

The PRESIDING OFFICER. My question is, is the Governor given an important role in education under State laws of Texas? And does he play a big role in education?

Mrs. HUTCHISON. In Texas, actually—

The PRESIDING OFFICER. The time allocated to the distinguished Senator has expired.

Mrs. HUTCHISON. Let me just say, our Governor has made it a role for the Governor. He has been a leader. He had a program; he worked with the legislature to enact it; and it is successful.

I thank the Senator for the question.

#### BANKRUPTCY

Mr. KENNEDY. Mr. President, there are two additional important issues that I would like to discuss tonight. There are few clearer examples of this Republican Congress siding with powerful special interests against average people than the pending bankruptcy bill.

The bankruptcy conference report targets working men and women who comprise the vast number of Americans in bankruptcy. Two out of every three bankruptcy filers are workers who have lost their jobs because of layoffs or downsizing. One out of every five has huge debts because of health care expenses. Divorced or separated people are three times more likely than married couples to file for bankruptcy.

Working men and women in economic free fall often have no choice except bankruptcy. Yet, under pressure from the credit card industry, this Republican Congress is bent on denying all these innocent victims of financial hardship the safety net that the bankruptcy laws have provided for a century.

This legislation unfairly targets middle class and poor families, and it leaves flagrant abuses in place.

Time and time again, President Clinton has told the Republican leadership that the final bankruptcy bill must include two important additions—a homestead provision without loopholes for the wealthy, and a provision that requires accountability and responsibility from those who unlawfully—and often violently—bar access to legal health services for women. The current bill includes neither of these provisions.

The bill does include a half-hearted, loop-hole filled homestead provision. It will do virtually nothing to eliminate fraud. With a little planning—or in some cases, no planning at all—wealthy debtors will still be able to hide millions of dollars in assets from their creditors. For example, Allen Smith of Delaware—a state with no homestead exemption—and James Villa of Florida—a state with an unlimited homestead exemption—are treated differently by the bankruptcy system today. One man eventually lost his home. The other was able to hide

\$1.4 million from his creditors by purchasing a luxury mansion in Florida.

The Senate passed a worthwhile amendment to eliminate this inequity—but that provision was stripped from the conference report. Surely, a bill designed to end bankruptcy fraud and abuse should include a loop-hole-free homestead provision. The President thinks so. As an October 12 letter from White House Chief of Staff John Podesta says:

The inclusion of a provision limiting to some degree a wealthy debtor's capacity to shift assets before bankruptcy into a home in a state with an unlimited homestead exemption does not ameliorate the glaring omission of a real homestead cap.

Yet there is no outcry from our Republican colleagues about the injustice, fraud, and abuse in these cases. In fact, Governor Bush led the fight in Texas to see that rich cheats trying to escape their creditors can hide their assets under Texas' unlimited homestead law.

In 1999, the Texas legislature adopted a measure to opt-out of any homestead restrictions passed by Congress. The legislature also expanded the urban homestead protection to 10 acres. It allowed the homestead to be rented out and still qualify as a homestead. It even said that a homestead could be a place of business. This provision gives the phrase "home, sweet home" new meaning.

The homestead loop-hole should be closed permanently. It should not be left open just for the wealthy. I wish this misguided bill's supporters would fight for that provision with the same intensity they are fighting for the credit card industry's wish list, and fighting against women, against the sick, against laid-off workers, and against other average individuals and families who will have no safety net if this unjust bill passes.

The hypocrisy of this bill is obvious. We hear a lot of pious Republican talk about the need for responsibility when average families are in financial trouble—but we hear no such talk of responsibility when the wealthy and their lobbyists are the focus of attention.

The facts are clear. The bankruptcy bill before us is designed to increase the profits of the credit card industry at the expense of working families. If it becomes law, its effective will be devastating. It eminently deserves the veto it will receive if it ever reaches the White House.

#### IMMIGRATION

Mr. KENNEDY. Mr. President, another issue in which this Republican Congress is ignoring working families is immigration.

Action on the Latino and Immigrant Fairness Act is long overdue. The issues in this legislation are not new to Congress. The immigrant community—particularly the Latino community—has waited far too long for the funda-

mental fairness this legislation will provide.

The Latino and Immigrant Fairness Act keeps families together. It rewards immigrants who work hard and pay taxes, and it makes our immigration policies simpler and fairer.

Our proposal is based on the fundamental principle that immigrants in similar situations should be treated equally. The Latino and Immigrant Fairness Act includes parity for all Central Americans, and for Haitians and Liberians. In 1997, Congress enacted legislation granting permanent residence to Nicaraguans and Cubans who had fled their repressive governments. But Congress did not grant the same protection to other Central Americans and Haitians. The Latino and Immigrant Fairness Act will eliminate these disparities and create fair, uniform procedures for all of these immigrants.

The Latino and Immigrant Fairness Act will also change the registry cutoff date, so that long-time immigrants who have been residing in this country since before 1986 will qualify to remain in the United States permanently, and it will restore a provision to the immigration laws that was unfairly allowed to expire in 1997.

These proposals are pro-family, pro-business, fiscally prudent, and a matter of common sense. But that hasn't stopped the Republican leadership from opposing them and offering a blatantly inadequate substitute that pays lip service to fairness for Latinos and immigrants in our communities but denies them real help.

Under even the most generous interpretation, the Republican proposal ignores the vast majority of immigrants and families. It will perpetuate the current patchwork of contradictory and discriminatory provisions enacted by the Republican Congress in recent years.

Republicans propose two things. First, a new temporary "V" visa would be created that allows certain spouses and minor children of lawful permanent residents to enter or stay in the U.S. and be granted work authorization while waiting for their green card. To qualify for the visa, applicants must have had applications for entry pending for over three years.

On the surface, this may sound like a good idea. But it unfairly picks and chooses among family members, granting relief to some, but not to others. The GOP proposal perpetuates the piecemeal and discriminatory immigration policies we are seeking to end.

Second, the Republican plan would provide an opportunity for individuals to apply for green cards—but only if they were part of two particular class action lawsuits against the INS for improper handling of the 1986 amnesty program. This selective proposal is grossly inadequate. It provides relief only for individuals who sought counsel from a specific lawyer and joined a specific lawsuit, even though countless

other individuals affected by the INS ruling are left out. Also, of those people who are actually covered by this plan, less than 40 percent are expected to prevail.

Republicans acknowledge that the 1986 law was implemented unfairly. It is wrong and inconsistent to deny a remedy to all who were affected. It is wrong to help only those who were able to hire the right attorney, and who filled out the right forms. All eligible individuals should receive relief.

Governor Bush praises his trillion dollar tax break for the wealthy, and criticizes Democrats for supporting targeted tax relief that helps some individuals, but not others. It's obvious that Republicans don't care about uniformity when the issue is immigration. It's unfair and unjust to pick and choose among immigrants who will receive this well-deserved and long-overdue relief.

We have welcomed these individuals to the United States. They are part of our communities. We have come to know them as neighbors, friends, and colleagues. We should support those who have come here in their search for freedom, equality, and a better life. These are the same dreams our ancestors came here to find in the past.

It is essential to pass the real Latino and Immigrant Fairness Act and treat immigrants fairly. Hard-working immigrant families deserve this long-overdue relief, and they deserve it now.

The PRESIDING OFFICER. The minority controls the remainder of the time.

Mr. REID. I yield that time to Senator DORGAN.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 9 minutes 17 seconds.

#### THEY HAD THEIR CHANCE

Mr. DORGAN. Mr. President, I am not going to talk about Texas. There has been plenty of discussion about that tonight. I am going to talk about this country. I saw this morning an interview in which Governor Bush said: "They had their chance," talking about Vice President GORE, of course. "They had their chance." I want to talk about what has happened in the last 8 years.

It is important to remember exactly what the Clinton-Gore administration inherited and where we are. They had their chance. Let's talk about President Clinton and Vice President GORE.

In 1993, when they took office, we had a \$290 billion deficit that year, and it was rising. That deficit was exploding. Our economy was in trouble. Economists predicted slow anemic growth for an entire decade ahead. That is what the Clinton-Gore administration inherited.

Now, instead of the largest deficit in history, we have the largest surplus in history. Is that an accident? I don't think so. We had a vote in this Senate and they had a vote in the House on a

new plan to take this country to a new direction, and it passed by one vote—one vote in the House and one vote in the Senate. Not one member of the majority party voted for that in either the House or the Senate. We moved this country to a new direction. Now instead of the largest deficits in history, we have the largest surpluses in history.

This is a chart which shows what these deficits and surpluses were when Governor Bush said: They had their chance. This is what we inherited from President George Bush in 1992 and 1993: red ink that was growing every year. This country was choking on deficits, and every year, when we changed direction and created a new economic plan to give people hope that we would make the tough decisions to turn this country around, we have seen lower and lower deficits and finally surpluses. That is not an accident.

They had their chance, Governor Bush said. They turned the biggest deficits into the biggest surpluses. How about economic growth? In the 12 years prior to the Clinton-Gore administration taking office, average economic growth was 2.8 percent. Since then, economic growth has been on average 3.9 percent.

Jobs: 1988 to 1992 was one of the worst 4-year periods in history for the creation of jobs. In fact, I have a chart that I think will be useful to show in terms of the creation of jobs: In the Bush administration, 1988 to 1992, 2.5 million new jobs in 4 years. In 8 years, the Clinton-Gore administration had an economy that rebounded, and we had 22 million new jobs created in this country. They had their chance.

How about the unemployment rate? In 1981-1982, Reagan-Bush averaged 7.1-percent unemployment. Currently, there is 4.1-percent unemployment, the lowest level in 30 years.

Home ownership: From 1982 to 1992, home ownership fell in this country. Now it is the highest in history.

Welfare rolls increased 22 percent from 1981 to 1992. Now they have decreased by 53 percent.

The Dow Jones was 3,300. Now it is over 10,000.

Mr. TORRICELLI. Will the Senator yield?

Mr. DORGAN. I will be happy to yield.

Mr. TORRICELLI. I think the Senator is making an important point, but I would like him to supplement it because I, too, have been startled in hearing Governor Bush explain they had their chance to enact a Patients' Bill of Rights. Indeed, it is my memory that on more occasions than I can remember the Clinton-Gore administration, with support of Democrats in this House, attempted to have a Patients' Bill of Rights.

I heard Governor Bush say on prescription drugs that we promised it and had not delivered it; we had our chance. Indeed, the Clinton-Gore administration supported prescription

drugs and Democrats supported it in the Congress but failed.

Is my recollection of this correct, that we had our chance, we have attempted to do it but, ironically, the people who have stopped it are now the same people who constitute the Bush campaign?

Mr. DORGAN. The Senator is absolutely correct. They had their chance. What about the issue of the Patients' Bill of Rights? We were blocked by the majority party.

What about campaign finance reform? We have tried, tried, and tried and were blocked by the majority party.

What about a prescription drug benefit for the Medicare program? We have tried and tried and were blocked by the majority party.

How about the issue of education and providing some help to reconstruct and renovate and provide for better schools and better classrooms?

Mr. TORRICELLI. If the Senator will yield, can we focus on that one as well because I heard in debates Governor Bush said on education Clinton-Gore had their chance. Indeed, the President proposed 100,000 new teachers repeatedly and has been fighting for it every year—got it enacted at one point—including right up to tonight on school reconstruction, which has not been supported, to my knowledge, by Governor Bush, certainly not supported by his party in Congress. So indeed they had their chance on education, and the Clinton-Gore administration led on education as they led on health care.

Mr. DORGAN. The Senator is absolutely correct. We have had the longest economic expansion in American history. That did not happen by accident. Governor Bush says: Well, gosh, that's due to the American people. The American people worked hard in 1981, 1982, 1983, and 1984. The American people had as much ingenuity, as much tenacity to work hard then. But you need public policies in place that help them as well.

The public policies that the Clinton-Gore administration and the Democrats in Congress put in place in 1993 said we were going to stop these Federal deficits. We had a new fiscal policy. We turned this country around.

The American people understand that when they have hope for the future, they do things that reflect that hope. They buy cars; they buy homes; and they take vacations. They do the things that represent their hope for the future.

There was not much hope for a long while because every year the deficit was getting worse and no one wanted to do much about it, but the Clinton-Gore administration came in and said: We have a new plan and it will be a little tough. It was hard to vote for—in fact, so hard that not one member of the majority party voted for it.

I see on the floor my friend from Texas, Mr. GRAMM, whom we have quoted many times. He said: If you