

Mr. DORGAN. We will know in 5 minutes that it was a mistake. If these folks at a time when there is no additional inflation raise interest rates once again to try to slow down this economy and penalize the American workforce for being more productive, we will know in 5 minutes that is a mistake.

I hope with this announcement that will apparently be made at about 2 o'clock this afternoon this group of folks perhaps might exhibit some good sense for a change.

Mr. HARKIN. I thank the Senator.

Mr. DORGAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand it, we are in morning business, and we have some 22 minutes remaining.

The PRESIDING OFFICER. The Senator is correct.

The Senate is in morning business.

The Senator from Massachusetts is recognized.

THE SENATE AGENDA

Mr. KENNEDY. Mr. President, I yield myself 7 minutes, the Senator from Minnesota, 7 minutes, and the Senator from Iowa, the remaining time.

First of all, I join with our colleagues who spoke earlier about the extraordinary events we saw on The Mall this past weekend.

I was here a few moments ago when we listened to the majority leader talk about the urgency of passing a comprehensive energy program. Energy programs are important, and we have a great interest in it in our part of the country, particularly as we are looking forward to another fall and another winter, and the importance of developing some protections in the form of reserves and other factors. That is a very important policy issue. I am glad our Republican leader thinks that is of such urgency.

But the fact is, the issues which the Senator from California and others have spoken about, and taking sensible and responsible and commonsense actions on guns, particularly to ensure greater safety and security in the schools of this country, are also a matter of enormous importance.

I am reminded of the debate we had on elementary and secondary education. We had 6 days of debate, although some of that was limited in terms of being able to debate only a handful of amendments. We took 16 days on the bankruptcy bill and had 67 amendments.

Many of us on our side believe we ought to put our priorities straight. One of them is to take action in terms of sensible and commonsense issues on the proliferation of guns.

Second, we ought to be addressing the education issue, which is of such importance to families across this country.

We reject the position of the majority in giving short shrift on the issue of

education. We want to debate that, and we want action on it.

BANKRUPTCY REFORM

Mr. KENNEDY. Mr. President, I want to bring to the attention of the Senate the continued deterioration of the position which had been accepted previously by the Senate on the issue of bankruptcy.

That may seem an issue that is distant and remote to many of our colleagues or many around this country, but it is an issue that will affect basically working women who are disproportionately hit by the pressures of bankruptcy because of the allocations of credit at the time of separation or their shortage of alimony or the shortage of child payments. It hits them disproportionately.

It hits older workers disproportionately in terms of their medical bills. About half of those bankruptcies are a result of the escalation and the costs of medical bills, coupled with the fact of prescription drug costs and the shortage of prescription drugs. That is another matter of priority. That is another matter we believe ought to be addressed. The failure of this body to address providing decent quality prescription drugs on the basis of need and on the ability to pay is also a major gap in our Medicare system. We should be taking action on that. When we don't, we find increasing numbers of individuals are falling into bankruptcy because they can't afford the prescription drugs. The credit cards last for only so long, and the payments they receive in terms of working families last only so long, and then they get overwhelmed with their payments and they go into bankruptcy.

There is a third group of individuals who go into bankruptcy as a result of being downsized. They worked hard all of their lives. The people who go into bankruptcy have the same work habits as those who do not. The overwhelming majority are hard-working Americans who fall into hard times.

As has been stated time and time on the floor of this body, it is always useful to ask who is going to benefit from a piece of legislation and who is going to pay a price with the passage of a piece of legislation. I have not seen in this Congress or any recent times the scales so unbalanced. Those that are going to benefit are going to be the credit card companies, banking interests; those harshly treated will be average working Americans who have fallen into difficult times, either economically or because of health care needs or because of age and the job challenges they are facing.

Only recently there was an excellent article in Time magazine. The total number of individuals going into bankruptcy is declining. Still, we have this economic power that is trying to jam this legislation through the House of Representatives and the Senate of the United States behind closed doors. I

was listening to my colleagues talk about actions taken behind closed doors. They find out on the bankruptcy legislation these are matters that are taking place behind closed doors as well.

The Time magazine article pointed out what is happening to an average family. Charles and Lisa Trapp are mail carriers in Plantation, FL, where Annelise, 8 years old, developed a muscular disorder and needed around-the-clock nursing care. Lisa had to quit her job, and with \$124,000 in doctor bills, insurance will not cover paying off credit cards, which is the least of their worries. They have filed for chapter 7 bankruptcy. The medical costs are what the Trapp family insurance did not cover. They had to use credit cards to buy groceries and they have an accumulation of \$59,000 in credit card bills. The point is, they used the funds available on the credit cards for their groceries so they could use what income they had to pay for the needed prescription drugs.

This family, under this Republican bill, is treated harshly and poorly. The Trapp family are a brave and courageous family. And this situation is being replicated. It is fundamentally wrong.

Mr. President, for over two years, Congress has been struggling to reform the bankruptcy laws. From the beginning, the debate has been unfairly slanted toward the credit card companies and banks at the expense of vulnerable Americans. It is especially disturbing that the final bill may well be drafted without the appointment of conferees or even public meetings. The American people deserve a better process and a fairer bill.

A fair bankruptcy reform bill will balance the needs of debtors and creditors. It will not allow credit card companies and other special interests to take unfair advantage of thousands of citizens who find themselves in economic crisis—citizens like the Trapp family recently featured in Time magazine.

The Trapps are not wealthy cheats trying to escape their financial responsibilities. They are a middle class family engulfed in debt because of circumstances beyond their control. Like half of all Americans who file for bankruptcy, the Trapp family had massive medical expenses.

Charles and Lisa Trapp met while working as mail carriers in Plantation, Florida. They married and have three children—the youngest, Annelise, has a degenerative muscular condition. She requires round-the-clock medical care. In her wheel chair or in bed, she uses a respirator at least eight hours a day. As a result, the Trapps have \$124,000 in doctors' bills that insurance won't cover, and \$40,000 of credit card debt for groceries and other necessities.

The plight of the Trapp family is similar to that of many other American families confronted with serious illness and injury. Over 43 million