down neighborhoods, and had mired people in despair and replaced it with a system that encouraged work for able-bodied people, required it in some cases, that supported community-based solutions, and built up neighborhoods.

We talked about that bill for several years. Welfare reform gained steam. There were some who opposed it the whole time, who fought a last ditch effort on behalf of the status quo; a pretty lousy status quo it was, too. But eventually we passed the bill by very large majorities in both Houses. President Clinton signed it. There were predictions of doom. It has turned out to be—I guess now by consensus—the most successful legislation of the 1990s, and the most significant social reform passed in the last generation in this Congress. Now the extension of that bill, the new welfare reform bill, the attempt to extend the benefits of work and marriage to more and more people around this country, is being filibustered.

That is not a new thing in this Senate. I made a quick list. We can't approve nominations for judges; that is being filibustered. The Energy bill was filibustered. The liability relief bill was filibustered. The tax break for manufacturers to try and keep manufacturing jobs in the United States was filibustered. Now welfare reform is being filibustered in the name of passing a minimum wage increase.

Of course, there are varying opinions in the Senate and around the country about the minimum wage. I have supported it in the past, when it was linked to tax benefits or other kinds of support for small business because whatever you think of it, it is a mandate on small business. We ought to support small businesspeople, the ones who are creating the jobs in the country, if we are asking them to increase their payments.

Whether you do or you do not support the minimum wage, though, it is a terrible mistake to filibuster the welfare reform bill in the name of passing the minimum wage bill. As a matter of fact, my understanding is the leadership has offered to take votes on that and several other measures that Senators on the other side want to offer, if

we can have some assurance the bill will pass, some assurance that going through these amendments that are not germane to the bill will allow us to pass the bill and then get to conference and finally pass the bill and send it to the President. That does not seem to me to be an unreasonable request.

Why is it so important that we pass welfare reform? What has happened since 1996? Mr. President, 3.6 million fewer Americans live in poverty now; 2.9 million fewer children live in poverty. Child poverty is at its lowest rate. Kids are not as poor as they were. In June 2002, there were 5 million welfare recipients, which was a 65-percent decrease from the 1994 level. The poverty rate of single moms is the lowest rate in U.S. history. Even the out-of-wedlock birth rate has stabilized and gone down slightly since 1996.

I was at a press conference earlier today when a lady talked about the effect of this on her life. Because of welfare reform, she is now working and supporting her family. She talked about what it meant to her kids. The first day she came home from work with a paycheck, they waited for her, and they wanted to go to the store and pay cash at the grocery store instead of having to use food stamps. They were proud of their mother. There are stories such as this all over the country.

Now in the name of helping the poor, some Members are holding up the welfare reform bill. There is an irony in that.

Let me talk a little bit about history. Poverty in the United States in the immediate postwar era was about 30 percent. It declined steadily for 20 years until 1965; reached about 15 percent in 1965. And that is when the Federal Government declared war on poverty, which was a good thing. One of the frustrations about this whole experience is there is a consensus. If we look beyond the politics of the 24-hour news cycle and look where the two great parties in this country have come from, what their mainstream beliefs are, there should be a consensus about welfare reform. There is on final votes.

Liberals, in 1965, got the Federal Government aggressively in the business of trying to do something about poverty. That was a good impulse. What went wrong with it was that they did it in such a way that showed a disrespect for the basic values that have always gotten people out of poverty. The two best antipoverty programs, historically, in the United States, the way people get out of poverty have been work and marriage, family. They work and they marry somebody who works. They get out of poverty.

Poverty is not that unusual an experience for Americans. Most Americans either grew up in poverty or they have a parent who grew up in poverty or at least a grandparent who grew up in poverty. That is how they got out of poverty.

For 30 years, from 1965 to 1995, in the name of fighting poverty, the Federal Government conditioned assistance to poor people on them not doing the two things that get people out of poverty. They offered a package of benefits that, to somebody coming from a low-income background, looked like a lot of money—cash benefits, Medicaid, housing subsidies, food stamps—but only on the condition they not get a job, they not get married, and they have children anyway. That is how we ran the welfare system for 30 years.

The poverty rate, which was 15 percent in 1965, 30 years later was 15 percent. But it was intractable poverty because if you are 18 or 19 years old, you have a child without being married, you don't have your education yet, a couple years later you realize it is hard now to climb the ladder. It is hard now to realize the American dream.

Well, we fixed that in 1996. We introduced a system where if you are able bodied, we are going to help you work. There is a constellation of benefits and supports in the bill to enable you to work. The other day, we passed an amendment increasing daycare in this bill. I supported that to enable people to work.

The bill extends the benefits of work to more people and makes sure that the States around this country have to keep trying to help people get off welfare and into self-sufficiency. We should define success not by how many people we get on the welfare rolls, but by how many we get off. We can open opportunities for millions of people who currently don't have it.

The bill contains a provision I strongly support. It was in a measure I had introduced, establishing a promarriage program. In 1996, we talked a lot about reducing the out-of-wedlock birth rate. That was a good thing to do. We wanted kids to have dads. I am glad we introduced that subject. In a sense, we were fighting the darkness by talking about what we were against. The bill we are debating today lights a candle. You cannot just fight the darkness; you have to let in the light.

There is a $300 million grant program here, encouraging the States to go to people when they apply for welfare and talk to them about the benefits of healthy marriage. The surveys show that a majority of folks applying for welfare—or many of them—are living with the partner with whom they are having a child. Many of them, if not most, are thinking about marriage. There may be many reasons in their minds why they don't want to do it. Maybe their parents had bad experiences. Maybe they are not certain about the partner. Maybe they have fights and they don't know how to resolve that. What an opportunity we have at that point—and often through community-based organizations that have grown up in the last 10 years—to approach them and say, here are the benefits to your children of being married, if you can do it in a healthy way. Here is how you can do it that way. We can help you learn how to resolve disputes, help you learn how to build healthy relationships. That is in this bill.

There are a lot of things in this bill we know will make a difference for people because they have made a difference for the last 7 or 8 years. It is being filibustered in the name of helping the poor.

Well, I don't really know what to say. It seems to me we ought to be able to come to some kind of an agreement here. I have been in meetings of Senators on this side of the aisle, when the Republican leaders have said, we are willing to give votes on some of these message amendments, but we want some assurance that we are going to have an opportunity to vote on the bill in final passage after a reasonable period of debate, and then go to conference.

I know the Senate is different than other legislative bodies. I am new here and it is an honor to be here. I have had the privilege of meeting and working with people on both sides of the aisle that I read about and saw on television for years, and they are an extremely able group of people. But most legislative bodies are about actually doing something. We have measures before us that I know, if we can get to final passage, would have substantial majorities—bipartisan majorities. This is one of them. How come we cannot get there?

It is hard not to reach the conclusion that politics is being played—not politics in the broadest sense because actually that is part of what democracy is about, not laying forward an agenda, presenting it to people, and driving distinctions between you and the people who disagree with you and getting support from the public so you can move an agenda that makes a difference, but the politics of controlling or shifting the discussion from an issue focus groups say doesn't help you on an issue, but the focus group says does help. I don't think that politics works. Here we are holding up legislation on behalf of—I am afraid to say it, but I think of politics that is not even very good politics and certainly will end up hurting a lot of people.

I have worked on this subject for a long time. I have an underlying faith that we are going to get our act together at some point and get this done. I know too many people of good will in this body. I emphasize again how important this is to real people. I have been all over this country, all over my State of Missouri, and I have talked to so many people, recipients, people who work with welfare recipients, who are excited about what has happened in the last 7 or 8 years as a result of the passage of the 1996 bill. We did something good.

Work and marriage can make a difference for people. We can have a Federal Government that is aggressive in helping people in a way that is consistent with the great values upon

which we built this country. That is at stake with this bill.

I hope we can reach some kind of conclusion. I am certainly willing to vote on these other issues. I might have a few extraneous amendments I would not mind offering myself. But at the end of the day, we need to get this bill done, send it to the House, conference on it, and get it to the President. We can all be certain that when we do that, the bill we produce is not going to be perfect in anybody's eyes, but it will be a step down the road we took in 1996, which made a difference in the country to those who are the most powerless.

I yield the floor.

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

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

THE ECONOMY

Mr. LAUTENBERG. Mr. President, I have a couple of statements I wish to make. I appreciate the recognition from the Presiding Officer for this purpose.

Earlier today, there were statements made on the floor, echoed by the junior Senator from Colorado, in which he claimed several times President Bush inherited a bad economy. I know my friends on the other side of the aisle genuinely want to believe that, but it is simply not true. That is not the fact.

The official arbiter of when recessions begin and end is the National Bureau of Economic Research, NBER. Despite intense and inappropriate political pressure from the White House, the NBER continues to insist the recession began in March of 2001, nearly 3 months after President Bush took office. Facts are stubborn.

On a related note, the junior Senator from Texas was on the floor some time ago with a poster that read: Most jobs ever. Perhaps he was referring to India. He certainly could not be referring to the United States.

Yesterday, we had another administration official—in this instance Treasury Secretary Snow—talking about how wonderful outsourcing is for our economy. Don't ask the people who are out of work, I can tell you that, and don't ask their families.

This notion the U.S. economy is currently generating record numbers of jobs is thoroughly specious. It would be laughable if it were not so pathetic. The claim is based on data selectively culled from something called the household survey. Economists from Alan Greenspan on down insist the accurate measure of jobs gained and lost is the payroll survey. Even the President's own Council of Economic Advisers relies on that which we call the payroll survey.

This is something I know something about. Before I came to the Senate, I was the chairman and CEO of a company called ADP, Automatic Data Processing. It was a company I started with two other neighborhood friends in the city of Paterson, NJ. The company was named in its earliest days Automatic Payroll. Later on, as we expanded our reach of services, it was changed to Automatic Data Processing, ADP. For the information we are discussing here, it specialized, among other services, in payroll processing—in other words, writing paychecks for client companies that relied on us to compute their payrolls. Now, I know a paycheck when I see one. ADP, the company I helped found and run for many years, pays over 30 million people each and every pay period. Approximately 10 million of them are outside our boundaries in other countries, but more than 20 million work in America and are paid right here. So I know something about payroll structure.

Interestingly, one of our most distinguished board members was a fellow named Alan Greenspan, the Alan Greenspan who is now the Chairman of the Fed. He was on the ADP board. He was on the ADP board as a very valuable director. He developed a service that was called the ''econometrics'' plan. ADP, my company, the computer service company, would deliver this service—they called it an online service—and we would process the work we did for Alan Greenspan's company as well as for clients, over 500,000 of them today, through cities and towns across America.

When Alan Greenspan, the talented and credible Chairman of the Federal Reserve, says use the payroll survey to get reliable data on how many people have jobs and are getting paid that way, I think it has to be treated with great respect.

According again to the payroll survey—not the household survey. The household survey is done in a different manner. They are both done by BLS, the Bureau of Labor Statistics, but the payroll survey is the one that tells the true story—they say the economy has lost more than 2 million jobs since George Bush took office, making him the first President since Herbert Hoover—and I said this before and I mean no disrespect—and the Great Depression to preside over a net job loss during his term in office. Again, I mean no personal disrespect, but the facts ought to be presented accurately.

These are the facts: For every minute George Bush has been President, nearly two Americans have lost their private sector jobs. I know it is difficult for our friends on the other side. The Republicans have an impossible task of trying to convince Americans the economy is better now than it was before George Bush became President. It is a difficult task. They should try to refrain from saying things everyone knows are just plain untrue.

On Monday, I attended a symposium in New York City on the life and career of our dear friend and former colleague Pat Moynihan. As conservative columnist George Will noted, Pat was fond of saying: Everybody is entitled to their own opinions but not their own facts. I wonder if Members on the other side of the aisle agree with me.

I ask unanimous consent to have printed in the RECORD a statement Alan Greenspan and others have attested to. That statement refers to the household survey versus the payroll survey and it quotes several people. One is Alan Greenspan, who said at the House Budget Committee hearing on February 11, 2004: Everything we have looked at suggests that the payroll data is what has to be followed. Additionally, the establishment survey, the payroll survey, better reflects the state of labor markets. That is from CBO, the Congressional Budget Office. That was done in a report called the Budget and the Economic Outlook, an update, August 2003.

Another statement that the payroll survey is the best indicator of current job trends was made by Kathleen Utgoff, the Commissioner of the Bureau of Labor Statistics—which is the organization that conducts the surveys—at a hearing before the Joint Economic Committee, March of 2004. One final thing is the fact that the 2004 economic report of the President uses the payroll survey to assess the state of the labor market. I do not think there can be any doubt about which one is the more reliable one to use.

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

''Everything we've looked at suggests that it's the payroll data . . . which you have to follow.''—Alan Greenspan, testifying before a House Budget Committee Hearing, February 11th, 2004.

''The establishment [payroll] survey better reflects the state of labor markets.''—Congressional Budget Office, The Budget and Economic Outlook: An Update, August 2003, page 34.

''The payroll survey is the best indicator of current job trends.''—Kathleen Utgoff, Commissioner of the Bureau of Labor Statistics, which conducts the surveys, at a hearing before the Joint Economic Committee, March 2004.

The 2004 Economic Report of the President uses the payroll survey to assess the state of the labor market.

EMERGENCY CONTRACEPTION

Mr. LAUTENBERG. I would like to discuss another subject, if I might, and that is something that came about this week that was discussed in my State's largest newspapers about the administration's interference in the FDA's proposed approval of emergency contraception for over-the-counter sales. I believe the administration's activity is another example of their desire to establish a ''maleogarchy'' in this country. ''Maleogarchy'' is a phrase I coined. It talks about men making all the decisions that affect not only themselves but the female population of the country.

We saw that most notably on November 6, 2003, in the Washington Post

when a group of men was standing with the President of the United States gleefully talking when the President signed a bill that restricted a woman's choice, even though it was made ostensibly with her doctor and in the best interest of her health. Yet again President Bush and other male politicians want to take away a woman's right to make decisions about her health and her body.

These are the facts: On December 16, 2003, two separate FDA advisory committees overwhelmingly recommended the emergency contraception known as plan B be made available to women over the counter. The FDA almost always follows the advice of its scientific advisory committees. But then a funny thing got in the way of the science. I will call it rightwing politics. Extremists, anti-choice groups, and their allies in Congress objected to the FDA advisory committee decision. They made their opposition loud and clear. Once again I say, these decisions are made by the FDA after their scientific advisory committees come up with their recommendations. Science first and then the decision.

The effect of this opposition? FDA suddenly announced, after they were ready to clear it, that it was delaying any decision on the approval of the drug. This is no coincidence. The Bush administration is caving to political pressure from ultraconservatives and risking the credibility of FDA's scientific panels.

For an understanding of what has taken place, it is hard to come up with a conclusion that this emergency contraception ought not to be available. These actions they took beg the question about who is running the FDA, scientists or politicians? I think the answer is clear. Science has taken a backseat to politics in this administration. It is disgraceful. Using the FDA to promote a political agenda not only threatens women's health but everyone's health. It threatens the health of our society.

Do we want to resemble what we see in places such as Iraq, where women are subjected to second-class treatment? I was once in Saudi Arabia, in the first Gulf war. I was in the airport. There was a fellow there wearing a turban and a long dress-type suit. At his feet was what I thought was a bag of rags, black rags, because it just looked tumbled together and there it was. The man was standing there smoking a cigarette. But when he moved to another location, the bag of rags turned out to be a lady, small in stature, wearing black over her face and her body, and she followed this man, and as soon as he stopped walking, she sat down again, curled herself up like a bag, covered herself over with the black cloth. I will never forget that. This disdain for a female, for the rights of women is so outrageous that every woman has to cover her face—whether she wants to or not, by the way. That's not an option. It's ''you must.''

In countries such as Saudi Arabia they have morals police who chase these women, embarrass them, and who will hit them. We in this country believe that, regardless of gender, people are appropriately treated as equals.

We see a dangerous trend by this administration. We see the corruption of science. In some ways they are adopting the scientific standards we saw in Afghanistan, allowing religious fundamentalists to trump legitimate science. The Bush administration's intrusions into scientific decisionmaking threaten the future credibility of American science.

Should high school science teachers tell students that the discoveries in their textbooks become null and void if rightwing politicians decide they don't like the results? No, that cannot happen. We are in the 21st century, but in many ways we are still fighting the Scopes trial. In fact, we have seen far right politicians in many States, and even here in Congress, continue to challenge the teaching of evolution in schools. What is next? Will the flat Earth theory make a comeback?

Aside from serious scientific concerns, there are grave consequences for women who are denied this drug. Each year, approximately 25,000 women in the United States become pregnant as a result of rape. An estimated 22,000 of these pregnancies could be prevented if these victims have access to emergency contraception. Increased use of emergency contraception could reduce the number of unintended pregnancies and abortions by half. Reducing abortions is something we would all like to see, but it is not our choice. It is the choice, it should be the choice, of the woman, her conscience, with her doctor and perhaps her entire family. But the choice is not ours to make. It is not for the ''maleogarchy'' to make those decisions.

The FDA advisory committee agreed that emergency contraception meets all of the standards for an over-the-counter drug: It is safe; it is effective; it is simple to use; it is not associated with any serious or harmful side effects; and it is not dangerous to women with particular medical conditions. Leading medical organizations including the American College of Obstetricians and Gynecologists, Society for Adolescent Medicine, and the American Academy of Pediatrics all support over-the-counter access to emergency contraception. It is time for the administration to stop playing games with women's health and the integrity of American science. The FDA should be allowed to act, free of political interference.

Mr. President, I ask unanimous consent that an article on the administration's action on emergency contraception from our States largest paper, the Newark Star-Ledger, be printed in the RECORD, and I yield the floor.

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

[From the Newark Star-Ledger, Mar. 29, 2004]

FDA'S INDECISION ON 'MORNING AFTER' PILL STIRS CONCERN

(By Robert Cohen)

WASHINGTON.—A scientific advisory panel's overwhelming vote three months ago endorsing over-the-counter sales of the ''morning after'' pill left family planning groups confident of the Food and Drug Administration's approval.

But that was before the FDA unexpectedly delayed its decision after 49 conservative members of Congress wrote President Bush objecting to the panel's conclusion and urging that sales of the emergency contraceptive be restricted to prescription holders.

The FDA's action last month has raised fears among the pill's proponents that the panel's scientific and public health findings will be trumped by election-year politics.

''For some members of the Bush administration and the president's political base, this product being available without a prescription to young people files in the face of their message, which is abstinence or else. At this point, we're very concerned that politics was involved,'' said Kristen Moore of the Reproductive Health Technologies Project, a group that promotes contraception.

But FDA officials said the delay has nothing to do with politics, and that a final decision will be made by May. Susan Cruzan, an FDA spokeswoman, said the agency first wants to review data on use of the contraceptive by teenagers.

''The FDA bases its decisions on science,'' she said.

This is not the first time the Bush administration has been accused of politicizing science. Last month, 60 leading scientists, including 12 Nobel laureates, accused the administration of undermining the government's scientific advisory system by distorting and suppressing data to meet its policy goals.

Critics of the emergency contraceptive—mostly religious conservatives and anti-abortion groups—counter the claims of politics by accusing liberal, pro-abortion organizations of ignoring health concerns to foster their own agenda.

''When the supporters argue politics, they are simply trying to divert attention from the real risks of making this product readily available,'' said Wendy Wright, a policy director for Concerned Women for America, a conservative advocacy group dedicated to promoting biblical values.

''We don't know how this affects adolescents, who are the target market,'' she said.

Wright's group, along with the Catholic Medical Association, the American Life League and others, argue that making emergency contraceptives as easy to purchase as aspiring will increase sexual promiscuity among adolescents and cause the spread of sexually transmitted diseases.

Morning-after pills have been sold by prescription in the United States since 1998, and contain higher doses of the hormones used in regular birth control pills. The emergency contraceptives are considered effective in preventing pregnancy up to 72 hours after sex, but work best if taken in the first 24 hours.

Barr Laboratories of Woodcliff Lake recently purchased the rights to the contraceptive, known as Plan B, from the privately held Woman's Capital Corp. Barr holds the pending FDA application to sell its product without a prescription.

An FDA advisory panel voted 23–4 in December to recommend the over-the-counter sale of Plan B, finding it to be a safe and effective way to prevent unwanted pregnancies and reduce the number of abortions. The FDA normally follows the advice of its advisory committees.

But in January, 49 members of the House, led by Rep. David Weldon (F-Fla), sent their letter to President Bush.

''We are very concerned that no data is available to suggest what impact this decision will have on the sexual behavior of adolescents and the subsequent impact on adolescent sexual health,'' the letter said. ''We are concerned that adolescent exposure to sexually transmitted infection will increase. This availability may ultimately result in significant increases in cancer, infertility, and HIV/AIDS.''

The lawmakers are among the supporters of Bush's policy stressing abstinence rather than birth control and sex education. The president has proposed doubling the funding next year to $270 million for ''abstinence only'' programs for teens.

''Abstinence for young people is the only certain way to avoid sexually transmitted diseases,'' Bush said in his State of the Union address in January.

Carol Cox, a spokeswoman for Barr Labs, said the company has submitted the information sought by the FDA and will ''continue to work with the agency.'' Cox said the company ''does not view the delay as a positive development,'' but remains hopeful.

''We believe this product meets criteria of over-the-counter status,'' she said.

James Trussell, director of Princeton University's Office of Population Research and a member of the FDA advisory panel, said the studies sought by the FDA were thoroughly reviewed by the committee.

''The studies find that easy availability of emergency contraception does not promote risk taking, does not discourage condom use or use of regular contraception. This product should go over-the-counter because it will reduce unintended pregnancies,'' Trussell said.

''If the FDA does not approve Plan B to go over-the-counter, the decision will not have been based on the science because the science says the drug is safe and effective to be sold without a prescription,'' he said.

Sarah Brown, director of the National Campaign to Prevent Teen Pregnancy, said pregnancy rates among adolescents in the United States have been dropping but are still the highest in the industrialized world. She said multiple strategies involving ''less sex and more contraception'' are needed.

''The government should approve the over-the-counter availability of the emergency contraceptives,'' Brown said. ''It probably will make some contribution to reduce teen pregnancies. Will it eliminate it or dramatically change adolescent sexual behavior? I doubt it.''

The PRESIDING OFFICER. The Senator from Illinois.

ESCALATING GASOLINE PRICES

Mr. DURBIN. Mr. President, I thank my colleague from New Jersey for his leadership in the presentation he just made to the Senate. I would like at this time to address an issue that is extremely topical in Illinois and across the Nation, more so in some States than others, but it is the escalating gasoline prices people are facing.

Global crude oil prices are as high as they have been in a year. Domestically, retail gasoline prices are as high as they ever were, with the average price of gasoline $1.738, higher than a year ago. In Illinois, the current sale price of gas is $1.756 cents, which is higher than the current national average, higher than a month ago, and 4 cents higher than the average a year ago.

Gasoline prices affect Americans in the pocketbook. On the average, the cost of gasoline is about half of a family's transportation expenses. We love our cars, we love our trucks, we are in them a lot, and when gasoline prices go up, we pay more. The low-income families are hit the hardest by high transportation costs. The poorest 20 percent of American households, those earning less than $13,908 after taxes per year, spend 40 percent of their take-home pay on transportation.

There are many factors that have led to these high prices, some of them on the supply side and some on the demand side. U.S. crude oil inventories hit a 28-year low in January of this year. OPEC has been very prudent in putting oil on the market. I will get to the most current announcement on OPEC policy in a few minutes. In addition, refinery capacity in the United States has been down for years.

In the United States, cars, SUVs, pickup trucks, and minivans account for 40 percent of oil consumption, and the transportation sector itself accounts for 60 percent overall. Almost nothing has been done to curb this demand. The best way to address rising gasoline prices is to curb our Nation's insatiable thirst for guzzling gas.

I am leading the fight in the Senate to try to lessen overall demand for gas by improving the fuel efficiency of cars and light trucks. Last year, I offered an amendment to the energy bill which would have increased the Corporate Average Fuel Economy—or CAFE—law's standard for cars and SUVs to 40 miles a gallon by the year 2015, and the standard for trucks to 27.5 gallons in the same year.

I also introduced legislation that would discourage the building of more SUVs that achieve less than 15 miles per gallon, and to address the tax credit currently given to these SUVs, these gas guzzlers, and instead create a tax credit for consumers who purchase more fuel-efficient cars.

The Bush administration finalized regulations for SUVs and pickup trucks that would save at the most 20 billion gallons by 2015. This is one-sixth of the savings that would have occurred under the proposal I am offering—one-sixth. What I offered would have saved 123 billion gallons of gasoline by the year 2015—123 billion by reducing demand.

I urged my colleagues at the time to read the writing on the wall and realize if we didn't reduce the demand for gasoline for cars and trucks, we would not only have skyrocketing gasoline prices but even more pollution.

The New York Times editorial, Monday, March 22, 2004:

A much better way to strengthen America's leverage . . . is for the United States to limit its own consumption of energy . . . [T]he most straightforward [way] is to raise fuel economy standards by significant amounts. This is exactly what the country did after the oil shocks of the 1970's, resulting in huge savings in imported oil.

Thanks to the Corporate Average Fuel Economy, CAFE, oil consumption is about 2.8 million barrels per day lower than it otherwise would be.

Studies have shown consumers can save as much as $2,000 over the lifetime of a car from higher fuel efficiency, even accounting for the cost of new vehicle technology.

Raising fuel economy standards to 40 miles per gallon would save consumers a cumulative $45.8 billion within about 10 years.

Unfortunately, since peaking at 22.1 miles per gallon in 1987 and 1998, average fuel economy declined nearly 8 percent to 20.4 in 2001, lower than it has been at any time since 1980.

Consider that for a moment. Instead of having more fuel efficiency and more fuel economy and less demand for foreign oil, our cars and trucks are less efficient burning gasoline, cause more pollution, and increase our dependence on foreign oil.

The Energy bill brought to us by the Bush administration didn't include any provision whatsoever to improve efficiency.

I will add, in all honesty and candor, that the automobile manufacturers in the United States and their unions also oppose increasing the fuel efficiency in cars. I think their reasoning is wrong. I think their excuses are lame. I think they are so shortsighted to believe that we can continue to build the most fuel-inefficient cars and trucks in the world and not run into the same problem we face today of increasing costs for fuel. As our demand increases, we can't produce enough fuel on our own. We import more and become more dependent on foreign fuel and, frankly, enslaved to OPEC. In a minute I will tell you what that enslaved position resulted in.

I say to my colleagues and many who have come to the floor to talk about gasoline prices, go back and check the CONGRESSIONAL RECORD. How did you vote when it came to making cars and trucks more fuel efficient? Sadly, very few of my colleagues joined me. It did not win a majority vote. I think those who complain today ought to take an inventory of their own voting record on this issue.

There are many things we should do. If we don't start fuel conservation and fuel efficiency and fuel economy, frankly, we will continue to be captives of the oil cartel. We will continue to watch these prices rise at the pump with very little we can do in response.

The next time we debate energy policy, I will be offering this amendment again. I hope we will do the right thing.

In the meantime, what do we do about the current prices? It is interesting what some have said when it comes to the current prices.

During the Republican primary debate in Manchester, NH, in the year 2000, in January, then-Governor Bush of Texas said:

What I think the President ought to do is he ought to get on the phone with the OPEC cartel and say we expect you to open your

spigots. One reason why the price is so high is because the price of crude oil has been driven up. OPEC has gotten its supply act together and it is driving the price like it did in the past, and the President of the United States must jawbone OPEC members to lower the price.

Faced with these skyrocketing gasoline prices, the obvious question is, Did President Bush do what candidate Bush suggested? The answer is no.

Listen to what the Secretary of Energy, Spencer Abraham, had to say on March 24, just a few days ago, when he was asked about whether the administration should put pressure on OPEC not to cut the supply of oil and raise prices in America.

I quote the Secretary of Energy, Spencer Abraham, from the Washington Times.

Abraham said the administration would not temporarily stop filling the Strategic Petroleum Reserve to help lower oil prices and it would not publicly call on OPEC to roll back production cuts scheduled for April 1st.

Here are the words of Secretary Abraham:

We've . . . made clear we are not going to beg them for oil.

What it means is when candidate Bush went to Manchester, NH, and said we need a forceful President who will stand up to OPEC to defend businesses and families and individuals across America who are paying the price of higher gasoline prices, candidate Bush when he became President Bush suffered severe political amnesia. He forgot what he said. Look where we are today.

The unfortunate reality is that we have a press release today from Vienna, Austria, from Reuters, which said:

''OPEC agreed Wednesday to endorse tighter curbs on oil production, ignoring concerns in some countries about crude oil prices near their highest level in 13 years,'' ministers said.

''The Organization of Petroleum Exporting Countries decided to implement a deal cutting 1 million barrels a day from April 1,'' Iranian Oil Minister Bijan Zanganeh said. Libyian Oil Minister Fethi bin Chetwane also said that the cartel formally agreed Wednesday to implement the cuts, which were first proposed in Algiers in February.

Benchmark U.S. crude traded up 25 cents to $36.50 a barrel with the New York Mercantile Exchange's gasoline contracts sitting at an all-time high of $1.177 a gallon.

What is happening? Because this administration refuses to confront OPEC, because as Secretary of Energy Abraham said, we are not going to beg for oil, because President Bush forgot what he promised when he ran for President 4 years ago, American families and businesses will face oil prices at record high and historic levels.

What has been the response of the Bush administration to this reality? The response was to prepare a campaign ad attacking JOHN KERRY. The campaign ad just started to run. It is an ad which criticizes Senator JOHN KERRY, the purported Democratic nominee for President of United States, for supporting a 50-cent-a-gallon gas tax, saying that the tax increase will cause the average consumer to pay $657 more a year, and that he supported high gasoline taxes 11 times.

This morning, the Washington Post decided to look at the charges, the negative ad, that is being run against JOHN KERRY. Here is what they had to say:

Unlike three previous negative ads, this spot softens its charges with a mocking tone and funny footage against the ''wacky'' Kerry.

This is from the Washington Post.

But it unfairly presents a gas-tax hike as if it were the Senator's current position, when most of the examples are a decade old. Kerry voted in 1993 for the Clinton economic package, which included a 4.3 cent increase in the gas tax, and is widely credited with boosting the economy. He also opposed several Republican efforts to repeal the tax.

The article goes on to say, analyzing the Bush negative ad:

Kerry spoke in favor of a 50-cent hike in 1994 and as a possible way of cutting the deficit, but no such proposal came to a vote and he later changed his mind. His only recent vote was in 2000, when Kerry opposed the GOP effort to suspend 18 cents in gas taxes for five months.

The article goes on to say, analyzing the Bush attack ad:

The ad fails to mention that the President, who promised in 2000 to trim gas taxes, has never proposed such a cut. Bush campaign manager Ken Mehlman said Kerry last year opposed Bush's energy bill, designed to boost oil in part by allowing drilling in Alaska. Kerry's spokeswoman Stephanie Cutter called the measure ''a giveaway'' to the oil companies and a Republican-controlled Congress killed it. The Kerry camp dug out a quote in which Bush's top economic adviser [the ever-present and almost infamous] N. Gregory Mankiw, backed a 50-cent gas tax in 1999.

You may remember Mr. Mankiw. Mr. Mankiw was the man, the President's economic adviser, who sent the economic report to Congress. In it Mr. Mankiw, with his own insight as the top economist of the Bush administration, said that the outsourcing of jobs to India and China was a good thing. Now we were trading in new things like call centers. It was a good thing—Mankiw's own words.

So Mr. Mankiw, top economic adviser to George Bush, it turns out, was supporting a 50-cent increase in the gasoline tax in 1999. Interesting. And President Bush and his campaign continue to run ads attacking JOHN KERRY and saying that the real reason for the gasoline price increases that we are seeing across America is JOHN KERRY voting for a 4.3-cent gasoline tax increase 11 years ago.

Is that as good as they can get? Is that the best they can come up with? What they are ignoring is the obvious. They are ignoring the fact that this President has the power, as President of the United States, to put the pressure on OPEC, and refuses to do it. Why? Why is this President backing away? Is it this oil connection with the President and Vice President CHENEY? Is it the fact that some of the OPEC cartel countries have been some of the favorites of this administration for political and other reasons?

What is it all about? Why wouldn't this President, facing a gasoline crisis in America today, do what he said he would do when he ran for office in the year 2000? It is an answer I cannot come up with. But I will tell you, the American people will come up with it. They understand what this is all about.

The President can promise tiny little tax cuts for working families and massive tax cuts for the wealthy, and then turn around and fail to show leadership on gasoline prices, and watch whatever benefit those small tax cuts meant to lower-income families disappear.

The Bush administration's failed policies have created record high prices for gasoline. Americans are paying 12 percent more for gasoline since former oil industry executives President Bush and Vice President CHENEY took office on the pledge that their ties to the oil industry would lead to lower gas prices.

Well, it did not work, just as the President's economic policy did not work. Here we have a President who, in a matter of 3 years and a few months, has lost more jobs in America than any President in the last 70 years, and that includes Republicans and Democrats alike. Tax cuts to the wealthy did not create jobs. And the President's cozy relationship with the oil companies and the oil sector certainly has not kept gasoline prices under control. The President refuses to confront OPEC and tell them they have to stop taking advantage of American families and businesses.

Secretary Abraham: ''We won't beg for oil.''

Well, I do not think you have to beg. Many of these countries in the Middle East, as part of the OPEC cartel, depend on the United States for an important and valuable market. They depend on the United States for many security items. They depend on the United States and its friendship and alliance when things get tough, such as the instance in Kuwait and the Persian Gulf crisis.

Why wouldn't this President go to the leaders in OPEC and tell them what they were doing to America and the American economy, gripped with this so-called jobless recovery. Frankly, a jobless recovery is no recovery at all. We all know that. Facing a jobless recovery, this President will not confront OPEC and tell them: Keep gasoline prices low; increase your exports of crude oil so we do not run up the cost of business for small and large businesses alike, and run up the cost of living for average working families.

Economist David Rosenberg told CNN's Lou Dobbs:

[P]ain at the pump has wiped out more than $20 billion of the coming $40 billion in tax refund checks.

How did he come to that conclusion? On January 5, American consumers

paid $1.51 for an average gallon of gas. As of today, less than 3 months later, they are paying $1.75 a gallon—a 24-cent increase since January.

According to the Wall Street Journal:

[E]very penny increase in a gallon of gas costs consumers $1 billion a year.

So if prices remain high, that means a $24 billion gas tax hike has been placed on the American people, for the failure of the Bush administration to confront the OPEC cartel, as he promised to do.

But that is not all.

Nationwide gas prices have risen 12 percent since the year 2000 and are expected to skyrocket upwards to $1.83 a gallon this summer when gasoline prices usually peak—a 17-percent increase in gasoline prices since President Bush took office.

So what is wrong with this picture? When it comes to employment, there is nothing but bad news in statistics. The unemployment rates continue to go up. When it comes to gasoline prices and its cost to families and businesses, more bad news from the Bush administration: a 17-percent anticipated increase by this summer.

Guy Caruso, the administrator of the Energy Information Administration, told the Senate Energy and Natural Resources Committee that an average family will spend about $1,700 for gasoline in 2004. At today's gas prices, this means the average family will spend over $300 more for gas than they would have if prices were at the level they were the week President George W. Bush took office.

As I said, candidate Bush knew what to do. President Bush refused to do it. Candidate Bush said: Confront the OPEC cartel. President Bush said: We are not going to dirty our hands by ''begging for oil.''

Because the Bush administration did not follow its own advice from 2000, OPEC has decided to pursue additional cuts, leaving American consumers more susceptible to higher gas prices.

Let me say, gas prices have been an issue for the Vice President, too. On October 9, 1986—since President Bush's campaign is dredging up history when it comes to JOHN KERRY—as a Member of the House of Representatives, DICK CHENEY, our Vice President, introduced a bill to establish a $24-per-barrel price floor on imported crude oil—a mandatory minimum price, indexed to inflation, that today would have reached as high as $36.12 a gallon. If Vice President CHENEY's bill had passed in 1986, consumers would have paid over $1.2 trillion in increased gas prices since that year, with $600 billion going to oil companies.

In 2001, as Vice President, former Halliburton CEO DICK CHENEY led an energy task force that met with energy industry officials in closed meetings to write the energy bill of this administration. The meetings led to the administration's energy policy, which has failed on the Senate floor. The administration has refused to release detailed records of the meetings to the General Accounting Office, the investigative branch of Congress. The secrecy surrounding the meetings is so unusual and unprecedented that the Supreme Court on April 27—just a few weeks from now—will hear arguments that the records for the meetings should be opened.

Republicans have criticized JOHN KERRY for supporting gas taxes in his Senate career, but, as I have said, these charges are grossly exaggerated and a distortion. This, frankly, is what I am afraid we can expect more of during this campaign. But I think the American people know, while Republicans make a lot of noise about opposing a gas tax, the record tells a different story.

Ronald Reagan said of the gas tax:

The cost to the average motorist will be small, but the benefit to our transportation system will be immense.

Republican leaders in the House have pushed for a gas tax hike this year. In fact, House Transportation and Infrastructure Chairman DON YOUNG of Alaska proposed a 5.4-cent-per-gallon gas increase this Congress. And President Bush, who promised to cut the gas tax as a candidate, has never acted to do so once in office.

So I think what faces America is clear. We need leadership in the White House that is not afraid to confront OPEC. We need a President who is not afraid to get on the phone, through his Secretary of State, Secretary of Energy, and say to those in the OPEC cartel that they cannot unilaterally put us in a position where our economy—struggling to come out of recession, struggling to recover, struggling to create jobs—is going to end up hat in hand, in a situation where we have no recourse for families and for businesses.

But the Bush administration failed. They failed to do what the President should have done in showing leadership on this issue. The President said one thing in the campaign and has done another thing now in the White House.

American families are going to have to face that cost. When you look at this record, sadly, it is not too much of a surprise. Here we are faced with a struggling economy and an administration which, despite losing more jobs than any President in 7 years, refuses to support a payout of unemployment compensation to the workers and families who have lost their jobs, an administration which understands that more workers are working longer hours to make ends meet and comes up with a proposal to eliminate overtime pay for 8 million American workers.

We created the overtime law in 1938. Since we said that after you work 40 hours, you are going to be paid more under the law, every administration that has addressed this law has increased the eligibility of American workers until this administration. With the Bush administration, for the first time in history, a President has proposed cutting overtime pay for 8 million workers in America.

Think about that. If he is successful in doing that, it means that the workers who are going to work today will have to work longer hours just to keep up with the lost pay from this Bush administration policy. So who are these workers? They are policemen, firefighters, nurses, and people, frankly, who we count on every single day. This is an administration which won't provide unemployment compensation despite losing millions of jobs since the President was elected, an administration which cuts overtime pay for some 8 million workers, and an administration which has decided as a matter of policy it will not support an increase in the minimum wage for workers in America.

We are in the midst of debating the welfare bill. I voted for welfare reform. I hope I can vote for this bill. There are many positive aspects to it. But if we want to keep people off welfare, if we want to reward work and reward the right decisions, then we certainly should give fair and adequate compensation to those who struggle. Can you think of what life would be like if you faced $5.15 an hour, a little over $10,000 a year, as your total income, and then add on to that a second job, if you could get it, that has you working 16 hours a day and doubles your income to $20,000 or $22,000 a year?

These proud and hard-working people get up and go to work every single day. They are the visible Americans who make the beds in our hotel rooms, bus our tables in the restaurants, wash the dishes in back of the kitchen, deal with tending our children in daycare facilities. We have said, because of the refusal of this administration and Congress to increase the minimum wage, that we have so little respect for their work ethic we will not allow the minimum wage to be increased in America.

The insensitivity of this administration to working families and to the sad state of the economy has been documented again, not just with unemployment compensation, not just with overtime pay, not just with its resistance to increasing the minimum wage, but with the refusal of this President to keep his campaign promise from the year 2000 and to put pressure on OPEC not to cut the production of oil, forcing an increase in gasoline prices across America.

We need more compassion from this administration. We need more of a connection between this administration and working families across America. We need a change.

Mr. ENZI. Mr. President, I rise to speak about an amendment I wish to offer to the bill currently under consideration to reauthorize the Temporary Assistance for Needy Families program. This program is one of the largest Federal programs ever designed to help families reach self sufficiency. I believe this amendment is a strong addition to the current bill, and one that

this body should pass. I thank my friend and colleague from Iowa, the chairman of the Finance Committee, for his hard work in preparing this bill for floor consideration and for making important improvements to the 1996 welfare reauthorization. The 1996 reauthorization is one of the greatest success stories of the recent past. Even now, it continues to produce positive results far beyond what many thought was possible. Now it only makes sense for us to pass this legislation to continue the reforms we began 8 years ago.

Mr. President, as I mentioned, the key principle of this welfare reauthorization is self-sufficiency. As this body considered welfare reform in 1996 we found that families could end their dependence on Federal assistance if we provided the incentives to help them find jobs and start providing for themselves. It was the most important change we could have ever made. In response, families went out and found good jobs that provided them with the resources they needed to make ends meet today and prepare for their future needs.

Even today, the results of that effort continue to speak for themselves. As my colleague from Pennsylvania has pointed out, child poverty has declined significantly since 1996. Families receiving welfare assistance have found a renewed sense of confidence and self worth by meeting life on their own terms. Their newfound jobs have given them a sense of security many have never had before.

We congratulate all those who have been able to work themselves off the welfare rolls and we encourage those who are trying to do the same not to be discouraged. That is why this legislation is so important. It enables us to continue that piece of the reform we started, to get people into work and on to self-sufficiency.

I don't think there is any more vital aspect of self-sufficiency than making sure that these families know how to budget and manage their money wisely so they can maintain their financial independence and work toward financial security. That calls for education in financial literacy.

When I served as mayor of Gillette, WY, I saw firsthand the effectiveness of helping individuals understand the importance of financial planning. This is a skill that is essential to self-sufficiency, and it should be a part of the welfare assistance program.

My amendment would permit welfare recipients to participate in a limited amount of financial literacy training that would allow them to learn about personal finance management, credit counseling, budgeting, and debt management. This important course work and study would then count toward the work requirement under the Financial bill. As my colleagues are aware, the Finance bill separates the permissible work hour activities into two groups: core work and work preparation activities, and allowable activities. Both are required for a recipient to meet the work hour requirement. My amendment would add financial literacy training as an allowable activity.

Financial literacy and education is an essential tool that must be mastered to fully participate in today's society. Only an educated individual consumer will be able to fully unlock the financial markets available to them. A basic understanding of the credit process and managing personal finances will prepare consumers and their families for making major financial purchases like a home, saving for college and planning for retirement. All of these are part of achieving self-sufficiency because they require people to create a plan that will enable them to meet short term needs and still reach long term goals.

It is essential that welfare recipients be given an opportunity to receive this training and that states have an incentive to provide it. The Federal Government operates several financial literacy and education information programs designed to help individuals make smart decisions about their finances. It is my hope that by including financial literacy training in the welfare reauthorization we will improve and build upon the growing Federal recognition of the importance of this training.

I thank the Chair.

Mr. JOHNSON. Mr. President, our support of childcare assistance is essential to ensuring the health and safety of children in working families. Without greater support for childcare, parents of young children may be forced to choose cheaper, poor quality care for their children or fail to provide it entirely. These families need to know their children are cared for while the parents do their part to attain self-sufficiency and to provide for their families.

At 73 percent, my State of South Dakota has the highest percentage of children six years of age and younger with both parents working and the highest number of children under the age of 6 in paid daycare, at 47 percent. This is almost double the national average of 24 percent. On average, 1 year of childcare costs families in South Dakota $4,000. This estimate is close to a semester of college at a State institution.

A study done by the South Dakota Coalition for Children found that parents seek a safe, nurturing environment for their children when they are under someone else's care. As more and more families need both parents to work in order to make ends meet, safe reliable day care has become essential to the peace of mind of working families in South Dakota and across the country. Without the increased funding for childcare that the Snowe-Dodd amendment provides, more parents will be forced to seek childcare that meets their budgets rather than their hopes for the care of their children. In some cases, families may go without childcare all together.

Without the increase in childcare funding provided by this amendment, hundreds of thousands of eligible children will lose childcare assistance over the next 5 years. At a time when only one out of seven eligible children is currently served, I urge my colleagues to strengthen our commitment to children in working families by supporting the Snowe amendment and providing additional resources to increase the number of children able to receive quality care.

Ms. MIKULSKI. Mr. President, I am proud to cosponsor the Boxer/Kennedy amendment to raise the minimum wage for the first time in seven years. This increase is long overdue. The last time Congress increased the minimum wage was in 1997. Yet inflation has already wiped out the real value of that increase. For working people, a full-time job should not mean full-time poverty.

I thought in this country, the best social program was a job. Yet minimum wage jobs aren't paying enough to keep families out of poverty. There are more than 100,000 Marylanders earning minimum wage. Most of them can't even afford a two-bedroom apartment. At $5.15 per hour, minimum wage workers working 40 hours per week, 52 weeks per year, earn an annual salary of only $10,700. That's $5,000 below the national poverty line for a family of three.

Every day the minimum wage is not increased, workers fall farther and farther behind. Throughout Maryland, I keep hearing about families turning to soup kitchens and local charities for help. They are forced to do this because the economy is bad, and their jobs simply don't pay them enough to stay afloat.

An increase in the minimum wage equals an increase in the standard of living for working Americans. This amendment would raise the minimum wage from $5.15 and hour to $7.00 an hour. It would help nearly 7 million working Americans. It helps low wage workers like the home health aides who take care of our elderly parents and the child care workers who take care of our children. It helps farm workers, security guards and housekeepers.

Right now we are debating the reauthorization of Welfare Reform. I voted for Welfare Reform in 1996 because I agree that the best way to help lift someone out of poverty is to help him or her get a job. But it doesn't help anyone to get a job that doesn't pay enough to stay off of public assistance. While we're working to move our most vulnerable citizens from welfare to work, we need to make sure those jobs pay a livable wage.

I urge my colleagues to vote for this amendment.

Mr. SARBANES. Mr. President, I rise in support of the Boxer-Kennedy amendment to raise the minimum wage. A fair increase is long overdue and the Congress must act to set a

minimum wage that accurately reflects current economic conditions.

The majority has decried this amendment as non-germane and accused the minority of holding up the underlying legislation. While the amendment may not be germane in a procedural sense, it is certainly relevant, it is certainly appropriate, and it deserves an up or down vote.

Indeed, as my able colleague Senator KENNEDY mentioned earlier on the floor, the Secretary of Health and Human Services, as recently as March of 2002, has acknowledged that moving people to jobs that pay at least the minimum wage is the centerpiece of TANF. Minimum wage jobs are the centerpiece of TANF.

But in order for people to move off these rolls and still support their families, such jobs must provide a livable wage. Mr. President, if the true goal of this legislation—as has been stated—is to reduce the number of individuals enrolled in our Nation's welfare system, this amendment would directly serve to accomplish that goal.

To achieve self-sufficiency, a working family needs more. By working 40 hours a week, 52 weeks a year, an employee will earn $10,700 at the current minimum wage. For a family of three, that represents an income that falls $5,000 below the poverty line.

And this is a pervasive trend. The U.S. Census Bureau reported that in 2002 the number of working poor in the United States stood at 8,954,000. This is unacceptable. If Americans are willing and able to work full time jobs, they should be able to provide for their family.

At the current minimum wage, this situation is not likely to improve any time soon. According to the Congressional Research Service, the minimum wage today is at its lowest level in terms of purchasing power since the 1940s. And each day we fail to act, inflation continues to erode this purchasing power. As this happens, workers earning the minimum wage will only become more and more dependent on the government assistance to make ends meet.

If enacted, at its full implementation, the Kennedy amendment would increase this wage to $7 an hour. This would provide an increase in the incomes of minimum wage earners by $3,800 a year, which represents a positive step toward purchasing power that comports with modern day needs and prices.

The other side will argue that increasing the minimum wage will hurt business and stunt job growth. They argue that we need to give more tax cuts to the wealthiest among us, run large and growing Federal deficits, and hope that things improve.

Mr. President, this has been our policy for over three years since this Administration took office. In that time, we have seen the largest job loss in our Nation's history. We have seen Federal surpluses erased in favor of record deficits. And we have been told time and time again by the Administration that things will turn around soon.

However, today's release of state-level job growth data by the Bureau of Labor Statistics flies in the face of the Administration's assertions in this regard. These statistics indicate that 49 states failed to meet the Bush Administration's projections for job creation in the month of February 2004. As of February 2004, 35 states have failed to get back to their pre-recession employment levels. Furthermore, 49 states have not created enough jobs to keep up with the natural growth in the number of potential workers, as job growth has lagged the growth in working-age population since March 2001. As for the unemployed, 43 states have higher unemployment rates than when the recession began. As a Nation, the cumulative job growth shortfall is over two million jobs since July 2003, when the first of this Administration's tax cuts went into effect.

Raising the minimum wage will not only benefit low-income wage earners, it will provide economic stimulus by putting additional dollars in the hands of those who must spend them to make ends meet. When the Congress last increased the minimum wage, the economy experienced its strongest growth in over three decades. Nearly 11 million new jobs were added. This is quite a different result from the economic policies we have pursued under the current Administration.

Mr. President, increasing the minimum wage is the fair thing to do and it is sound economic policy. I urge my colleagues to support the Boxer-Kennedy amendment.

## MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## TRIBUTE TO CESAR CHAVEZ

Mr. REID. Mr. President, today is the 77th birthday of someone whom I admire greatly, Cesar Chavez. He was born March 31, 1927. I never had the opportunity to meet Cesar Chavez. I came close a couple of times, but I never had the opportunity to meet him.

He was a leader, a great father, a man of great moral character, and a humanitarian. He was a man whose name is synonymous with a broad social movement that accomplished substantive things. He was guided by principles of nonviolence and respect for human labor. He dedicated his life to helping those who had no voice. And that is an understatement.

Whether he was leading a 340-mile march from Delano to Sacramento or staging one of his prolonged hunger strikes, Cesar Chavez worked tirelessly to focus attention to the inhumane conditions endured by migrant farm workers.

He gave life, dignity, and strength to the United Farm Worker movement. He knew firsthand the plight of migrant farm workers. He went to work in the fields and vineyards when he was only 10 years old, which was fairly standard at the time. He was forced to leave school in the eighth grade to help support his family. But even though he didn't have a lot of book learning, so to speak, he was a brilliant man. In 1944, he served his country in the United States Navy.

Forty-two years ago, Mr. Chavez joined Dolores Huerta, whom I have had the opportunity to meet. She is still an avid activist and gives inspiration to people in the State of Nevada and throughout the country. Forty-two years ago, Chavez and Huerta founded United Farm Workers Association.

Cesar Chavez and the Farm Workers Union opened the eyes of the American people. For the first time, many Americans began to learn about the hard lives and inhumane treatment of the workers who helped put food on the table.

Cesar Chavez was an integral figure in the birth of La Causa, as our Nation's Latino civil rights movement is sometimes called. Organized labor, religious groups, minority students, and many other people of good will joined Chavez in his fight to secure the rights and improve the lives of migrant farm workers.

Cesar Chavez is probably our Nation's most recognized Hispanic American historical figure, but he did not help only Latinos but Irish, Asian, Indian, German, Mexican. When it came to aiding farm workers, Cesar Chavez drew no racial lines. He placed his life on the line many times. He did it by protesting, by denying his body nourishment, in order to nurture the cause he so well served.

In 1968, he staged a fast. For 25 days, he ate no food. In 1972, he repeated this for 24 days. But, in 1988, he fasted for a remarkable 36 days. He embraced the philosophy of Gandhi and Dr. Martin Luther King Jr. He sought to bring about deep-rooted change through nonviolent means.

In those many difficult days migrant farm workers lived in makeshift homes with no plumbing, heat, or running water. It was not uncommon for them to be sent into a field or vineyard while the crop-dusting plane was actually dropping pesticides. And, in most cases, little or no attempt was made to educate the children of these farm workers.

Things have changed as a result of his work. Take, for example, the onion fields of northern Nevada, Lyon County. Farm workers now have very nice facilities. They have to meet certain standards. They watch how many hours they work. They have rights they never had but for this man, Cesar Chavez.