

This is embarrassing. Here we are in the new fiscal year and we have not sent the President any appropriations bills. By the end of this week, I think we will have sent the President two appropriations bills—2 out of 13, all of which are supposed to be done by the end of September. And here we are in the middle of October. Congress, on appropriations bills, deserves an “F” this year because we have not done a budget, and Congress deserves an “F” because we have not done one of our constitutional responsibilities, which is to pass appropriations bills on time.

So I look at the Members of Congress who keep throwing rocks at the President, saying the economy is in bad shape. Yet what are we doing? Have we done our job? No. What else could Congress have done? What could the Senate have done? The House passed an energy bill and we spent 7 or 8 weeks on it and it is still stuck in conference. If we would have passed an energy bill that had allowed exploration in ANWR—the Alaska National Wildlife Refuge—as the House did, we could create hundreds of thousands of jobs. That is still stuck, so the Congress has not passed an energy bill.

We have not passed a reinsurance bill. It passed the House and the Senate, but we have not worked out the differences in conference, mainly because the Trial Lawyers Association wants to have the extended ability to sue victims of terrorism. So there are billions of dollars in construction projects being held hostage because Congress hasn't been able to pass antiterrorism insurance.

The House passed pension reform months ago. The Senate Finance Committee—of which I am a member—I believe, passed pension reform unanimously in committee. We have not passed it on the floor of the Senate. I urge the majority leader to call that bill up. If you want to talk about 401(k)s, and we want to protect them, and pension plans, and so on, let's pass the bipartisan bill that passed out of the Finance Committee to lend some protection there.

We have not moved to make permanent the tax cuts passed last year. I keep hearing people being critical of the tax bill that passed. They want to say that tax bill caused all the deficits. That is totally false. The real cause, or culprit, wasn't the tax cut; it is the fact of the failing economy. The economy is staggering. Income receipts are down, and it is not so much because of the tax cuts but because of the economy. So we need to turn the economy around and allow people to keep more of their own money. Let's make the tax cuts permanent.

Some people say, no, let's increase taxes. Let's change the law. I don't think that is the remedy being advocated by many, but I don't think that is a very good solution.

Then I heard our colleagues say we didn't pass a prescription drug bill. That is not our fault. The majority

leader and the chairman of the Finance Committee never even had a markup on prescription drugs in the Finance Committee, which has jurisdiction over that issue. They pulled the bill up on the floor and we debated it for weeks, but we didn't pass a comprehensive bill to add prescription drugs as a benefit for Medicare because we didn't let the Senate work its will. We didn't have it marked up in committee. We didn't allow Members to proceed as we should.

I mention those few things. We are getting close to election time, so they want to start throwing rocks at the President and criticizing him for the economy, without saying, what have we done? What has the Senate done? I might say we should be thankful for some things that we didn't do and what some of our friends on the Democratic side of the aisle wanted to do, or have tried to do, which, if they were successful, would have made the economy a lot worse.

I will mention one: ergonomics standards. There was a regulation promulgated by the Clinton administration in the last day or two of his term in office called ergonomics standards, which would have cost the economy billions and billions of dollars. I saw one estimate that was up to \$100 billion. It was going to have the Federal Government set up a Federal workers compensation system—I started to say “scheme”—that would have cost billions of dollars to regulate movement in the workplace. It had such ridiculous rules, such as you could not move over 50 pounds 20 times a day and all kinds of little rules on how OSHA is going to regulate business. Congress wisely stopped that regulation. That was good. Some people still want to pass that. It would have cost billions and billions.

Some people say let's pass the Patients' Bill of Rights, which would increase everybody's health care costs. Actually, the Senate passed that a year ago in June. It is interesting to note that the House already passed it a year ago, but we have not even gone to conference on that bill—maybe for a good reason. That bill would greatly expand not only the right to sue the HMOs but also employers for providing health care insurance for their employees. The employers could be sued, and the net result would be that a lot of employers would drop their health care. That would hurt the economy, not help it.

Some people say let's increase the minimum wage. That is one of the proposals many Democrats are pushing now—increase that by \$1.50 over the next 14 months. That is almost a 30-percent increase. Oh, that is great. What if the business could not pay \$6.65? What if this is somebody trying to help at a convenience store, and all they can afford to pay is \$5, maybe \$6 an hour? We are just going to say that is too bad; we would rather have you unemployed than to have a job like that. If you cannot pay \$6.65, you are out of work.

CAFE standards: On the energy bill, many Democrat colleagues say let's increase the CAFE standards for automobiles. That is great. We are going to make everybody drive a Volkswagen-type automobile. That is not very safe; that is not what consumers want. It would certainly be detrimental, and it would cost thousands of jobs.

I mention these to say that there are two sides to the story. We are a little less than 3 weeks from the election and a lot of colleagues are saying: We want to throw rocks at the President, blame the President for the deficit. So we want to stop making permanent the tax cuts the President already passed; and, incidentally, we want to spend a whole lot more money. So they are against the deficits when it comes to taxes, but in favor of them when it comes to spending money. Whether you are talking about Medicare adjustments, drought assistance, unemployment compensation—which, in a moment, we will probably be debating—we are going to have a major expansion of unemployment compensation, more than double the Federal program that we have today. Some will possibly propose that. It only cost \$17 billion. What difference does it make? We don't have a budget anyway. In other words, they don't care about the deficit when it comes to spending—only when it comes to the tax side.

I say these things because I think it is important to move together and improve the economy. I think we can do it if Congress works together. We can take a lot of the measures the House passed and we can help the economy. If we would pass an energy bill, a reinsurance bill, pension reform, and if we would be responsible and pass a budget, pass appropriations bills that meet the budget guidelines, I think we could help the economy. I don't think we help the economy by making a bunch of political speeches and blaming everything on President Bush.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

MEASURES PLACED ON CAL- ENDAR—H.R. 4968, S. 3099, AND S. 3100

Mr. REID. Mr. President, I understand that H.R. 4968, S. 3099, and S. 3100 are at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I ask unanimous consent that these bills receive a second reading, and I object to any further consideration of this legislation.

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

The clerk will report the bills by title.

A bill (H.R. 4968) to provide for the exchange of certain lands in Utah.

A bill (S. 3099) to provide emergency disaster assistance to agricultural producers.

A bill (S. 3100) to amend title 18, United States Code, to limit the misuse of social security numbers, to establish criminal penalties for such misuse, and for other purposes.

The PRESIDING OFFICER (Mr. CARPER). The bills will be placed on the calendar.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, the hour of 3 o'clock will be here in a minute or so. I ask unanimous consent that morning business be extended for an additional 30 minutes, with Senators permitted to speak therein, with the exception of Senator KENNEDY. I ask that he be granted 15 minutes.

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

The Senator from Massachusetts is recognized.

UNANIMOUS CONSENT REQUEST

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 619, S. 3009, a bill to provide for a 13-week extension of unemployment compensation; that the bill be read the third time, passed, and motion to reconsider be laid upon the table, without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, may I ask the sponsor of the bill, doesn't this, in effect, provide for a 26-week extension of Federal unemployment compensation instead of 13 weeks?

Mr. KENNEDY. The Senator is correct, for certain States that qualify. This is similar to what we did in the early 1990s. The Senator is quite correct.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. KENNEDY. Mr. President, I think I have the floor. I propounded a unanimous-consent request for the immediate consideration of the measure.

Mr. NICKLES. I object.

The PRESIDING OFFICER. There is objection.

Mr. KENNEDY. Mr. President, I regret, for the reasons I will outline just shortly, that we continue to have opposition of the Republican leadership to extending the unemployment compensation program that can make all the difference in the world for families who are running through their current unemployment compensation and have to meet their mortgage payments, have to pay for the food on their tables, have to support their children in schools. People are hurting. I can give a more detailed description of what is happening in the country, but I regret we continuously have an objection by our colleagues on the other side.

We know going back to the early 1990s, former President Bush objected to the extension of unemployment compensation and then, finally, saw the wisdom of it and indicated he would support the extension of unemployment compensation. We had a series of votes with more than 90 Members voting in favor of the extension of unemployment compensation for the very sound reason that these workers have paid in to the fund. The fund is in surplus, it now has some \$27 billion. The Senator is quite correct that it would cost approximately \$17 billion should this program go into effect now to assist those who have paid in to the program.

The point of unemployment compensation is, unless you have paid in, you do not receive. So these are funds that have already been paid by workers with the purpose in mind that if the economic conditions are such as at present, that if there is a temporary period where they cannot find jobs, this would help those families during those valleys. That was always the thought behind unemployment compensation. The fund is in surplus, and still there is an objection to the extension. It will make an enormous difference to close to 2 million families in this country by the end of the year and 3 million by the early part of February.

There was one comment my friend from Oklahoma stressed, and that is: Where are the appropriations bills? Congress has not done its work; we have only considered 2 out of the 13 appropriations bills. The last time I read the Constitution, the appropriations bills originated in the House of Representatives, and that happens to be under Republican leadership. Do you understand? That is under Republican leadership. So when the good Senator said Congress is at fault, we know where the fault lies in terms of the appropriations bills which he mentioned.

THE UNFINISHED BUSINESS OF AMERICA'S WORKING FAMILIES

Mr. KENNEDY. Mr. President, I congratulate our leader and thank him for an excellent address this afternoon. I also thank my friend and colleague, the Senator from Michigan, Ms. STABENOW, who has been such a leader on the issue of prescription drugs. The leader was much too self-assuming when he failed to take credit for the fact that this was the first time the Senate has ever debated a prescription drug program, and it was done so because we had a Democratic leader, TOM DASCHLE, who insisted we call up this legislation.

I heard earlier today: We did not have a prescription drug bill because the Finance Committee could not do one. For 5 of the last 6 years, the Republicans have been in charge of the Senate, and when they were in charge, we never had a prescription drug bill. The American people ought to understand that. Before one cries crocodile

tears at the pleading of my friend from Oklahoma, the fact is the Senate never considered a bill because the Finance Committee could not complete a bill, and the Democratic leader brought a bill to the floor of the Senate.

We passed a good bill, not the bill I would have liked to have seen, a program that would have been built upon the Medicare system. I thought we had guaranteed that in 1965 when we committed to the seniors of this country: Play by the rules and pay into the Medicare system, and your health care needs are going to be attended to. We did not say "with the exception of prescription drugs."

That is what has happened, Mr. President. Every day we fail our seniors, we break that commitment and pledge to them. The Republicans had 5 years to report out a bill, and they failed to do so. Thank you, TOM DASCHLE, and thank you, DEBBIE STABENOW, for standing up, and thank you for the bipartisan effort we had to support a program that would have done something about lowering the cost of prescription drugs and, as the Senator from Michigan has pointed out, as well as our leader, that is being held hostage by the Republican leadership in the House of Representatives.

Make no mistake about it, the Democrats happen to be on the side of seniors. We were on their side in the early 1960s when we fought for Medicare. If our Republican friends are against the Medicare Program, why don't they just come out and say it? They at least used to have the courage to do so. They do not now. They just say they differ with it or there is some other procedure or failure of some committee meeting. They used to at least have the courage to say they oppose it. They do not say that anymore. They try to give some other excuse. We are strongly committed, as the Senator from Michigan and the Senator from South Dakota have pointed out.

Mr. President, in the time I have remaining, I wish to highlight three very important areas, and these are areas which our leader, the Senator from South Dakota, Mr. DASCHLE, has mentioned, but I want to review them one more time.

More than 8 million Americans are competing for just over 3 million jobs. Maybe the Senator from Oklahoma does not believe we have an economic crisis, but he can travel with me through many of the New England States, including my State of Massachusetts, where we have the highest unemployment of any of the New England States. Talk to families there who, if they have not lost a job, they know members of a family who have or they know of a neighbor who has, and they have friends down the street who are seeing foreclosures on homes. This is the highest rate of foreclosures since the Depression, and we sit around in the Senate and say, We do not have an economic crisis?

We have double-digit inflation in health care, and we still say: It is not