

I know people are going to talk about dynamic scoring. I tried to deal with this by speaking to why I think this is antigrowth. The fact is, we are not putting money in the hands of people who will turn around and spend it, and those estimates I think are risky to make. The fact is, we are putting in place a serious undermining of the revenues of this country at a time when we are talking about going to war. It is impossible to understand, in my mind, how we can take such an imprudent step of undermining the fiscal health of this country at a moment in time when the American people expect us to be protecting them, expect us to be supporting those people who are out there defending us, to make sure they have the equipment and all the kinds of things that will make a difference.

We are talking about a tax cut that goes almost entirely to the very high income people in this country. That is not class warfare. That is just telling it like it is with respect to how we are shaping our economic policy in this country. I think it has failed. I think it will fail. I hope we can have a real debate here on the floor of the Senate about how we can get our economy going. I think it is great that the President recognizes we have a problem. He clearly believes that. He changed his whole economic team and came out with a second stimulus plan. We need to get this economy moving so that it supports our national economic health here at home. That is not being done by this program. It is a sedative program, if not worse. It is antigrowth. It is certainly a mistake, and I hope I can come up with some of these figures just thinking about how many of our military men and women are going to benefit from a tax exclusion on dividends. I think it is misplaced. I think the American people know it is misplaced.

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

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

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Mr. DASCHLE. Mr. President, I read with interest today that the administration currently is considering what to do with regard to the so-called "Michigan case" before the Supreme Court. This is a watershed moment for the administration. They must decide whether they are for civil rights and diversity or not. They must make a very important choice, and whether or not they make the right choice depends in large measure on what happens in this particular case. Over the last several weeks we have heard the Republican leadership talk about how this is

a changed party, and how Republicans have had a change of heart. To a certain extent, we know they have had a change of face. The question is whether or not this is truly a change of heart.

I was concerned with leadership comments made over the weekend, that while additional dialog may be important, there really wouldn't be a change in policy. There would be no change in policy on affirmative action, or on a number of issues relating directly to diversity. My hope is there may be a change of heart on hate crimes. We have had that vote over and over and faced Republican filibusters. I hope at a very early date we will have an opportunity to see whether there has been a change of heart.

I can't think of a better occasion for Congress and for the Republican leadership to be clear about their change of heart, than to support, for the first time, the hate crimes legislation. There certainly was not a change of heart when it came to judicial nominations.

Once again, almost immediately following these laudatory comments made by the Bush administration and our Republican colleagues toward civil rights leaders and the civil rights movement, the administration turned around and said now we are going to renominate Judge Pickering and renominate Judge Owen for the second highest court in the land. There is no change of heart there. There is no indication of a willingness to change past practices or policies.

If President Bush chooses to oppose the University of Michigan case, he calls into question the very commitment he claims to have made with regard to expanding opportunity for African Americans and for Hispanic and Native American students. All of us will be left to draw one conclusion. All of those words about promoting educational opportunity will have been just that. They will have been words.

Today's reports indicate the debate in the White House isn't about what decision to make. It appears they have already done that. It appears they will oppose the University of Michigan's effort to boost African American, Hispanic, and Native American enrollment. It seems, instead, the question they are struggling with is how to describe that decision.

If they put the weight of John Ashcroft's Department of Justice against the University of Michigan's diversity efforts, there is only one way to describe that decision: It is a slap in the face to America's minority students and to the colleges that seek not only to educate America but to reflect America's diversity.

Today is Dr. Martin Luther King's birthday. Had an assassin's bullet not taken his life, he would be 74 years old today; he might very well still be with us. Because of hatred and intolerance, he is not. But his words still are with us.

In 1948, at Morehouse College, he discussed the purpose of a college education. He said:

The complete education gives one not only power of concentration, but worthy objectives upon which to concentrate.

He said:

The broad education will, therefore, transmit to one not only . . . accumulated knowledge . . . but also the accumulated experience of social living.

If the administration chooses to stand against the University of Michigan, I fear they will be encouraging a decision that would deny tens of thousands of minority students that knowledge and deny millions of American students that experience.

THE PRESIDENT'S TAX PLAN

Mr. DASCHLE. Mr. President, I also want to comment, if I have another moment, on the recklessness of this administration in considering economic policy. The extraordinary recklessness of offering a tax plan, that has yet to be unveiled but was certainly outlined by administration officials, leaves me with a great deal of concern and I think ought to be a source of anxiety for the American people.

The President has said we need stimulus. Yet the plan he has outlined has almost no stimulative value at the very time when it is required. We lost 190,000 jobs in November and December. Mr. President, 190,000 jobs were lost. There are 190,000 families unemployed. That was just in the last 2 months of last year. And 2.2 million Americans have lost their jobs since the President was sworn in.

The Wall Street Journal, the other day, noted you have to go back decades to find an economic record as serious and, in many respects, as dislocating to working families as this one. Yet the President's so-called stimulus plan provides for 190,000 jobs in the remaining 11 months of this year. That is their figure. That is what they say they will generate. For the next 11 months, they will generate the same number of jobs, under their plan, that they lost in the last 2 months of last year.

How, in Heaven's name, can anyone suggest that is a stimulus? In fact, by their own acknowledgement, over 91 percent of whatever stimulative value there is in what the President has proposed does not take place until next year and the year after that.

So, No. 1, it fails with a capital letter F with regard to its stimulus value and its stimulus potential as we look at reviving the economy at the end of January of the year 2003.

The second question is: How fair is a plan of this kind? We are told we have 226,000 millionaires. We have 92 million people who fit the income category of \$50,000 a year or less. Mr. President, 92 million Americans are in that category. And 226,000 are in the millionaire category in our country today.

Yet, under the President's plan, \$20 billion goes to the 226,000 people; \$15