

Mr. DURBIN. They could face a cut-off of the existing Federal funds they are receiving. You have States that could be penalized, States that already are in trouble because of State deficits. They could be penalized by not complying with the Federal mandates that President Bush created, signed, and refused to fund.

Now, let me tell you where I stand. Senator KENNEDY, who is not with us today but he certainly has been our leader on this issue, has called for full funding under title 1, full funding under the IDEA program for disabled students, and those are things I support. It comes to about \$7 billion, if I am not mistaken. We should come up with that money. If we can find \$676 billion for tax breaks for wealthy people, can we not find \$7 billion for education?

It is my position—and I do not speak for anyone but myself on this—if this Congress fails to fund the unfunded mandates of No Child Left Behind, this Senator will propose suspending those mandates, saying to those school districts across America that until we are prepared to put the money on the table, until this economy is stronger, we are not going to require you to test every student every year to make an evaluation of each of those students and go through all the requirements of No Child Left Behind.

The President cannot have it both ways. He cannot call himself an education President, wrap himself in the cloak of educational reform, and then refuse to put the money on the table. That is what he has done, year after year after year.

There are those who believe the way to stimulate America's economy is to make sure a majority of tax breaks go to a majority of Americans who believe that we should invest, as well, in the education of our children. Is there anything more important? This administration makes it the lowest priority. It should be our highest. That investment by our Nation at this moment in time will not only help us through the current recession but it will also help us for generations to come.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended for 20 minutes, and that the additional minutes be evenly divided between the Democrats and the Republicans.

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

Mr. REID. I ask unanimous consent that the Senator from South Carolina be recognized for 20 minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 20 minutes.

THE ECONOMY

Mr. HOLLINGS. I commend our distinguished friend from Illinois. He has

brought into sharp focus our dilemma with respect to the prime initiative of President Bush with respect to education.

I just finished a column for the local newspaper relative to symbols versus substance. You will find our Republican colleagues very strong on symbols but very weak on substance itself.

Let me ask the question, rhetorically, of course: What Governor, what mayor—all of us are facing these deficits—is cutting taxes in the face of these deficits? With voodoo? In other words, all you have to do to fix the deficit is cut your revenues. We heard this under President Reagan, and Vice President Bush called it voodoo. We heard all you needed to do was to cut taxes and the people would have so much money they would spend and everything else. We would have consumer demand. You would have sales tax revenues. You would have income tax revenues, they would all increase, and we would just grow out of a deficit.

At that time Vice President George Herbert Walker Bush, Bush No. 1, called it voodoo.

We just had, last year and the year before, of course, voodoo II. A tax cut of \$1.3 trillion plus interest costs \$1.7 trillion. We are cutting the revenues and at the same time in the 4 years, and I want my colleagues to check the record and mark it down, the defense budget has gone in the last a little over 3, nearer 4 years from 1998 until now, from \$271 billion to at least \$371 billion. It will probably be nearer \$386 billion. We have increased defense costs \$100 billion. We have increased health costs \$107 billion, when you look at Medicare and Medicaid and the veterans. But that does not include the community health centers or child health care, of course. So we spend another \$200 billion there. We have increased agriculture, farm subsidies another \$35 billion.

While we are increasing the spending that both sides of the aisle support—health care, defense, and agriculture, some \$235 billion—and then we cut the revenues \$1.7 trillion, in voodoo, and we end up with a deficit. We are just like the States. Only there is no serious purpose up here for the needs of the country. It is only for the needs of the campaign.

We have been using this Congress and the White House to campaign. The heck with the country. Despite having just completed one election, we're already looking at the next election. And the blooming media has gone along with us. They treat politics as a spectator sport, where they want to know who is up, who is down, who is announcing, who is quitting, who is doing this, and who is doing that. You can't get their attention on paying the bill.

As a result, the debt has soared to \$6.3 trillion. We will be debating next month about increasing the debt limit. I want to see how many of my colleagues will vote for that. They have increased the debt by cutting all the

revenues, increasing all the spending, and saying: I am against the Government, the Government is too big, the Government is not the solution, the Government is the problem.

I have sent to the desk a value-added tax. I want to increase taxes. I am sober. I am experienced. I got a triple A credit rating back in 1959 for the little State of South Carolina. I know what you have to do to pay the bill. I have been the chairman of our Budget Committee up here in the National Government, in the Senate. I can tell you, this is about my third try for a value-added tax.

My bill will be referred to the Finance Committee. I know revenue measures under the Constitution derive in the House of Representatives. But I know also that we had a hearing back in the 1980s when we had this voodoo. Lloyd Bentsen of Texas was chairman of that committee. I brought Dr. Cnossen, the Hollander expert. He testified, because he knew he had helped the United Kingdom. He had written a value-added tax for Japan, for Canada—every industrialized country in the world save the United States has a value-added tax. That is one of the big deficiencies we have in international trade.

They have a 15 percent to 17 percent advantage with their VAT. We have the disadvantage. When Dr. Cnossen testified, as they were leaving the room—I will never forget—former Senator John Chafee turned to Lloyd, the chairman, and he said, “Lloyd, if we had a secret ballot we would vote it out of this committee unanimously.”

We needed the money to balance the budget. We tried with Gramm-Rudman-Hollings and had a temporary restraint on the Federal budget. But then instead of a prompter, a sword to prompt fiscal responsibility, it was used as a shield. We needed to take extreme action. But we didn't take it, and Gramm-Rudman-Hollings was out by 1992. Bush I was running a \$400 billion deficit and lost office to the Governor of Arkansas.

Let's get to the Governor of Arkansas. When Clinton got nominated, his friend Erskine Bowles from Charlotte got together business leaders and market experts. They went down to Little Rock. Along with them was Alan Greenspan. Greenspan told then-Governor Clinton—he said, When you come to Washington you are going to have to not only cut spending, you are going to have to increase taxes.

Clinton said, Are you serious?

He said, The Country needs it. We are not going to have any investment, we are not going to have any jobs, until the Government starts paying down the debt.

And paying down the debt was the 8-year chant on the floor of the Senate. You can't hear it now. You can't hear it now, about paying down the debt. You have to have tax cuts and so forth. One side says let's have, I don't know, a \$700 billion, \$800 billion, \$900 billion

tax cut. The other one says, no, only \$200 billion or \$300 billion. We are back into the ying and the yang. We had that under voodoo I, under Bush II, year before last, when he said he wanted \$2.3 trillion in tax cuts. The Democrats come around and said \$900 billion and we compromised at \$1.3 trillion and with interest costs \$1.7 trillion. That is what we are on course to do.

Politicians go on the weekend shows chanting, I am for the rich, you are for the poor, the ying and yang, and it is all campaign applesauce. It is not for the good of the country.

I am telling you what we need to do is pay for the war. We have a President, a Commander in Chief who says, look, I am going to send you to get killed in Iraq, or maybe North Korea, or wherever he is headed. He is going to ask you to fight and sacrifice, but we are not going to pay for it. We are going to have to run deficits. In past wars we ran deficits, but we paid for it at the particular time.

What really happened? If you take all of the deficits for the last 30 years—right after World War II—under Presidents Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford—you take the sum total of all those deficits. It is \$358 billion.

We just finished the fiscal year—one year under Bush II—which does not include the cost of the real war. It was only an excursion in Afghanistan. The Congressional Budget Office says the excursion in Afghanistan and homeland security amounts to \$35 billion at the most. But in one year we have run a deficit of \$428 billion. And to what do we owe this amount? Guess what. We had a stimulus—I want everybody to hear this—a stimulus of \$428 billion in the last fiscal year. We are already \$159 billion in the red the first 3 months of this fiscal year.

Added together, you have a \$587 billion stimulus in the last 15 months. It hasn't worked. We are getting worse and worse. There is not going to be financial investment as long as we continue on this course. It is absolutely reckless to talk about whether any kind of a dividend can do it, or whether a marriage penalty can do it, or whatever else. They have to come around and argue about double taxation and everything else of that kind. We need to do both. We need to cut the spending and we need to increase the revenues. To accomplish this goal, we must have a value-added tax.

I can tell you here and now that it will take a year to get this 1 percent value-added tax up and running. It will take a year to get it the administration worked out, and to get the different businesses to change around their computers and for the IRS to institute it. And when we do it will get about \$35 or \$40 billion, and we will begin a modest effort to pay for whatever war, whether it is a domestic war, an Iraqi war, a North Korean war, or some of the 14 peacekeeping operations.

I can tell you now the military is stretched. That Reserve crowd that flies the C-17s in my backyard have been there since September 12, 2001. If they made \$60,000 or \$70,000 in private life, they are down now to \$35,000 at the most. They cannot pay their rent. It is the same way with the National Guard. They are being called up everywhere in these particular cases.

We need to come to grips with what we are doing and cut out the campaigning and start looking at the needs of the country. Specifically, every Senator says we are not going to spend Social Security. President Bush, in February the year before last, when he submitted his message to the Congress said: I am setting aside \$2.6 trillion for Social Security.

We have that, and more. In the law, it says: You shall not spend the Social Security surplus on anything other than Social Security. That is section 13301, recommended in section 21 of the Greenspan Commission. I dropped in a bill that requires the Secretary of the Treasury to certify that if there is a deficit there cannot be a tax cut. That tax cut—whatever they pass in this pandemonium, pell-mell rush for reelection—whatever tax cut they pass will not take effect until that on-budget surplus or on-budget deficit is zero.

That is the test of not using Social Security moneys. I want to keep them honest. I have already introduced it as a bill. It won't be a surprise. I had it all ready last year. We couldn't even debate the budget last year. We were criticized on the Democratic side of the aisle for not bringing up the budget. But I say bring it up and we will get the votes and find out whether they really want to protect Social Security because they have been spending it on any and everything but Social Security. Under section 21 of the 1983 Greenspan Commission report, it said set these funds aside in trust for the baby boomers. There is nothing wrong with Social Security except how they spend it. Now we owe the Social Security trust fund \$1.3 trillion because we have been spending it on any and everything other than Social Security.

Let us not double talk the electorate. Let us remember to tell the truth to the American people. But I can tell you the bottom line is there is a \$428 billion deficit for 2002, and we are \$159 billion already in the red in first 3 months of 2003—in the last 15 months we have \$600 billion of stimulus money that hasn't stimulated the economy. Another \$30 billion or \$40 billion a year is not going to stimulate it.

So we are whistling "Dixie." We are doing this not for the country but for campaigns.

I want to say one more word with respect to the economy. We were having a hearing, and the distinguished Senator from Kansas talked about Boeing and how they just lost some 10,000 jobs. I reminded him that since NAFTA, we have lost 55,200 textile jobs. The Senator from West Virginia, Mr. ROCKE-

FELLER, reminded us how we lost the steel industry. We can go right on down. We have 6.3-percent unemployment in my little State of South Carolina. We are not manufacturing anything. We have exported the industrial backbone of the United States. What we have is not free trade. Now the Senator from Kansas understands that it is competitive trade.

There are all kinds of subsidies. There is a standard of living. We require before you open up any manufacturing, you have to have clean air, clean water, Social Security, Medicare, Medicaid, plant closing notice, parental leave, safe machinery, safe working places—go right on down the list—the highest standard of living. You can go to Mexico for 58 cents an hour, and you can go to China for less than that. They are leaving Mexico to go to China. They are all talking about free trade. Nothing is free. It is competitive.

We have to rebuild the economic manufacturing capacity and strength of the United States. We need jobs. We are not going to have any jobs until we get a competitive trade policy. Otherwise we are not going to have any investment long-term because what we are doing is increasing interest on taxes. You cannot avoid it. The interest costs for the debt is growing at \$1 billion a day right now. If we go to war, oil costs are going up, and interest costs are going up. Rather than \$365 billion, interest costs are going to be up to \$400 billion to \$500 billion for just carrying the charges—for the privilege of campaigning and the politicians looking out for their reelection and not for the country.

I am sorry to say this. But that is the truth.

I see others are now ready to speak. I will speak at length otherwise with respect to the draft. There is no sense of sacrifice in this country. Our friend, CHARLIE RANGEL, over on the House side, has put in the draft bill. In the beginning, I was opposed to the creation of an all volunteer force. So I put the draft bill in the Senate three other times. And I put it in now a fourth time day before yesterday because there has to be a sense and a feel of shared sacrifice. Don't come and tell us we have a strong economy, and I am sending you to get killed; and, this is a wonderful thing. We have to have more confidence in our commander in chief. He simply cannot just go to flag factories, get his sound bite early in the morning, rat-a-tat-tat sound bite, have two fundraisers at night, and let the country go to—you know what—in a hand basket.

That is what is going on. We have to sober up. We have to pay for the war. There has to be a shared sacrifice and sense of it in this country. I think the country is ready, but the Government is not.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the Senator from South Carolina for his remarks.

EXTENSION OF MORNING BUSINESS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the period for morning business be extended; that I be recognized for up to 20 minutes and that Senator LEVIN be recognized for up to 10 minutes.

Mr. STEVENS. I temporarily object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Under the previous order, the majority controls the remainder of the time in morning business.

Is there objection?

Without objection, it is so ordered.

Mr. FEINGOLD. I thank the Senator from Alaska.

CIVIL RIGHTS AS A PRIORITY FOR THE 108TH CONGRESS

Mr. FEINGOLD. Mr. President, this month our Nation will celebrate what would have been Dr. Martin Luther King, Jr.'s 74th birthday. It is right and fitting that on the third Monday of every January since 1986, Americans have paused from their work, school, or other activities to honor Dr. King and his legacy. Dr. King gave hope to millions of Americans and was a catalyst for the greatest advancement in civil rights our Nation has experienced since the end of the Civil War.

Because of great Americans such as Dr. King, separate but equal is no longer the law of the land. Because of the progress we have made in the last 50 years, segregation in public schools has been unlawful. African Americans have the right to vote. Americans cannot be fired or denied a job based on race, religion, ethnicity, national origin, gender, or age. Our Nation has made great strides to protect freedom and equality for all Americans as a result of Dr. King's leadership.

But almost 40 years after Dr. King delivered his historic "I Have a Dream" speech on the steps of the Lincoln Memorial, and nearly 35 years after Dr. King was tragically gunned down at a hotel in Memphis, TN, our Nation still has a long way to go to finish his work.

As we begin the 108th Congress, I want to take this moment to urge both my colleagues and the President to make civil rights a priority.

Earlier this week, the Senate welcomed a new majority leader, Senator BILL FRIST. But the discussions leading up to that should be the beginning, not the end, of a national discussion about the unfinished work of securing civil rights for every American.

Congress and the President can demonstrate their support for freedom and justice by supporting civil rights initiatives that have been ignored for far too long. And they should begin this

month, as the new Congress convenes and as the Nation celebrates Dr. King's birthday.

Perhaps no issue on this agenda is more urgent than the issue of racial profiling. Racial profiling is the insidious practice by which some law enforcement agents routinely stop African Americans, Latinos, Asian-Americans, Arab Americans, and others simply because of their race, ethnicity, or national origin. Reports in States from New Jersey to Florida, and Maryland to Texas all show that African Americans, Hispanics, and members of other minority groups are sometimes being stopped by some police far in excess—far in excess—of their share of the population and the rate at which they engage in criminal conduct.

Just this week, the Boston Globe ran a series of news articles about its analysis of traffic stop data in Massachusetts and came to the same troubling conclusion we have seen in places such as New Jersey and Maryland. Racial profiling still exists and is a very real problem. It hasn't gone away or ended. In fact, the Massachusetts experience only underscores the need for a national law on this issue of racial profiling. And the time to act is now.

I might add that the urgency for banning racial profiling is compounded by concerns post-September 11 that racial profiling—not good police work and following up on legitimate leads—is being used more frequently against Arabs, Muslims, or Americans who are perceived to be Arabs or Muslims.

President Bush pledged to end racial profiling nearly 2 years ago during this first address to a joint session of Congress. Attorney General John Ashcroft also has acknowledged the damage caused by racial profiling and, he too, called for an end to the practice. So it is time for this administration to move this effort forward.

In the last Congress, a bipartisan group of Members of Congress sponsored the End Racial Profiling Act. Representative JOHN CONYERS, the distinguished ranking member of the House Judiciary Committee, and I, intend to reintroduce our bill early in this Congress. Our bill bans racial profiling and requires Federal, State, and local enforcement agencies to take steps to prevent the practice. This bill should be one of the top agenda items in this Congress, and the administration should follow through on its promise to address this issue.

September 11 cannot be an excuse for continued delay in dealing with the problem of racial profiling. This is a problem and a challenge that our country can and must meet. We need improved intelligence and we need improved law enforcement, not racial stereotypes, to protect our Nation from future terrorist attacks.

Indeed, I believe that the End Racial Profiling Act is a pro-law enforcement bill. It will help to restore the trust and confidence of the communities our police and law enforcement have

pledged to serve and protect. That confidence is crucial to success in stopping crime, and, yes, in stopping terrorism. The End Racial Profiling Act is good for law enforcement and good for America.

As Dr. King often implored his fellow activists, it is not time to wait. It is not time to "slow up" or "cool off." He said, "[W]e can't afford to stop now because our Nation has a date with destiny. We must keep moving." Mr. President, it is time to act.

Yes, we have many pressing priorities this Congress. And I certainly think that first and foremost is combating terrorism and addressing our Nation's weak economy. But we cannot ignore a fundamental responsibility of this Congress: to fight for freedom, justice, and equality for all Americans. In addition to passing the End Racial Profiling Act, Congress and the President should also address a range of civil rights-related issues this Congress—from education, to welfare, to health care, to improving our criminal justice system.

We should ensure that every child has access to a quality public education. I voted against the education bill in the last Congress, because I do not believe that it will bring us closer to that goal. I am particularly concerned about the annual testing mandate included in this law. Study after study shows that disadvantaged students lag behind their peers on standardized tests. If we are to truly leave no child behind, we should give local school districts the resources they need to provide the basic educational services and programs to which each child is entitled. If we fail to provide these resources, we run the risk of setting disadvantaged children up for failure on these tests—failure which could damage the self-esteem of some of our most vulnerable students.

Congress should also do more to ensure that federally funded programs comply with civil rights and other laws. In particular, we must improve the Federal welfare law to require that each State's program treats all applicants and clients fairly. While Congress rightly encouraged State-level innovation with the 1996 welfare law, we should use the pending reauthorization of that law as an opportunity to ensure that all State plans conform to uniform Federal fair treatment and due process protections for all applicants and clients.

Congress should ensure that all Americans get a fair wage for an honest day's work. Too often, parents work double shifts or more than one job for low wages in order to make ends meet and to provide the basic necessities for their families. We must at last increase the Federal minimum wage. And we must work to close the wage gap between women and men.

Congress should also take action to ensure fairness and justice in the administration of the death penalty. We know that the administration of the