I am very proud of what we have accomplished in this Congress. I think we have established a philosophy and a direction of providing adequate programs for controlling the size and growth of expenditures of the Federal Government; doing those things that are necessary, yet moving many decisions back closer to the people and the local governments; taking care of the obligations we have, such as paying down the debt and returning those dollars.

One of the real controversies, of course, is going to be the tax relief that passed the Senate. The tax relief is in two areas that seem to be particularly appropriate—the marriage penalty tax, where two people who are working for *x* amount of dollars get married, continue to make the same amount of dollars, and then pay more taxes. It is a fairness issue. There is something wrong with that. We have changed that. The President has threatened to veto it.

The other one that needs to be changed, in my opinion—and the Presiding Officer has been a leader in this—is the death tax, the estate tax, the idea that when someone dies, up to 50 percent of their earnings throughout their life can be taken by the Federal Government.

The alternative, of course, is to not let death be a trigger for taxes but, rather, let those moneys be passed on to whomever they wish to pass them on to, and whenever things are disposed of and sold, there is a capital gains tax, of course, on the growth that has taken place. It seems to me that is a fairness issue.

That is where we are. Those are some of the exciting things that I think are happening, and things that fit in, I believe, with the goals most of us have in terms of moving forward with this Federal Government.

We now have a fairly short time to continue doing what has to be done. Appropriations have to be done. We need to continue with our tax reductions and continue with strengthening education. We need to continue in health care. We are on the road to doing that. I am very pleased with how we are doing it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

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REMEMBERING SENATOR PAUL COVERDELL

Mr. KYL. Mr. President, I appreciate the opportunity to take a few moments to reflect on some things you said and also on what the majority leader said a little while ago.

After our colleague Paul Coverdell died, I made a very brief statement on the floor. I knew I should speak briefly because it would be difficult to talk very long about Paul without becoming too emotional.

I think at a time when politics generally and politicians specifically are the subject of a lot of humor—they are denigrated because of cynicism about the political process, and in fact in some cases the denigration of some politicians is probably warranted—it is important for the American people to be reassured that there are some extraordinarily fine public servants who toil very hard on their behalf and who are responsible for whatever good comes out of these institutions—the House and the Senate.

Paul Coverdell was such a man. All of us who have spoken about him have shared with our colleagues and with the American people the same general notion that it is amazing what you can do if you are willing to let others take the credit for it. That was Paul Coverdell—self-effacing, very hard working, totally trustworthy and honest. Everyone could rely upon him to do the things that had to be done without fear he would in any way attempt to take advantage of any situation. He was as solid as a rock and a very important part of this institution—someone who really helped to make it run, and run in a good way.

I am sure my constituents in Arizona for the most part are unaware of Senator Coverdell, but they and others all around this country need to know how sorely he will be missed—not only personally but professionally—and how important a contribution he made to this country. There are truly some wonderful public servants, and Paul Coverdell was one of the best.

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CONCERNS OF ARIZONA CONSTITUENTS

Mr. KYL. Mr. President, when I was in Arizona this weekend, there were three things that seemed to come up frequently. One, of course, was the Vice Presidential selection of Governor Bush for the Republican nomination this fall. The other two subjects were the issues of tax relief, and I will briefly discuss that, and missile defense, which I will add to the mix, to share some of my constituents' concerns.

On the matter of Vice President, obviously, that is a subject of which Governor Bush will speak today or tomorrow, perhaps. Those on the Republican side will be, I am sure, very supportive. If it is former Defense Secretary Dick Cheney, I think we will be especially pleased. I can't think of anyone who could make a better contribution, not only to the ticket but also to a future Republican administration, than Dick Cheney. He is from the Presiding Officer's State of Wyoming. He represents the kind of values that both the Presiding Officer and others from that great State represent: Straightforwardness, plain-spokenness, honesty, directness, a good strong sense of values, a willingness to do the hard work without having to take a lot of the credit, traits we treasure in someone such as Senator Paul Coverdell, and which Dick Cheney would certainly bring to the job. His experience and the great respect which people not only in this country but around the world have for Dick Cheney would serve the ticket well. I am not attempting to influence Governor Bush in any way, but if his choice is Dick Cheney, there couldn't be a better choice.

Now the other two subjects my constituents raised this past weekend. I was astounded that these were the two things they wanted to talk about: The tax relief that the Republican Congress continues to pass, and pass on to the President; and, secondly, the matter of missile defense, which I will get to in a moment.

I was amused to hear the Democratic candidate for President talk about a do-nothing Congress. This is rather strange, considering the fact that we have passed over and over and over legislation to help the American people, particularly to relieve them of some of the tax burden which imposes upon them an extra burden that they need not bear and that is inhibitive of future economic growth.

I am surprised that a Congress which has been so active—and, indeed, President Clinton has criticized us for being so active in this regard—would be accused then of being ''do-nothing.'' In truth, it is not the Congress that isn't willing to do these things; it is the Clinton-Gore administration that is unwilling to do these things.

Let me give some cases in point. We passed the estate tax relief about which the Presiding Officer talked. It passed overwhelmingly in both bodies, with bipartisan support. But the Clinton-Gore administration says it will veto this tax relief. We passed the marriage penalty, something that President Clinton said, in his State of the Union speech, was a top priority for him. He says he will veto that legislation. We can pass all of these things, but we can't get them into law unless the President signs them. We are doing our best in the Congress. It is now up to the President.

He did sign one thing that we passed this year. The Social Security earnings limitation was finally repealed. That was an important part of tax relief for an important part of my constituency, our senior citizens. There is more work to do there.

We want to also repeal the 1993 tax increase on Social Security which was imposed by the Clinton administration and the Democratic Congress when it controlled the House and the Senate, and Vice President GORE is always proud to remind everyone that he had to cast the deciding vote. This was the 1993 tax increase which, among other things, imposes a tax rate of up to 85 percent on the Social Security earnings of our senior citizens. This is

wrong and it ought to be repealed. If and when we do it, I will call upon the President to sign that.

We will probably send to him a repeal of the Spanish-American War era telephone tax. I think we can safely do this. The war has been over now for some time. We don't need to fund the Spanish-American War anymore. Like many other taxes and programs in Washington, once they are instituted, it is very difficult to ever get rid of them.

We are finally going to take the step to do that, as we did with the marriage penalty, as we did with the estate tax, as we did with the Social Security earnings limit. We are going to repeal this tax, as well, and call upon the President to sign this.

We have not been doing nothing. We have been doing something, something very worthwhile for the American people. I ask the President to reconsider his threat to veto these important tax cuts. Now, his argument is, maybe we can't afford it; it is a lot of money—this after receiving news that our tax surplus is going to be in the trillions of dollars—not billions, not hundreds of billions, but trillions of dollars. This is not a budget surplus; this is a tax surplus. It is a tax surplus because the taxes we have imposed on the American people bring in far more money than we should or can spend. I say ''can'' because, of course, Congress has the capacity to spend an unlimited amount of money.

We have set some standards in the Republican-controlled Congress. We have said we are not going to touch a dime of the Social Security surplus. The Social Security surplus is much larger than the non-Social Security surplus. This is the money that comes in as a result of the payment of our FICA taxes. Those are far greater than the need to pay the benefits under the Social Security program right now. And we are applying every dime of the Social Security surplus to a reduction of our Federal debt. That is why our Federal debt is being reduced so dramatically now.

The question is, What should be done with the non-Social Security surplus? It does not seem too much to me to return a dime, a dime on a dollar of that surplus, in the form of the marriage penalty relief and the estate tax relief to the American people. Under the most liberal interpretation of how much that would cost—and it is not nearly as much as this figure would suggest—but under the most liberal interpretation, it would be 10 cents on the dollar of the surplus we have.

It seems to me, since we are collecting more in taxes than we need—even after huge increases in spending in virtually every program we have—it is not too much to return 10 percent of this tax surplus to the American people. That is the magnitude of the issue. When President Clinton says it costs too much, he is saying the Federal Government ought to spend that money, rather then allowing the American people to keep this 10 cents on the dollar. That is arrogance of the first magnitude. That was one of the concerns my constituents presented to me this week.

The other had to do with missile defense. My constituents understand the need to protect America. They understand that Secretary Cohen has said we have a threat from North Korea, from Iran. There will be a threat from Iran; certainly China has been rattling its sabers these days. They understand that there is no way we can prevent an attacking missile from landing on the United States today and that it will be at least 5 years before we can do that if we proceed as rapidly as we possibly can. They are anxious we get on with the job of getting a missile defense program in place to protect the American people and to prevent other countries from blackmailing the United States from being involved in issues around the world in which we know we need to be involved.

This last weekend, there was a successful test—it didn't get much publicity—of the Patriot missile against a cruise missile target. This is another important component of missile defense. The last national missile defense test was a failure. From that, many people have said they conclude that there can't possibly be a successful program and we ought to just pack up and go home, ignoring the fact that the threat exists; also, Mr. President, ignoring something else. There is a phrase that has found its way into our jargon these days: ''It is not rocket science.'' Mr. President, this is rocket science, and it ain't easy. Sometimes it takes some failures in order to get to the successful conclusion of a program. There are over 20 tests in this particular program scheduled, most of them yet to be conducted. It is rocket science. It is hard. But we can do it. The people involved in the program are confident of that.

The failure in this last test, incidentally, was not a failure of any of the high technology. It was one of those quirks that can occur when something you have done hundreds of times before just did not happen to work on this particular occasion. But it was not a failure of the high-tech end of this missile defense program which we need to test to make sure it can work.

To my colleagues who may have been concerned as a result of the failure of this last test, I suggest to them we stay the course and continue the program as outlined by the Department of Defense, which I believe will be successful and will enable us to deploy a missile defense to protect the American people.

Final point. There are many who have urged the President to defer a decision, that he not make a decision. We have already made that decision when we passed the Missile Defense Act and President Clinton signed it into law. That decision was to deploy a national missile defense as soon as technologically feasible, and we believe it will be feasible. Therefore, we need to move forward with the program. That is why the President should not defer a decision. He should make a decision to go forward, but he should, of course, defer the specifics as to exactly what that program is for the next President to decide. That can be done, but there should be no backing away from going forward, and that is the decision the President should make.

Ultimately, of course, I think Governor Bush is correct. There will need to be not just one element of a system but, rather, the flexibility to deploy a multilayered defense for the American people which involves both land-based assets as well as sea-based assets and space-based assets. You need satellites to detect and track the trajectory of a missile. You can also be benefited by other assets in space. Certainly a missile defense would be augmented very well with sea-based capability, which could, under certain circumstances, even have a boost-phase intercept capability because of its proximity to the launching of the offensive missile.

All of this is well understood. I believe the Congress should stay the course and urge the administration to go forward with its decision. Of course, the details will be left to the next administration, but we should not signal we are not willing to protect the American people from missile attack.

Mr. President, you mentioned, in closing, we are hoping to take up the permanent trade relations with China toward the end of this week. I very strongly support the efforts by Senator THOMPSON to ensure that at the same time we are moving to open our trade with China, we make it clear to China that there are certain things which are inimical to peace around the world and certainly to our security. Included in that is China's proliferation of weapons of mass destruction and the missiles to deliver those weapons to other countries, countries of concern—the so-called rogue nations of Iran and Iraq and North Korea. It may also be proliferating to other countries that we would prefer not have large arsenals of these weapons.

The bottom line is that although we can and should move forward in developing closer and more robust trade with China, we cannot allow that kind of activity to suggest to China that we do not care about our own national security and about peace and stability and security in the world. That is why I think it is appropriate for us to also adopt the Thompson legislation which will make it clear that, for those who are involved in the proliferation, sanctions will result. I am hoping we can take that up at the end of this week.

Those are concerns that were expressed by my constituents this weekend. I told them I would share them with my colleagues. I have now done that and I appreciate the indulgence of the Presiding Officer, whose time I have been taking.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

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VICE PRESIDENTIAL NOMINATION FOR DICK CHENEY

Mr. THOMAS. Mr. President, in the last part of our time here I want to follow up a little bit on your comments about the prospects for the Vice Presidential nomination for Dick Cheney. Partly, I guess, that is because it is a personal thing. As you mentioned, Dick Cheney is from Wyoming. Indeed, he is still a resident and now I understand he is voting in Wyoming. Certainly he is a friend. As a matter of fact, I took Dick Cheney's place in the House when he took the job as Secretary of Defense. I was more delighted about his promotion than anyone else, I suppose.

Aside from that, I guess I am really impressed with the opportunities that might bring about. Of course, it is up to the Governor, Governor Bush, to do whatever he chooses. He has not yet made an announcement. But it seems to me it is satisfying to think of someone being on that ticket who is just a basic person, who has demonstrated his ability to do so many things in government and outside of government. I think it is kind of unusual in today's political scene for it to be someone who just says it like it is, not the great spin.

I was thinking about that yesterday. I was hearing some things on the radio, trying to make one thing sound like another. That is not the way Dick Cheney does things. He just says it.

He has a great background in government. He worked in the White House, was Chief of Staff. By the way, I saw him at the airport in Denver. He seems to be doing well. Of course, he was in the House of Representatives, I think, for six terms—a number of terms, anyway. He rose to leadership there. He was selected then, as you know, to be Secretary of Defense. He did a super job in the gulf war and the activities there.

So it just seems to me he would bring to anyone's ticket this ideal of a strong, stable person, knowledgeable, ready to move in and do the kinds of things that are required of the leadership of this country.

I guess I am a cheerleader for Dick Cheney. Hopefully, we will have a chance to continue to do that over the next several months.

Mr. President, our time is nearly expired. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. COLLINS). Without objection, it is so ordered.

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AUTHORIZING THE PRINTING OF CERTAIN MATERIALS IN HONOR OF PAUL COVERDELL

Mr. LOTT. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 341, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 341) authorizing the printing of certain materials in honor of Paul Coverdell.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Madam President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 341) was agreed to, as follows:

S. RES. 341

Resolved, That the eulogies and other related materials concerning the Honorable Paul Coverdell, late a Senator from the State of Georgia, be printed as a Senate Document.

Mr. LOTT. Madam President, I note, again, for all Senators, that this authorizes the printing of certain materials to honor Senator Paul Coverdell. We will designate a specific period of time later on this week so Senators who have not spoken will have an opportunity to do so. Of course, we will then pull together into a package all of the statements that have been made about Senator Coverdell for his widow, Nancy Coverdell.

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ORDER OF BUSINESS

Mr. LOTT. Madam President, we have worked this morning, in some ways long distance because Senators who have been involved in these discussions are on their way back, and we have been trying to get agreements on how to proceed. We have not gotten it worked out yet. But in a full measure of precaution, because we want to make sure we are doing everything we can to complete our work this week, it is necessary for me to go ahead and move to call up an appropriations bill and the intelligence authorization bill and file cloture. They would then be ripened on Wednesday. We would be prepared to vote on cloture, if necessary, on Wednesday.

It is my hope that, through communications and meetings that will take place—perhaps later on this day or in the morning—we will be able to vitiate that because there is no need, really, to have to invoke cloture on the motions to proceed. But it is the only way I can begin the discussion and be assured that we get to the substance of these two bills some time this week.

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UNANIMOUS CONSENT REQUEST—H.R. 4871

Mr. LOTT. So, Madam President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4871, the Treasury-Postal Service and general government appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

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ADJOURNMENT

Mr. LOTT. Madam President, I now move that the Senate stand in adjournment for 1 minute, and when the Senate reconvenes, the morning hour be deemed to have expired, no resolutions come over under the rule, the call of the calendar be dispensed with, and the time for the two leaders be reserved.

The motion was agreed to, and at 3:21 p.m., the Senate adjourned until 3:22 p.m. the same day.

The Senate met at 3:22 p.m. and was called to order by the Honorable SUSAN COLLINS, a Senator from the State of Maine.

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Madam President, I note that we had hoped this week to complete action on some additional judicial nominations, to complete at least two appropriations bills and begin a third one, and have the first cloture vote on China PNTR. It is still our hope, but at this time, at least, there is objection from our colleagues on the Democratic side of the aisle to proceeding on appropriations bills. We have a lot we can do this week, and I certainly hope we will do that. Under this action we have just taken, we can have some discussion by the chairman of the Treasury, Postal Service appropriations subcommittee. I see the manager, the chairman of the subcommittee, is here. I am sure he will want to make some comments and outline what is included in the bill.

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TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2001—MOTION TO PROCEED

CLOTURE MOTION

Mr. LOTT. Madam President, I move to proceed to H.R. 4871, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.