

The James Guelff and Chris McCurley Body Armor Act is designed to deter criminals from wearing body armor, and to distribute excess Federal body armor to local police.

Lee Guelff, brother of Officer James Guelff, wrote to me about the need to revise the laws relating to body armor. He wrote:

It's bad enough when officers have to face gunmen in possession of superior firepower . . . But to have to confront suspects shielded by equal or better defensive protection as well goes beyond the bounds of acceptable risk for officers and citizens alike. No officer should have to face the same set of deadly circumstances again.

I strongly agree with Lee.

The legislation has three key provisions. First, it directs the U.S. Sentencing Commission to provide an appropriate sentencing enhancement for any crime of violence or drug trafficking crime in which the defendant used body armor.

Second, it makes it unlawful for a person who has been convicted of a violent felony to purchase, own, or possess body armor.

It is unconscionable that current laws permit felons to obtain and wear body armor without restriction when so many of our police lack comparable protection.

Finally, the bill enables Federal law enforcement agencies to donate surplus body armor (approximately 10,000 vests) directly to local and state police departments;

Far too many of our local police officers do not have access to body armor. The United States Department of Justice estimates that 25% of State, local, and tribal law enforcement officers, approximately 150,000 officers, are not issued body armor.

Getting our police officers more body armor will save lives.

According to the Federal Bureau of Investigation, more than 30% of the 1,200 officers killed by guns in the line of duty since 1980 could have survived if they wore body armor.

This bill has the support of organizations representing 500,000 law enforcement personnel nationwide including: Fraternal Order of Police; National Association of Police Organizations; National Sheriff's Association; National Troopers Coalition; International Association of Police Chiefs; Federal Law Enforcement Officers Assn; Police Executive Research Forum; International Brotherhood of Police Officers; Major city Chiefs; and National Assn. Black Law Enforcement Executives.

Once again, I commend the Senate for passing this important and long overdue legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. JEFFORDS. Mr. President, I ask unanimous consent that at 10:30 a.m. on Tuesday the Senate resume consideration of the Murray amendment No. 378 and there be 120 minutes equally divided in the usual form.

I further ask unanimous consent that at 2:20 on Tuesday the Senate proceed to a vote in relation to the amendment and no amendments be in order to the amendment and there be 5 minutes equally divided for closing remarks prior to the vote.

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

Mr. JEFFORDS. Mr. President, with regard to the Sessions amendment, I ask unanimous consent that the previously agreed to Sessions amendment No. 600 be modified to be drafted to the pending substitute. This is a technical change. It does not change any of the amendment's legislative language.

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

#### MORNING BUSINESS

Mr. JEFFORDS. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### THE MINIMUM WAGE

Mr. KENNEDY. Mr. President, I saw in the newspaper this morning the headline in the Washington Post "Business Seeks Tax Breaks in Wage Bill." This is a reference to the inevitability that I and others are going to offer an increase in the minimum wage. This story is a reference to what the business lobbying groups are doing in preparation for that particular legislation and how they intend to add additional kinds of tax reductions for companies and corporations on that piece of legislation.

We have just seen in the Senate last week a tax reduction of \$1.35 that is excessive and unfair in terms of its allocation among Americans. A number of us voted in opposition to it. We recognized that even in that proposal there wasn't a nickel—not 5 cents—increase for education over the next 10 years—not even a 5-cent increase.

We found \$1,350,000,000,000 in tax reductions, but we couldn't divert any of those resources to education, particularly educating the needy children on whom this legislation is focused, recognizing that these children are our future, recognizing that what we are trying to do is to give greater support to the children and to get greater accountability for the children, the schools, parents, and communities, as well, in this legislation.

It is good legislation, I support it, but it does need to have the resources to be able to have life to it. We didn't get any increase on that.

We are going to have a chance to revisit that issue when the Finance Committee reports back in the next few days with their product on the allocation of taxes, on who is going to get the tax reductions. Many of us will have the opportunity again to present to the Senate: Do we want to see the reduction in the highest rates for the wealthiest individuals, or do we want to use that money, which otherwise would go back in terms of reduced taxes—do we want to use that money to fund education for children in this country?

We will have an opportunity to vote on that several times when the bill comes back. The idea that the ink isn't even dry on that legislation and already our Republican friends on the other side are licking their lips, waiting for an increase in the minimum wage, which is a target to try to help working families working 40 hours a week, 52 weeks of the year, to help them out of poverty.

We have the Republican leader ARMEY saying:

There is a general resolve, especially among Republicans, that you can't put this kind of disincentive in the employment of people on the lowest rungs into play without trying to compensate for its adverse employment effects.

In other words, schools are out, and we are going to have a lot more besides the \$1.35 trillion in tax reduction, that evidently the Republican leadership is waiting for the Senate and the House to take action to increase the minimum wage, hopefully \$1.50 over 3 years, with a 60-, 50-, 40-cent increase in 3 steps, in order to help some of the hardest working Americans.

This is a question about human dignity. It is a question of whether we are going to say to Americans working at the lowest end of the economic ladder that the work they do is important. What is the work they do? Many of them are teachers' aides. Many of them work in childcare centers. Many of them work as nursing aides. Many of them work in the buildings across this country, cleaning them late at night, away from their families. That is what many of these low-income jobs are all about. People work hard at them. They sacrifice in order to get them in many instances. We want to say to those workers that when we have had the strongest economy in the history of the Nation, people who work hard should not have to live in poverty.

It is interesting to note that over the history of the minimum wage we have increased the minimum wage 17 times. It was only the last time, when we increased it, which was 4 years ago, and evidently this time, that we have seen the minimum wage loaded up with tax goodies, tax benefits. We didn't do it the previous 17 times. We didn't do that. But now our Republican friends are looking for a vehicle to carry this load about further tax reductions for the wealthy corporations.

We have had consideration of the tax reduction bill. We have all seen that.

We have heard it. We have debated it. That has been done. Hopefully, that will be it. Hopefully, we are not going to have another backdoor tax reduction here and effectively do it on the backs of our needy workers. I certainly hope not. I understand we might have to make some adjustments on this.

The last time we had an increase, it was in the \$18 to \$20 billion range. I found that offensive but nonetheless supportable. But last year our Republican leadership was talking about over \$100 billion. I would certainly do everything I could to resist that kind of action here.

Let me review briefly what is happening with the minimum wage at the present time. This says: Working hard but losing ground, the declining real value of the minimum wage. If we look at what has happened, in 1992, we have an increase in the minimum wage. Again, we voted it in 1996; it went into effect in 1997. What we have seen since that time is, now at the year 2000, 2001, we have effectively wiped out the increase, the purchasing value of the increase we had in 1996.

What we are talking about is what the red line shows, which would be an increase of \$1.50, which would bring it up to a purchasing power of \$6.14, and we are still not even close to what it was from 1968, 1978, up to, really, 1980. We are not even close to that.

We are talking about the neediest of the needy. Look at this. If we look at what has happened to the minimum wage, we have historically tried to have a minimum wage which is going to be half the average hourly earnings. That has been the basic kind of reference point. Look at what has happened in recent years, how the average hourly earnings have been going up but the purchasing power, the real minimum wage for workers, is falling further and further behind.

This is another chart. This reflects: The minimum wage no longer supports a family above the poverty line. This is the real value of poverty guidelines and the minimum wage. If you look at what the poverty line is, for a family of three at \$15,000, if you look at where the minimum wage is, you will see that it is falling further and further behind the poverty line. The fact is, the poor today continue to be poor and are poorer than at any time in the last 40 years.

This is our proposal we will be looking at, a minimum wage increase. We will be asking for the 60 cents in 2001, 50 cents in 2002, and 40 cents in 2003. This represents the percent of our proposed increase in the minimum wage in relationship to past increases. This is relatively small. We are talking about a 12-percent increase. We increased it about 12 percent in 1996, in 1991. In 1990, we were higher than in 1978. We were just about there in 1976, a great deal higher in 1969, higher in 1968. So this is right in the mainstream of increases. A 60-cent increase is right in the mainstream; 50 cents is a little below the mainstream, and the final 40 cent increase is down even further.

This is what we are going to have before us. I reiterate: This is basically an issue that affects women because the great majority of minimum-wage workers are women—the great majority of workers are women. This is a children's issue because a majority of the women have children.

And so it is their relationship, how the minimum wage worker is going to be able to provide for the children in that home. What happens, of course, is that by and large the mothers have more than one minimum wage job; they have two, or even three jobs, in order to provide for their families. I read with interest the report last week about how parents are spending more time with their parents. While that may be true, I don't know where they find the time and can only imagine at what price. Low-wage workers are working 416 more hours a year than they did twenty years ago. And studies have shown that in 1996, families, on average, had 22 hours a week less to spend with their children than they did in 1969, because their parents are working longer hours and, in some cases, working two, sometimes even three jobs.

So it is a women's issue, a children's issue. It is a civil rights issue because many of the men and women who earn the minimum wage are men and women of color. And, most of all, it is a fairness issue, that here with the strength of our economy, we ought to be able to say that in the United States of America, if you work hard, play by the rules, try to bring up children, you should not have to live in poverty.

Finally, I point out that the Senate of the United States was quite willing to increase its own salary last year by \$3,800. We were glad to do that, but we are unwilling to have an increase in the minimum wage. Now we are told that they are going to hold the minimum wage hostage unless they get billions and billions and billions and billions more in tax breaks for the wealthiest corporations and individuals in America—that is wrong; that is absolutely categorically wrong—and add that on top of the tax breaks they have just had. I mean, how much greed can there be, Mr. President? How much greed can there be, and at the expense of the lowest income working Americans? How much greed can there be?

This idea, well, we have to look and see the pressure that this provides in terms of—that it puts on businesses in terms of employment, and the inflation rate, well, I hope we are not going to hear much about that. You will hear much about it, but it has been so discredited, so discredited. We could go back to the times of the last increase in the most recent times—1992, 1997—and I will show you the expansion in the job rate here in this country among every group, including teenage minorities. We are going to hear a lot that you really don't care about teenage minorities.

It is the same people who say I don't care about teenagers who say you are

not really interested in health insurance; but if you pass a Patients' Bill of Rights, a lot of companies will drop the health insurance and you will get a lot more uninsured, and that is the reason I am not voting for it. That is the first time words ever came out of their mouths about how they are interested in expanding health insurance—when they are opposing the Patients' Bill of Rights.

We are going to hear similar arguments, and those arguments have been dismissed, shattered, and I understand that we are going to have to pay a toll because the Republican leadership is going to insist on it. They insisted last year. The price was going to be \$100 billion last year—\$100 billion. The newspaper report today says it is going to be just about that much this year. That is the toll to get through the gate for an increase in the minimum wage put on there by the Republican leadership.

Make no mistake about it. If the Speaker and the majority leader said no, it would not be there. It is the second time in the history of the minimum wage we are going to have it packaged with tax goodies for the wealthiest individuals. The ink is not even dry on the most dramatic tax reduction that we have had in recent times, Mr. President, at the expense of other vital priorities. It just doesn't work.

Maybe the Republican leadership is able to try to muscle that through, but they are going to take some time on this and they are going to have some votes on it. We are going to find out—the American people are—who is on the side of those working families and who is on the side of trying to make sure that we are not going to have a giveaway in terms of these taxes. That would be absolutely wrong.

Sooner or later, it is going to come down to which party represents you and stands by you. Well, you are going to find out; you can tell where those special interests are going to be. They will know who stands by them. It is going to be the Republican leadership because they are going to try to add \$100 billion more in tax goodies for them. But the workers of America are going to know who stands by them as well by the end of this debate.

I yield the floor.

Mr. WELLSTONE. Mr. President, first of all, let me thank Senator KENNEDY for his very strong words about the minimum wage. I want him to count me in as a very strong supporter as we bring this legislation to the floor of the Senate. I think the Senator from Massachusetts, in his own characteristic strong, proud way, has made it very clear what is at stake with this minimum wage legislation. I thank him for his remarks.

I will use this opportunity to reinforce some of the comments made by my friend, the Senator from Massachusetts.

It is pretty amazing to see a front page story in the Washington Post,

“Business Seeks Tax Breaks in Wage Bill”—I believe I heard the Senator from Massachusetts say perhaps to the tune of \$100 billion or thereabouts.

I want to say to Senators, I think this minimum wage bill goes to the heart and soul of the question of whether we have a heart and soul as a Senate. We are now at \$5.15 an hour, and we are talking about trying to get this up to \$6.15 an hour, then to \$6.65 an hour, in increments.

I am going to make two or three points. The first is personal, but it really is true. If we are going to vote ourselves a raise of over \$4,000 a year—Senators make about \$140,000—some a year—it seems to me we ought to be able to vote for a raise in the wage of the lowest paid workers. We are talking about people who work 40 hours a week, almost 52 weeks a year, and they are still poor.

I think there is no standard of justice here if we are going to vote a hefty increase for ourselves—we are handsomely rewarded for our work—and yet are unable to raise the minimum wage for the lowest paid workers.

Second, in Minnesota there is a stereotype that it is teenagers working part-time who receive the minimum wage. The fact is, many more people are paid the minimum wage. At the moment—and we will see what happens with the economy, some employers are paying higher wages—many people are working minimum wage, a disproportionate number of them women. I think it is a matter of elementary justice for women and other working poor people to raise the minimum wage.

Finally, it takes some real chutzpah on the part of my colleagues, the Republican leadership, to say the only way you are going to get a minimum wage bill through, which speaks to people who are working 52 weeks a year and are still poor in America, is to add in all kinds of corporate welfare and breaks for large businesses.

Democratic Senators, that is the deal you have to accept. We are going to bleed the revenue base with these Robin-Hood-in-reverse tax cuts that the majority party is trying to push through the Senate this week or next week, with over 40 percent of the benefits going to the top 1 percent, and a pittance, if that, for children, for education. Whatever happened to our commitment for affordable prescription drug costs for elderly people? Now, according to this piece, the strategy is to load onto a minimum wage bill more corporate welfare and more breaks for large financial interests and economic interests in the country.

I think it is transparent. I look forward to the debate. Not that long ago—it seems like just yesterday—we had several weeks’ worth of debate about campaign finance reform. There were a variety of different arguments made. I suggest that our failure to raise the minimum wage is all about the need for campaign finance reform. These working poor people, men and women

in our States—nobody can say they are not hard working—who cannot support their families, they are the last people in the world to be able to hire the lobbyists. They do not have lobbying coalitions here. They are the last people in the world to give the big contributions. They are the last people in the world to be the investors in either political party.

But you know what? If you believe it is important for people to earn a decent standard of living so they can support their families and give their children the care they know their children need and deserve, then we ought to be willing to support a raise in the minimum wage. It is just unbelievable to see in today’s Washington Post this story.

I don’t know, maybe I should not be surprised. Frankly, I do not want to be dishonest. You never want to be dishonest. I don’t want to feign total shock because I have looked at the greed that is reflected by this tax cut bill that my colleagues want to bring to the floor, and I have looked at who gets the benefits. So I guess I should not be surprised that now what we have is this all-out vigorous opposition to raising the minimum wage from \$5.15 to \$6.15 and to \$6.65 unless there is corporate welfare, unless we do well by all these large economic interests, unless we get yet more tax breaks for them.

It is really pretty simple to figure out. When I was a political science professor, was it Harold Lasswell’s definition that politics is all about who gets what, when, why? That is what this question is about: Who gets what, when, and why?

As I would put it as a Senator from Minnesota: Who decides and who benefits and who is asked to sacrifice? Who decides to keep the minimum wage so low that there are so many people who are poor still today in America?

If you are working hard, and, as some of my colleagues have said, playing by the rules of the game, then you shouldn’t be poor in America. You should be able to support your family.

Who decides to keep the minimum wage down? Who decides that instead now we have to load on all kinds of corporate welfare and all kinds of additional tax breaks for large economic interests in the country?

I think people in the country are going to focus on this debate. I look forward to joining Senator KENNEDY and other Senators.

I remember a number of years ago when we first started this debate. I am a proud original cosponsor of this legislation. I don’t think any of the arguments that have been made about how, if we raise the minimum wage, we would see a decline in jobs that turned out to be true. The last time we had a raise in the minimum wage—it was very modest—we had colleagues in the Chamber talking about how people were going to lose their jobs. It didn’t happen. I would be willing to say that if there is a point at which you raise

the minimum wage at too high of a level you could lose jobs, but it is not going from \$5.15 an hour to \$6.65 an hour.

It seems to me Senators are in a fairly awkward situation when we voted ourselves over a \$4,000 increase in our already high salary and we are not willing to vote to raise the minimum wage for working poor women and men in this country from \$5.15 an hour to \$6.65 an hour so people have a better chance of being able to support their children and support their families. This is a perfect example of the song that was written by Florence Reese from Harland County, KY—the song about which side you are on. In this particular case, it is, whose side are you on? Are you on the side of hard-working people? We all say we are for hard-working people. Or are you on the side of large economic interests? Are you on the side of elementary justice to raise the minimum wage for workers and their families? Or are you going to insist on somewhere in the neighborhood of \$100 billion of yet more tax breaks for economic interests so there is even less for children, even less for education, and even less for affordable prescription drug costs?

I am telling you, my colleagues like to say in the Republican majority that some of these comments are class warfare. And I just have to smile because if there ever were an example of “class warfare”, if that is what you want to call it, it would be a U.S. Senate that is so generous to itself in giving ourselves big increases in a big salary and are unwilling to raise the minimum wage for poor working people in our States and in our country.

I yield the floor.

#### TRIBUTE TO CRAIG M. SOMERS

Mr. LOTT. Mr. President, I rise today to pay tribute to the outstanding accomplishments of Craig Somers throughout his 32-year career with the U.S. Senate. I, along with my colleagues, congratulate Craig on his retirement from the Sergeant At Arms Office.

His Senate career began in August of 1962, as a part-time employee and Senate page. In 1969, he became employed full-time with the Printing, Graphics & Direct Mail Department, then known as the Service Department, where he acquired many varied skills, including his initial position as an Addressograph Operator. Craig worked his way up to his current position as the Night Supervisor of the Lithographics Department.

All of us in the Senate thank Craig for his tireless efforts with our printing needs and processing of our constituent mail. His work has helped us keep in touch with those we represent.

Craig, we congratulate you and wish you well in your retirement.