

the early nineties we passed similar legislation and did it in a bipartisan way. They do not know there is plenty of precedent for it. And they do not know all about unanimous consent, and how one Senator can object, and all of the rest.

What people do have in Minnesota is a sense of right and wrong. Let's talk values for a moment. The values of people in Minnesota are when the economy goes south—I know some of my colleagues do not like to talk about the economy—when the economy is flat, and when so many people have lost their jobs and are hurting, and their families are hurting, people in Minnesota believe we ought to reach out and help them.

This legislation I have introduced, with the support of Senator KENNEDY and Senator CLINTON, should pass today. I see my colleague, Senator KENNEDY, is in the Chamber. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—
S. 3009

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

The ACTING PRESIDENT pro tempore. Is there objection? The Senator from Oklahoma.

Mr. NICKLES. Madam President, reserving the right to object, I had a colloquy with the Senator from Minnesota when he propounded this request a couple days ago, and I asked the question if this was a simple extension. I believe he said it was almost.

I have read the bill and have found it is not a simple extension. I ask my colleague, has the bill changed? Is this a simple extension, a 13-week extension of unemployment compensation for all States?

Mr. KENNEDY. If I can respond, this is not the Thomas bill which was extended the last time. This is the historic and the traditional legislation that was passed three or four times in the early 1990s. This is not the more restricted Thomas bill.

We are going back to the legislation that provides genuine protections for unemployed workers. This legislation will affect close to 3 million workers who otherwise will see their unemployment insurance expire by the end of this year and the early months of next year.

The bill does not do all we believe ought to be done for part-time workers who are contributing into the unemployment insurance fund, or lower-income workers, all of whom are participating and paying into the insurance fund.

What we want to do with this legislation is say: We have a \$27 billion surplus. The workers have paid into the fund. We need \$14 billion of that so people can pay their mortgages, pay their health insurance, and pay their bills. That is what this bill is, and that is what will happen when we pass it.

This bill has basically been supported by a strong editorial in the Washington Post.

Mr. NICKLES. If the Senator will yield, I am trying to figure out what his bill will do.

Mr. KENNEDY. The Senator had this request, and I hoped he would have had a chance to look at and review it, because he is going to hear about it every single day as long as the Senate is in.

Mr. NICKLES. That's fine.

Mr. KENNEDY. If there is some way we can help clarify it, we are glad to do it. Last week when I was in the Chamber, along with the Senator from Minnesota, the Senator from New York, and the Senator from Illinois, who were fighting for it, we heard asked: Is this the same bill, or how is this different? We are glad to take the time, but the time is going on. We will be glad to sit down with the Senator later on today and go over every bit of it and hopefully get the extension of it. We are troubled. We are troubled by the fact that even though the first President Bush effectively opposed it on two occasions, he did support it on the third, and had Republican support on the third occasion. We hope the good light that is shone—and the common sense and wisdom—on those Republicans and the President when he supported it the third time will be shed on the Republican Senators and the Senator will help us get this supported.

Mr. NICKLES. If my colleague will yield for a question, I guess by the length of the Senator's answer, it is not a clean extension. I am reading on page 4 of the Senator's bill a section entitled "Adjusted Insured Unemployment Rate."

Correct me if I am wrong, but this definition basically says people who have exhausted unemployment compensation in the most recent 3 calendar months, even if they subsequently get a job, are still counted as unemployed; is not that correct?

Mr. KENNEDY. If the Senator would—only if they have been exhausted.

Mr. NICKLES. So the Senator's bill permits individuals who have exhausted their unemployment compensation, and then may have subsequently found a job, to be counted in the unemployment figures, according to this Adjusted Insured Unemployment Rate calculation on page 4?

Mr. KENNEDY. We are effectively using the trigger that had been used before, which gives the focus and attention on those who are both unemployed and those who have States which have a higher incidence of unemployment, and in those States, those figures would be added to the valuation of the

unemployed workers in an attempt to get a true reading on the numbers of the unemployed.

Mr. NICKLES. If the Senator will yield further, it says:

... except that individuals exhausting their right to regular compensation during the most recent 3 calendar months for which data are available before the close of the period for which such rate is being determined shall be taken into account as if they were individuals filing claims for regular compensation for each week during the period for which such rate is being determined.

In other words, one could exhaust their unemployment compensation, and may or may not find another job in the following 3 months—they are still going to be counted as unemployed according to this definition, which is really yielding a higher figure. I find that totally unacceptable. Maybe it was done in the 1990s, but that does not make it right. Surely we would want accurate unemployment compensation statistics used in determining how many weeks would be available for additional extended benefits. We want to do it right, and I am sure my colleagues from Massachusetts and Minnesota want to as well. This section is not doing it right. This section alone does not make the bill a clean extension.

I will be happy to work with my colleagues, but this is not acceptable. So I want to point that out.

I want to make another point while I am considering whether I will object to this. This one section is not acceptable. Also, I am finding, after reading the proposal of my colleagues, instead of having a 13-week extension, it is a 26-week extension for all States. That is very expensive. I might ask my friend from Massachusetts, what is the estimated cost of this proposal?

Mr. KENNEDY. To answer the question, this counts people who are unemployed and who have no benefits. Right now if someone is getting extended benefits, they are not counted. We count those people. That is the principal difference. That was the difference in the early 1990s as well, and that is what the Thomas bill did not do. That is what we do. We think there is a sound reason for being able to do it.

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. I will yield, but first I will be glad to continue with my friend if he is interested in trying to get the legislation passed. We have not heard what the Senator is for. We know what he is against. He is against this bill. If the Senator is saying he is for an extension on it, we are more than glad to try and work and see if something can be achieved, if that is what the position is. If the Senator's position is in opposition and continues to be in opposition, then we are going to continue to press him. If his position is, yes, I will support—would the Senator support the extension of the Thomas bill?

Mr. NICKLES. If the Senator will yield, and I asked a question first. I

asked the Senator how much this would cost.

Mr. KENNEDY. Fourteen billion dollars.

Mr. NICKLES. Fourteen?

Mr. KENNEDY. Yes. Now, if I could ask the Senator a question. Will he support the Thomas bill?

Mr. NICKLES. I have not asked unanimous consent. We have an estimate from CBO, that their estimate is \$17.1 billion. I realize this bill did not come through committee. I realize this bill did not have a hearing. I realize this bill has not been vetted. I realize it was just introduced last week and the Senator is trying to pass it by unanimous consent. I have just had a chance to start reading the bill, and the more I read it, I find out it is not 13 weeks, it is 26 weeks. I find out it has an Adjusted Insured Unemployment Rate provision, which says we could potentially count some people under this definition who are working. So this bill is not acceptable.

To answer my colleague, I may be willing to work with the Senator to find a bill that is acceptable. Certainly, if we did something more along the lines of a 13-week/6-month extension for all States, without jimmying the figures, without using Adjusted Insured Unemployment Rates, without establishing new triggers—since this bill uses different triggers from current law that allows more States to qualify for additional extended benefits—if we treat States the same, basically do 13 weeks for 6 months, I might be willing to do that. I might be willing to shop that with colleagues in the House, and the White House. I believe I heard last week or earlier this week, this is almost a straight extension. The more I read, I find out this is not a straight extension. This is a bill that costs—just as a comparison, the straight six-month extension costs about \$7.3 billion. Quickly estimated by CBO, this bill costs \$17.1 billion. There is a big difference.

Mr. KENNEDY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. I guess the time is moving on. As I understand it, the Senator has indicated he would not even support the Thomas proposal extension. Am I right?

Mr. NICKLES. No, I have not stated that.

Mr. KENNEDY. I am trying to find out if we have any good faith in terms of trying to work something out. If the Senator is opposed to that and opposed to this, he is opposed to everything. If he could say, I am for the Thomas proposal, but I am troubled by some of these triggers—although I think they are rational—we are glad to sit down with him.

Can the Senator think about that through the day and let us know?

Mr. NICKLES. Will the Senator yield?

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. There are others who want to speak.

Mr. DURBIN. I was on the floor last week, and the Senator from Oklahoma came in and took a look at this bill, which is only a few pages, and he said: I really need some time to read this.

I have watched the Senator from Oklahoma, and he reads very quickly. I cannot understand why, a week later, the Senator still needs to read this.

Mr. NICKLES. Will the Senator yield?

Mr. DURBIN. At this point, I suggest to the Senator from Oklahoma, I think he has read it. I think he understands it. Certainly President Bush's father understood it when three times in a recession he said we cannot leave these unemployed families in this terrible, perilous situation. We have to extend unemployment benefits. It is a very basic concept, supported by Republican and Democratic Presidents alike, as well as economists and business leaders in my State.

When I say to them, what can we do about this economy, they say give some spending power to these poor people who are out of work. That is pretty fundamental.

I want to give the Senator from Oklahoma all the time he needs, but a week has passed. Is another week going to have to pass, or are we going to be able to come to a resolution and help these families, including over 100,000 people in my State of Illinois?

We have the fifth highest unemployment rate in the Nation. I think this Congress can do something. It should do something. I want to give the Senator from Oklahoma his opportunity, but I think a week is enough to read a seven-page bill.

Mr. WELLSTONE. I say to my colleague, we want to work with him.

Mr. NICKLES. Can we have regular order in the Senate.

Mr. WELLSTONE. We have time.

The PRESIDING OFFICER (Mr. CORZINE). The regular order is a unanimous consent request has been made. Is there objection?

Mr. NICKLES. I reserve the right to object.

Mr. KENNEDY. The regular order is the Senator objects or does not object. That is the regular order, so we are going on the regular order.

The PRESIDING OFFICER. The Senator from Massachusetts is right. Is there objection?

Mr. NICKLES. Reserving the right to object.

Mr. KENNEDY. Regular order. It either goes through or there is an objection.

Mr. NICKLES. Reserving the right to object.

The PRESIDING OFFICER. Under the regular order, the Senator may not reserve the right to object. He must either object or permit the request to be granted.

Mr. NICKLES. I object.

The PRESIDING OFFICER. The objection is heard.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts retains the floor.

Mr. NICKLES. Mr. President, parliamentary inquiry. He made a unanimous consent request. I objected. I sought recognition. He gave up the floor.

Mr. KENNEDY. I do not lose the floor.

The PRESIDING OFFICER. Under the precedent, the Senator who made the unanimous consent request retains the floor, whether it is granted or not.

Mr. KENNEDY. Mr. President, I am sincerely sorry we have not been able to work this out. Senators WELLSTONE and DURBIN have indicated the steps we are going to take to try to get the unemployment insurance. This is no mystery. It is a seven-page bill. There were efforts or suggestions about how we might be able to do this. We are certainly open to try to do it.

What is unacceptable is not helping the number of Americans and people who are hurting.

The PRESIDING OFFICER. Under a previous order, the Senator from Nevada is recognized at 10 a.m.

Mr. REID. Mr. President, if the Senator from Oklahoma wishes to speak, I have no problem, under your time, which comes later, and I still maintain my 15 minutes.

If the Senator from Massachusetts wishes to complete his remarks, I am happy to yield.

Mr. KENNEDY. I will ask that my remaining remarks be included.

Mr. REID. The Senator from Massachusetts is welcome to a few minutes of my time. I will use my 15 minutes when the Senator from Oklahoma finishes.

Mr. NICKLES. Did my colleague from Massachusetts finish his comments?

Mr. KENNEDY. I had additional comments, but the Senator has been seeking recognition to explain his objection. I am happy to hear that.

Mr. NICKLES. Mr. President, I appreciate the gracious remarks of my colleague from Nevada. On the bill presented to the Senate last week, it has not been marked up in the committee, has not been reported out of committee.

We have a preliminary analysis by the Congressional Budget Office, and the cost estimate is \$17.1 billion in Fiscal Year 2003. On the floor last week, it was estimated by proponents, the Senator from Minnesota, the cost was \$10 to \$12 to \$13 billion. In other words, they did not know. They are trying to pass it so quickly, they did not know how much it would cost. It has not been studied.

This proposal is reportedly an extension of unemployment benefits, extending provisions that expire at the end of December. It was being portrayed as a 6 month extension. But when I looked at the details, I found we are using completely different triggers, among other differences.

What does that mean for someone who does not follow this debate? It means more States qualify for more Federal benefits. There is currently an

unemployment compensation program of up to 26 weeks financed by the State, then a Federally-funded Temporary Extended Unemployment Compensation of up to an additional 13 weeks, and finally up to another 13 weeks for high unemployment states. By changing the trigger under this new proposal, we are saying more stages are eligible for extended benefits. We are saying benefits would be available in all states not just for 13 weeks but for 26 weeks, with some States even for an additional 7 weeks. This is getting expensive. This new plan is \$10 billion more than a straight extension.

Someone said we did this in 1990. That may not be the right way to do it. I am willing to work with my colleagues to provide assistance for those people in the States that really need help, but we ought to be very accurate in our language and not try to push something through too quickly. We ought to be responsible. We have enormous deficits now. We should try to do this in a fiscally responsible manner, so the bill can be signed. I will work with my colleagues from Massachusetts, from Minnesota, and others to see if we can come up with a bill that is affordable and has bipartisan support.

At this stage, you have to have almost unanimous support. I will work with my colleagues to see if we can

come up with it. The bill before the Senate, S. 3009, in my opinion, should not be passed. Maybe we can come up with a straight 13-week extension as we have done previously in the Senate. I will work with my colleagues and the Senator from Nevada to see if we can get something done. A straight extension would cost an estimated \$7.3 billion instead of \$17.1 billion. That is a possible.

This bill that would cost \$17 billion and would rewrite unemployment figures—I don't think that makes sense. Maybe we can work together and find something that is acceptable. I appreciate the cooperation of my colleagues.

I ask unanimous consent to have a preliminary CBO cost estimate printed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 2, 2002.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to a number of requests for information on the budgetary impact of S. 3009, the Emergency Unemployment Compensation Act of 2002, the Congressional Budget Office has prepared an estimate of the cost of that bill, as introduced on September 26, 2002.

S. 3009 would increase the number of weeks of Temporary Emergency Unemployment

Compensation (TEUC) available to unemployed workers who exhaust their regular unemployment benefits. Under current law, up to 13 weeks of TEUC benefits are available in all states, with an additional 13 weeks available in states with a high unemployment rate. The TEUC program is scheduled to end on January 1, 2003, with no benefits paid after that date. S. 3009 would increase the number of weeks of TEUC benefits paid in all states to 26, with an additional seven weeks available in states with high unemployment. In addition, the bill would allow eligible unemployed workers to begin to collect TEUC until July 1, 2003. Those receiving benefits by that date would be able to collect benefits until October 14, 2003.

As shown in the following table, CBO estimates that enactment of S. 3009 would increase direct spending by \$17.1 billion in fiscal year 2003. The effect over 10 years would be smaller—\$15.5 billion—because the increase in spending on emergency benefits would eliminate anticipated transfers over the 2009-2012 period from the federal accounts in the unemployment trust fund to the state benefit accounts.

Revenues would increase by about \$4.8 billion over the 10-year period. CBO estimates that state employment tax revenues, which are counted as federal receipts in the unemployment trust fund, would rise both to pay for the increase in regular unemployment compensation that would result from enacting the bill, and to make up for the reduction in revenues that states would otherwise have received in the form of intergovernmental transfers. These estimates assume that the bill will be enacted in October 2002.

ESTIMATED BUDGETARY IMPACT OF S. 3009, THE EMERGENCY UNEMPLOYMENT COMPENSATION ACT OF 2002

	By fiscal year, in millions of dollars—									
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Estimated Budget Authority	17,100	400	0	0	0	0	-495	-505	-515	-525
Estimated Outlays	17,100	400	0	0	0	0	-495	-505	-515	-525
Estimated Revenues	0	230	330	330	270	230	250	560	1,080	1,540

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Sadoti.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, we have a list of speakers who will begin the debate this morning. Senator REED of Rhode Island was given 45 minutes under the order by the Chair. I ask unanimous consent to substitute Senator LEAHY to speak for up to 30 minutes in exchange for Senator REED's time. We will work Senator REED in later.

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

Mr. REID. Mr. President, how much time does the majority retain?

The PRESIDING OFFICER. Eleven and one-half minutes.

Mr. REID. We have a number of Republicans here. They are ready to go. Why don't we let them go? If we decide to use that time, we will use it later. I ask unanimous consent that we proceed in that fashion.

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

The Senator from Missouri.

THE IRAQ RESOLUTION

Mr. BOND. Mr. President, I take this opportunity to discuss the very serious matter that is before us today and this week. This is, I trust, going to be a very somber discussion as we had approximately 11 years ago when this body approved the actions which led to Desert Storm. Unfortunately, at that time we did not solve the problems confronting us as a result of Saddam Hussein and his murderous regime in Iraq.

As we move toward a resolution authorizing the use of force against the threat posed by Saddam Hussein, let us be clear about the intent. This resolution we will send a clear message to the world community and to the Iraqi regime that the demands of the United Nations Security Council must be followed. Saddam Hussein must be disarmed.

For over a decade now we have tried every means of diplomacy, sanctions, and inspections to encourage Saddam to keep the promises that he made after the gulf war. Nothing has worked. Saddam has made a mockery of the United Nations resolutions and the threat he now poses to the world is significant and growing.

President Bush stated last night that Iraqi dictator Saddam Hussein is a "murderous tyrant" who could attack the United States "on any given day" using unmanned aerial vehicles loaded with chemical or biological weapons. Iraq is unique. By its past and present actions, by its technological capabilities, by the merciless nature of its regime, Iraq is unique. Iraq is a true present danger to the United States. As a former chief weapons inspector of the U.N. has said:

The fundamental problem with Iraq remains the nature of the regime, itself. Saddam Hussein is a homicidal dictator who is addicted to weapons of mass destruction.

The Iraqi regime possesses biological and chemical weapons, is rebuilding the facilities to make more and, according to the British Prime Minister Tony Blair, could launch a biological or chemical attack in as little as 45 minutes after the order is given. The regime has long-standing and continuing ties to terrorist groups, and we now know that there are al Qaeda terrorists inside Iraq. In fact, senior members of the Iraqi government and members of the al Qaeda network have been in contact for many years. This regime is seeking a nuclear weapon and the delivery capability to go with it.