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Senate

The Senate met at 10 a.m., and was called to order by the Honorable THAD COCHRAN, a Senator from the State of Mississippi.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we return to the work of the Senate this morning with our hearts still at half-mast. We share a profound grief over the tragic and untimely death of Secretary of Commerce Ron Brown. Our grief is mingled with the acute pain of loss for our Nation, the President, the President's Cabinet, and the Democratic Party. We ask You to continue to comfort and strengthen the Secretary's family with the assurance of eternal life. Our hearts also are heavy with the memory of the deaths of members of staff and the leading business leaders who were with the Secretary on his crucial mission of rehabilitation.

So, Lord, as we resume our responsibilities today, give us a renewed sense of the shortness of time and the length of eternity. Help us to live this day to the fullest as if it were our last day. May we never take for granted the gift of life or the privilege of serving You by giving our best to the tasks and challenges we will face today. Grant us Your grace to endure, Your wisdom to make creative decisions, and Your power to offset the pressures of the demanding life we are called to live. God, bless America. In the Lord's name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 15, 1996.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THAD COCHRAN, a Senator from the State of Mississippi, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. COCHRAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader.

Mr. LOTT. Thank you Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will conduct a period for morning business until 2 p.m. with Senators permitted to speak for up to 5 minutes each except for the following:

Senator HATCH will be allowed 20 minutes;

Senator DASCHLE, or his designee, for up to 90 minutes; and

Senator COVERDELL for up to 90 minutes.

At 2 p.m. the Senate will begin consideration of S. 1664, the illegal immigration bill.

No rollcall votes will occur during today's session. However, Members are expected to debate and offer amendments to the measure today. If any votes are ordered on these amendments, they will occur during Tuesday's session at a time to be determined by the two leaders.

Also, as a reminder, there will be a cloture vote at 2:15 p.m. tomorrow on the motion to invoke cloture on the motion to proceed to the Whitewater resolution.

IN TRIBUTE TO SECRETARY OF COMMERCE RONALD H. BROWN AND OTHER AMERICANS

Mr. LOTT. Mr. President, today, the Senate returns to session for the first time since the tragic accident on April 3 that took the lives of Secretary of Commerce Ron Brown and 32 other Americans.

The majority leader, with agreement of the Democratic leader, has requested that the first action of the Senate be the reading of a resolution honoring Secretary Brown and those lost in the accident.

At this time, Mr. President, I send a resolution to the desk and ask that it be read for the information of the Senate.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

S. RES. 241

In tribute to Secretary of Commerce Ronald H. Brown and other Americans who lost their lives on April 3, 1996, while in service to their country on a mission to Bosnia.

Whereas, Ronald H. Brown served the United States of America with patriotism and skill as a soldier, a civil rights leader, and an attorney;

Whereas, Ronald H. Brown served since January 22, 1993, as the United States Secretary of Commerce;

Whereas, Ronald H. Brown devoted his life to opening doors, building bridges, and helping those in need;

Whereas, Ronald H. Brown lost his life in a tragic airplane accident on April 3, 1996, while in service to his country on a mission in Bosnia; and

Whereas, thirty-two other Americans from government and industry who served the Nation with great courage, achievement, and dedication also lost their lives in the accident; now, therefore, be it

Resolved, That the Senate of the United States pays tribute to the remarkable life and career of Ronald H. Brown, and it extends condolences to his family.

SEC. 2. The Senate also pays tribute to the contributions of all those who perished, and extends condolences to the families of: Staff

Sergeant Gerald Aldrich, Duane Christian, Barry Conrad, Paul Cushman III, Adam Darling, Captain Ashley James Davis, Gail Dobert, Robert Donovan, Claudio Elia, Staff Sergeant Robert Farrington, Jr., David Ford, Carol Hamilton, Kathryn Hoffman, Lee Jackson, Steven Kaminski, Katheryn Kellogg, Technical Sergeant Shelley Kelly, James Lewek, Frank Maier, Charles Meissner, William Morton, Walter Murphy, Lawrence Payne, Nathaniel Nash, Leonard Pieroni, Captain Timothy Schafer, John Scoville, I. Donald Terner, P. Stuart Tholan, Technical Sergeant Cheryl Ann Turnage, Naomi Warbasse, and Robert Whittaker.

SEC. 3. The Secretary of the Senate shall transmit a copy of the resolution to each of the families.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, it is the intention of the majority leader to bring the resolution up for final passage sometime after tomorrow's policy luncheons. That will allow those Members who desire to come to the floor and pay tribute to Secretary Brown and other public servants and industry leaders who lost their lives.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under a previous order, the Senator from Utah [Mr. HATCH] is recognized to speak for up to 40 minutes.

Mr. KENNEDY. Mr. President, will the Senator yield for a consent request?

Mr. HATCH. I am delighted to.

Mr. KENNEDY. Mr. President, I requested through our leadership to be also included on the list. I ask unanimous consent to be recognized after Senator HATCH for 20 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. KENNEDY. I thank the Senator. I thank the Chair.

Mr. HATCH. Mr. President, I ask unanimous consent that I be given an additional 2 minutes so that I can personally pay my respects to Ron Brown and his family.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I will not say much here today except that I knew Ron Brown very well. I thought he was one of the finest people in this town. I knew him when he was a leader on the Judiciary Committee under Senator KENNEDY, and we were friends ever since.

Many times I have lamented that we did not have as competent and tremendous a leader in our party as then Chairman Brown was. We had good people. We can be proud of them. But Chairman Brown did one of the best jobs I have ever seen done in a national election.

I also have traveled around the world and have seen some of the work that he has done with regard to the Commerce Department's work and opportunities, and he did a terrific job. He was well recognized all over the world as somebody who advanced America's business.

I personally want to send a message to his family and to those who loved Ron Brown that I did, too, and I had cared for him. Had I not been in the Balkans during that time—we left the day after the accident—with the minority leader and Senator REID, I would have been at his funeral to pay my respects to him and his family. Of course, I am very grieved and hurt by this tragic accident.

I also want to extend my sympathy to all of the families of those who died in that tragic accident. Having traveled over there, I can see how that could occur. I can see how difficult that must have been for all of those families who lost loved ones as a result of that tragic crash.

I could not speak more highly of a person than I am presently speaking of Ron Brown.

I knew some of the others on the plane. I actually met with some of the people who were friends of the crew who flew the plane. We had a crew that flew us into Sarajevo and into Tuzla who basically had worked day in and day out with all of the members of that crew.

I know that I speak for everybody in the Senate and across this country in extending our sympathy to all those folks who lost their lives. I hope Ron's wife, Alma, will be comforted, and I hope that the family will be comforted as well. He has my respect, and I am very happy to have had this time to pay my respects this morning.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Massachusetts is recognized to speak for up to 20 minutes.

Mr. KENNEDY. Mr. President, I would like to read into the RECORD a tribute to Ron Brown which I gave last Tuesday evening at the Metropolitan Baptist Church here in Washington. There were a number of speakers who reflected on Secretary Brown's very considerable life, from early beginnings to really an outstanding distinguished career, and spoke with great tenderness and sensitivity and thoughtfulness, not only about Ron but also about his family.

I would like to take just a few moments of the Senate's time today to read those remarks into the RECORD:

Alma, Tracey, Michael and Tami, Gloria Brown, friends and fellow mourners:

I speak this evening in tribute to Ron Brown, because I knew him well and loved him dearly. But I join as well in tribute to the thirty-four others we have lost, who have now given the last full measure of devotion. Our hearts are breaking now. Our minds can hardly conceive the loss, or compose the words to express the depth of what we feel.

The poet could have been thinking of Ron Brown when he wrote of another who died too young, in words used about my brothers too: ''What made us dream that he could comb gray hair?''

Ron and I were supposed to have lunch this Friday. It had been too long. We wanted to catch up. The Senate would be in recess, and Ron would be back from Bosnia.

He said he wanted to show me the large fish tank in his office. When he and Alma were at our home one evening, I had shown them the modest tank we have. He winked at me and told Vicki and our two children: ''Come on over to my office—and bring Curran and Caroline too. I'll show you a real fish tank. I'll even tell Ted where you can get one.'' That was Ron—always the best in everything he did, and wanting it for everyone else too.

We also had a few items of business to discuss. Ron was Chairman of the Senior Advisory Committee of the Institute of Politics at the Kennedy School of Government at Harvard. For him, it was a long and lasting labor of love. As he had been inspired in his youth, so he always found time for the next generation. While he was busy electing a President in 1992, he was never too busy for those whose election would come in 2012. He was there, year in and year out, for every meeting at the Institute of Politics. He would stay overnight in President Kennedy's room at Winthrop House and eat and talk with the undergraduates. He inspired students as he inspired CEOs. He was equally at home in the classroom and the boardroom, in Harlem and at Harvard.

So at lunch on Friday, we were to discuss the meeting in Cambridge that was coming up later this month. The committee had a couple of vacancies to fill. And now there is an unfillable new vacancy.

Ron was first in so many things—his career was so brilliant and conspicuous—that he was almost certainly bound to be a target for some as surely as he was a role model for others. He was prepared to pay that price to advance his country and his beliefs. And something now demands to be said. This, my friends, was a man of great honor who proved anew my brother's ideal that public service is a great and honorable profession.

I first came to know Ron almost half a lifetime ago during his years at the Urban League. He was in the vanguard of the new generation of civil rights leaders.

He already had then what he would later bring to the highest places of power—a rare quality of double vision in public life, which enabled him to see the issues clearly and see the politics just as clearly too. He knew how to steer by the stars, not just by the fading signals of each passing ship.

He honored me by becoming part of my campaign for President in 1980. He came on board as deputy campaign manager for civil rights, and soon became deputy for everything else as well. He was Will Rogers in reverse. I never met a person who didn't like Ron Brown.

In 1980, I lost the nomination. But in Ron, I gained another brother.

He was irrepressible and undefeatable. For him, ''no you can't'' always became ''yes you can.'' You can integrate that college fraternity. You can win the California primary. You can rebuild the Democratic Party and elect a President in a year when almost no one else thought it could happen. Then you can reinvent government and invent a new commercial diplomacy for a new post-Cold War world. You can make the Commerce Department work—and if you'll pardon a partisan note today, don't let anyone on Capitol Hill tell you you can't.

Ron believed in government and all of you and in public service. He detested cynicism and the shameful politics of running for office by trashing the institutions you seek to lead. He helped to write history, and not a single word he wrote was petty or mean.

I have been through other moments like this, and I know how tightly we grasp the memories in order to keep the man. We recall what was only yesterday, and smile through our tears.

I still see Ron, coming to play tennis on early mornings before work. He'd arrive with three rackets, dressed to the nines, looking like he was ready to play at Wimbledon. He always won, and that's why I always made sure he was my partner in doubles.

He had a style and a soaring spirit. He had a host of friends who were honored to serve with him—many of us assembled here today—those who were with him on his last journey—and one other I must mention who was with him on that remarkable journey to victory at the DNC—his sidekick, Paul Tully. Ron, of course, never had his tie out of place, while Paul never had his shirt tucked in. What a marvelous combination they were for their party and their country. Ron saw and called on the best in Paul, and in all of us.

The great physicist Lord Rutherford was once asked how he always happened to be riding the crest of the wave, and he replied, ''Well, I made the wave, didn't I?'' That's how I felt about Ron Brown. He was one of those few who make the waves that carry us to a better distant shore.

For his nation, Ron was more than an ambassador of commerce. His missions were pilgrimages of peace, of economic hope and democracy's ideals.

For his party and his President, he was close to the indispensable man.

For his friends, he was a Cape Cod day and a cloudless sky.

For his family, he was everything—as they were for him. Sometimes, I'd call during the day to see if he and Alma could drop by that evening. He'd call back and ask for a rain check. Michael and Tami were going out, and Ron and Alma were babysitting for their twins. How he loved those two young boys, Morgan and Ryan. His whole face would light up when he talked about them.

And how proud he was and how much he loved his children, Michael and Tracey. Everyone who knew Ron knew how special they were to him, how much pride he took in their accomplishments, how close he was to them.

And Alma, dear Alma, how he loved you. I remember vividly one time when Vicki and I were talking to Ron and we saw Alma across the room. I mentioned how beautiful she looked, how extraordinary she was. Ron's face lit up with that sparkling trademark smile, and he said, ''She's pretty spectacular, isn't she?'' That said it all, and the word ''spectacular'' was made for Ron Brown too.

Now Ron's journey of grace has come to an incomprehensible end. But for this generation and generations to come, he is spectacular proof that America can be the land of opportunity it was meant to be.

We love you and we miss you Ron—and we always will.

CIVIL RIGHTS POLICY AND THE NATION'S FUTURE

Mr. HATCH. Mr. President, our country stands at a crossroads in the path it travels in relations among the different races and ethnic groups that make up the American people. Down one path is the way of mutual understanding and goodwill; the way of equal opportunity for individuals; the way of seriously and persistently addressing our various social problems as America's problems. It is the way, ultimately, of greater unity among our people. Down the other path is the way of mutual suspicion, fear, ill will, and indifference; the way of group rights and group preferences. On this path we march toward greater division. And, on this path, the signpost is marked: equal results for groups, not equal rights for individuals.

This is a time when our national leadership needs to lead us down the proper path. I am concerned, however, that the President views this subject too much as a political issue. It has been an issue which he has sought to manage in order to avoid an intra-party challenge or independent candidacy from his left, rather than simply base policy solely on the merits. Thus, he has firmly and resolutely defended, in principle, the current racial, ethnic, and gender preference regime in this country. And, in practice, he has preserved the vast bulk of the actual preferential programs, of which there are dozens at the Federal level and many more at other levels of government, that make up this regime. At the same time, he apparently believes he can nibble at the edges of this problem of preferences, to look like he is doing something meaningful about it.

We must start with a genuine dialog on race, ethnicity, and how public policy can be changed for the better.

In my opinion, the discussion of this issue must begin with the understanding of this country's history of discrimination against some people because of their membership in a particular racial, ethnic, or gender group.

Indeed, one aspect of this history, the continued subjugation of people enslaved because of the color of their skin, is not merely an unspeakable evil that mocked our principles and ideals; in fact, slavery, together with the continuing discrimination following its eradication, still has consequences today.

I think many members of the white majority in this country have difficulty appreciating just how significantly different and less hospitable an experience black people, and members of other nonwhite minorities, have had in our country. This does not mean, of course, that Irish, Italian, Eastern European, and other peoples in the white majority did not suffer discrimination in America, or that religious minorities in America, such as Catholics, Jews, and Mormons, have not been victimized because of their religion. Some of this discrimination, regrettably, still occurs. But the color line in this country, was, and is, one of the harshest lines that has ever confronted our people.

It was not so long ago that State Governors stood in schoolhouse doors to bar black students from entering. Black and Hispanic youngsters were discriminated against at all levels of education in many parts of the country. It was not so long ago that U.S. marshals and Federal troops had to protect public school children and college students in exercising their constitutional rights. People were murdered because of their black, brown, and yellow skin—a crime still committed in our country in recent years. And people lost their lives in trying to remove the color line in our law.

It was not so long ago that Americans of black and brown skin could return from service in our Armed Forces, be able to afford an apartment or house, yet be lawfully turned away because they were regarded as the wrong color for the neighborhood. Many of the basic necessities of life—jobs, housing, public accommodations, the right to vote—were legally denied or curtailed because of race, color, and ethnicity.

We will never go back to those days. But we must never forget them. And it is necessary for white Americans to have understanding in their hearts, empathy in their actions and attitudes, and a willingness to address social problems in this country—not just the problems they and their neighbors face, but problems all of our people face.

We need, in my view, a mutual understanding among the races that the legacy of past and present-day discrimination, and its social effects, must be addressed, and that our actions and remedies addressing these problems must be fair and must avoid penalizing innocent persons. We can do this.

This mutual understanding might be summed up this way: The legacy of distant discrimination, committed beyond the statute of limitations of our civil rights laws, must be treated as a socio-economic problem, and not as a problem calling for preferences against innocent persons today. Further, present-day violations of our civil rights laws, of course, must be vigorously pursued; but, again, persons not victimized by present-day violations should not be preferred over innocent persons in any remedy.

One way to illustrate this point is this: While title VII, which prohibits discrimination in employment, can ensure that the best qualified person not be denied a job because of race, ethnicity, or gender, title VII does nothing to help anyone become the best qualified person for a job.

We need a mutual understanding that our pride in our racial, ethnic, and religious backgrounds in America is exactly that, pride in an important part of ourselves, and hostility to no other person on its account.

We need a mutual understanding that we live in a free and good society, with all of its flaws, where opportunity and the ability to dream big dreams remain open to us, where progress has been made in making the great possibilities of America available to all, and where we are not yet finished.

Indeed, I say to my fellow Americans, we are not ultimately defined by our race, ethnicity, or color, but by our common humanity and our common citizenship. American values, American principles, American ideals must be our guide. Our Declaration of Independence says it well: ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain

unalienable rights * * * .'' We had to learn that this included women and men other than white men, but we have learned it. We must make it work in every generation. We are in life's journey together. We are inextricably bound together by our God-given humanity, common citizenship, and common heritage as Americans.

Over 200 years ago, a very wise member of our founding generation, Benjamin Franklin, referred to his fellow ragtag rebels in 13 discordant, often quarreling colonies fighting the world's greatest superpower and said: ''if we do not hang together, we will all hang separately.''

Today, I say, if we Americans do not progress together as a people, we will surely decline in our own separate, squabbling groups.

Today, Americans face many challenges: world economic competition; instability in parts of the world, hostility in others; international and domestic terrorism; crime in our streets; improving our educational systems. We must face these challenges together.

Some things must come from within the individual, and from within our families, our neighborhoods and communities. These are clearly the places where our work must begin and where our progress must occur. But we must help each other and work together.

While we cannot, and should not, compel people to associate with one another socially, if all we have done is replace a government imposed color line with a voluntary color line imposed by our indifference, fear, mistrust, or superior attitudes, we will all be the losers. And, if all we have done is replace one set of discriminatory practices with another, in the name of nondiscrimination no less, we will never reach our full potential as a united people.

I think it is useful to pose this fundamental question: What is it our fellow citizens whose skin color is other than white really want?

I claim no special expertise. I speak for myself only as a citizen and public servant, to offer this observation: Americans who are part of a racial or ethnic minority group want decent and secure jobs; good schooling for their children; safety in their streets and neighborhoods; decent housing; a chance to go as far as their abilities and drive take them; a chance to earn some of the finer things in life.

Am I not describing the very same things the white majority in this country wants? As different as our experiences may be, and as different as our skin color may be, are we Americans really so very much different from one another? My answer is no.

If I am right, two things follow. First, sound general public policies that help all of our citizens are needed. These include policies to strengthen and nurture families. These policies include an emphasis on traditional values such as honesty, hard work, individual responsibility, compassion, and respect for others. I believe that religious institutions must play a vital role in helping foster these values in our young people and that government should encourage such a role, not place needless obstacles in the way. Sound general policies include tough anticrime and antidrug strategies. They include welfare reform aimed at fostering greater independence and self-sufficiency. They include sound policies for generating economic growth and job creation, including job training; improving our schools; and policies favoring housing construction and low interest rates. Reducing trade barriers, reducing taxes, lightening the regulatory burden, creating and sustaining a growing economy—all of this is the foundation of our progress as a people. To borrow what has become a familiar phrase—a rising tide lifts all boats.

But second, Americans must understand, that for the descendants of slaves and for others whose history in this country includes a color barrier, there are special problems in achieving their piece of the American dream. These problems require acknowledgment and response. A mix of focused private and public action, guided by fair play for all, is called for.

It is to this second point I now wish to turn.

Racial, ethnic, and gender discrimination, of course, regrettably, continues down to the present day.

Fortunately, this Nation finally adopted an array of civil rights laws aimed at eradicating discrimination based on race, ethnicity, color, disability, and gender. Our civil rights laws should be vigorously and sensibly enforced.

But, Mr. President, there is danger and risk as we address problems stemming from past and present discrimination. You don't put out a forest fire by pouring gasoline on it, and you do not cure discrimination—past or present—with more discrimination.

Every individual is made in God's image and should be treated in the workplace, the business world, schools, public accommodations and the like without regard to race, ethnicity, or gender. If we cannot stand as a nation for that simple, powerful, yet historically elusive principle today, when will we ever stand for it? And what do we stand for, as a nation, if we do not stand for equal opportunity for every individual?

I stand for the primacy of the individual. Our rights as Americans do not turn on the color of our skin, our ethnic background, or our religious faith. Just as we should never forget that America has often departed from her founding principles and ideals of equal opportunity for individuals, we should never forget that those are the principles and ideals we should ever be striving to fulfill. And in our necessary effort to right old wrongs, let us not create new wrongs.

A person denied a job, a promotion, a contract, a training program, or admission to school because of race, ethnicity, or gender should be made whole. In the case of employment discrimination, for example, back pay and the next available job with retroactive seniority should be made available to the victim of discrimination. The discrimination should be enjoined.

But, no innocent third party should be forced to lose or delay a job, a promotion, a training opportunity, or be laid off in favor of a person not victimized by discrimination because that person is the same color as someone who was, in fact, discriminated against. That is the difference between a policy of individual rights versus group rights.

President Clinton, in defending policies of group rights that are one significant part of the modern day affirmative action structure says, mend it, don't end it. I say, with respect to the preferences that are a significant part of affirmative action, two civil wrongs do not make a civil right.

Affirmative action that utilizes or encourages preferences on the basis of race, ethnicity, or gender in actual selection decisions—hiring, promotion, layoff, contract awards, school admissions, scholarship awards, government benefits—whether labeled goal, quota, or otherwise, is wrong and should be ended. These preferential devices are merely another form of discrimination. I stress that preferences come in many forms—not just quotas and not just in numerical formulations.

It is acceptable, in contrast, for an employer to engage in affirmative action that calls for reviewing personnel practices to ensure they are free of discrimination. It is acceptable for employers to make an effort to recruit applicants from among those who traditionally do not apply for the job—or in other contexts, for a contract, or school admission—after which the selection is made without regard to race, ethnicity, or gender. In appropriate circumstances, other affirmative steps, targeted to disadvantaged persons, but open to all on a nondiscriminatory basis, are acceptable. Thus, a job training program aimed at the chronically unemployed, or the urban unemployed, is fine, so long as no one is ever turned away because of race, ethnicity, or gender. If such a job training program is established in New York City or Washington, DC, for example, no doubt many racial and ethnic minorities should be able to take advantage of it. But nonminorities also live in these cities and if they otherwise qualify for the program, they should not be denied entry because of race or be subject to express or implied numerical limitations. Former New York City Mayor Ed Koch testified on October 23, 1995, before the Subcommittee on the Constitution, that he was unhappy at one point with the low numbers of minorities passing police exams in New York City. He put a training course in Harlem—open to all. That is affirmative action in the right sense.

Instead of government setting aside a percentage of contracts on the basis of race, ethnicity, or gender, why not establish and foster a mentor program whereby established, experienced contractors provide advice, guidance, and contacts to new or small businesses, regardless of the race, ethnicity, or gender of their owners? This will benefit minority- and women-owned businesses without denying anyone such help. State and local governments, instead of trampling on equal opportunity by setting racial numerical requirements or goals, could sponsor seminars about the contract bidding process, methods of obtaining bonding, and so on—open to all, but located where they can benefit minority- and women-owned businesses. Rather than discriminate, why not enhance people's abilities to compete? This is what the Federal Government should be encouraging State and local governments to do.

The September/October 1995 issue of The American Enterprise mentions an Austin, TX nonprofit organization called the National Council of Contractors Association [NCCA]. It was formed with a small grant from the city of Austin. It is 2 years old, and its help is available to all small businesses, though most of the businesses it helps are minority or women owned. NCCA provides firms with expert advice on how to win contracts, donates accounting services, and helps them win bonding. In a year and a half, NCCA helped 83 firms win 171 contracts. We should encourage such programs, open to all, but located where they can benefit minority and women owned businesses.

I think we ought to take some calculated risks to help small businesses. I am willing to support a small pilot program at the Small Business Administration, where the Government insures the bonding of new, small companies owned by persons of any race or gender—with less net worth, fewer capital reserves, and less experience than current programs require. I am willing to see whether such an approach, especially if coupled with technical assistance, can make a difference in getting new small businesses off the ground and able then to compete in the marketplace. If it turns out that reducing current requirements in providing this help does not work, and these businesses do not successfully perform, we should then drop the program. If it does make a difference, we can expand it in an orderly way. But we have to try approaches that get us away from race and gender lines.

Government can look for more opportunity to contract out some of its services—creating more opportunity for businesses, at less cost.

Instead of racially exclusive scholarship programs operated by colleges, colleges could make aid available based on need, without racial preference. Instead of preferences in college admissions based on race, we need to strengthen elementary and secondary education so children are better able to perform pursuant to the same standards. Of course, taking into consideration an applicant's overcoming poverty or other barriers to success, as one part of the evaluation of an applicant, is acceptable in college admissions so long as those criteria are applied equally to all races, and are not thinly veiled proxies for race. But we need to start earlier than that. Then New York City Schools Chancellor Cortines proposed a math and science institute for 350 seventh and eighth graders to help prepare them for the difficult examinations for admission to three academically selective high schools. Students of all races and all parts of the city are eligible under that proposal, but the emphasis would be on those parts of the city that send the fewest kids to those high schools. Mostly black and Hispanic kids would benefit from the extra preparation. And the standards for admission for the three high schools would not be altered. As I understand it, there is to be no racial or ethnic preferences for admission to the preparatory program or to the three high schools—but an effort to improve people's abilities in this urban school district.

We need to evaluate the concept of public and private school choice, through vouchers or similar programs. Businesses need to lend a hand to our public schools. It is in everyone's interest. Businesses need workers who can perform, or they lose out in this global economy.

I received in the mail a report of the Lindahl Foundation, founded in 1991 and privately endowed by the chairman of State Industries, Inc. of Tennessee, the largest manufacturer of water heaters in this country. John R. Lindahl established the foundation to ensure that any child of his employees has the financial aid to get an education after high school. He expanded it to other students in the county. It is based on need, aimed at academically worthy kids who may not be scholastic superstars, but who could do the work in college or vocational school, if only they could afford it. Nearly 350 young people have received awards of $1,000 to $4,000 as a result of this patriot's effort. The brochure has pictures and words of thanks from grateful young men and women, black and white, including one young woman who was able to fulfill her dream of attending Brigham Young University.

Our public schools need to improve. The August 20, 1994, New York Times carried a statement from Albert Shanker, president of the American Federation of Teachers. He tells the story of the principal of an inner-city elementary school in Baltimore. The principal eventually prevailed upon the Baltimore school system to use a private school's model for teaching. The model is conservative in both educational philosophy and curriculum, with a strong emphasis on reading and writing, and specific week by week, year by year benchmarks of what the children should learn. The performance of the kids at this school is way up—a school which is 94 percent minority and where 82 percent of the kids are eligible for free or reduced price lunches.

Prof. Susan Estrich has written about the efforts of the new California Superintendent of Education. I'll summarize the gist of the column by citing its title: ''A Novel School Plan: Back to Basics.''

Some of us believe at least part of the answer also lies in reducing government barriers. This should include a meaningful entry level training minimum wage for teenagers, enterprise zones, repeal of the Davis-Bacon Act, and encouragement of private sector initiatives for everything from job training and mentoring young people from disadvantaged backgrounds, to ways of strengthening the family.

Local and State governments need to remove barriers to entry into different occupations.

I do not claim to have all the answers. I expect others have different ways of looking at these issues, and different solutions. But I do believe we need to talk about this in a civil and serious way.

And I believe that a stubborn defense of preferences sidetracks us from finding better, fairer solutions. I will have more to say about this in later remarks.

But, let us engage in this dialog. Let us examine the ramifications of our choice of the road to take. And let us not sweep these issues under the rug in our national debate. Let us deal openly with these issues and help lead our country down the road to a more united people.

(The remarks of Mr. KENNEDY pertaining to the introduction of S. 1668 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from North Dakota.

Mr. DORGAN. Mr. President, I yield myself 20 minutes from the time allotted to the minority leader.

The PRESIDING OFFICER. The Senator is recognized for 20 minutes.

THE MINIMUM WAGE

Mr. DORGAN. Mr. President, we will be dealing with some interesting and very important issues here in the U.S. Senate this week. This follows a break during which, in the intervening couple of weeks, most of us spent time in our States. I was in North Dakota, and I met a wonderful man in North Dakota who was our State's oldest citizen, 110 years old. His name is Nels Burger. He is a wonderful Norwegian man who grew up and lived on a farm in North Dakota. He has a vivid recollection and memory of farming in North Dakota all those many years.

I was thinking, as I was preparing to come to the floor today, of the things

that have changed during the lifetime of Nels Burger. It you think of what has changed in 110 years in this country, it is really quite remarkable. Nels was born in 1885. There was once a story about an old fellow being interviewed by a radio interviewer, and the interviewer said to him—he was 85, 90 years old—''You must have seen a lot of changes in your life.'' The old fellow said, ''Yep, and I was against every one of them.'' Well, there are people like that. They are against every change as it is proposed. Yet, a series of changes have made life better in this country.

We are going to talk this week about the minimum wage. Some say, well, we ought not have the minimum wage at all. Others say we ought to have a minimum wage. For those that are working at the minimum wage, they ought to at least be able to keep pace with inflation.

We will have all kinds of economists weigh in on this subject. We have economists on one side and economists on the other side. It makes you yearn for the old days when Roman priests in ancient Rome were called augurs, performing something called augury, which was the body of knowledge we now know as economics. Augury. They would read the entrails of sacrificed cattle, or read the flights of birds, and from that portend what the future may or may not hold. Actually, the science of economics or the field of economics is probably not much more accurate than augury, but we will have plenty of economists weigh in on both sides of this issue.

It seems to me that the issue of the minimum wage ought to be simple for this Chamber. It ought to ask two questions: One, should there be a minimum wage? Some will answer no, but I think the prevailing mood in the Congress would be yes. We have had a minimum wage in our country for a long time. It has benefited those at the lower end of the economic ladder. Should we have a minimum wage? If the answer is yes, then the question is, What should it be? We now have a minimum wage that is about $4.25 cents an hour. Eleven States have a higher minimum wage than the Federal Government has. There are a few States that have a lower minimum wage. Most of the States have a State minimum wage that is exactly the same as the Federal minimum wage.

If one thinks there ought to be a minimum wage in our country, then the question is, What should it be? Or, should it ever be changed? Should we decide that the minimum wage shall remain where it is, while others on the economic ladder in this country move up? During the past year, there was a story in the newspaper that said CEO's at major corporations got a 23-percent raise in 1995. The average salary has increased to $991,000, but that was only a quarter of their earnings. The average stock option was $1.5 million. The average bonus was $1.2 million. So, they received a salary of $991,000, a stock option of $1.5 million, and a bonus of $1.2 million. That is a 23-percent jump in compensation in 1 year. These are the folks at the top of the economic ladder.

Now, the question is, What about the people at the bottom of the economic ladder? It is interesting, when we discuss topics here in the Chamber, that there is a room off the Chamber called the reception room, where visitors come and where people who are interested in legislation will congregate. I can recall when we passed the telecommunications legislation, it was full. It was a traffic jam in the reception area in the hallway outside the Chamber of people who were interested in this legislation and of companies that had an interest in this legislation. When we passed the defense authorization bill, the hallways were jammed with people who had an interest in that legislation. Even when Senator BUMPERS and I brought to the floor a proposal to eliminate the National Endowment for Democracy, we had a ''Who's Who'' in corporate America, a ''Who's Who'' in the Republican Party, a ''Who's Who'' in the Democratic Party, a ''Who's Who'' in the chamber of commerce, and the AFL–CIO all sitting out there trying to kill our amendment because they all got money from the National Endowment for Democracy. So, there was a traffic jam outside this Chamber. All kinds of people who had an interest in the legislation were hanging around.

It is interesting, when we talk about the minimum wage, there is no one outside this Chamber. No one is waiting, no one is lobbying—except against it—no one is out there saying, ''We have some people who get up in the morning and make breakfast for a couple of kids, and then work for 8 or 10 hours at $4.25 an hour, and come home and try to figure out how far that stretches, how much milk can you buy with that.'' Will it pay for the medicine, the milk, and the diapers? They do not have time to come out here and lobby. They do not have the capability. They do not have the money.

So, there is not a traffic jam out in the hallways when we talk about minimum wage because no one is speaking for the people who do not seem to have much of a voice in this system of ours. At least, not many are speaking for them. We have people in this Chamber who would not know the price of diapers or milk or bread who tell us $4.25 is just fine. Never mind the fact that inflation means that $4.25 purchases less than it did 6 years ago. It does not matter to us, they say. Never mind the fact that the top of the economic ladder gets a 23-percent pay raise. Let us freeze the bottom of the ladder, they say. Well, it may not matter to some people in here, but it matters to millions of people around the country who are trying very hard to go to work and to care for their families.

The vast majority of the people working for minimum wage are adults. Sixty percent of them are adult women. Forty percent of the people on minimum wage are providing one-half of their families' income, and there are more than 1 million working for the minimum wage who are providing the sole support for themselves and their children.

I know some who will say minimum wage is for kids. That is not true. We ought to at least debate the facts. There are kids working for the minimum wage. I understand that. I accept that. But there are plenty of people who have nothing who are out there trying every day in every way to make a living on $4.25 an hour, and after 6 years their wages have been decreased because $4.25 an hour buys less. The question is, Who will speak for them? Who will stand up for their interests? This is our job.

Our responsibility is not to decide that the market system does not work. The market system does work. This is a wonderful country with a market system that has produced the richest capitalistic society that very few people could ever have imagined. I pay great tribute to the men and women who risk their resources, who work long hours in the day and night to start a business and try to make a go of it. I understand that as well. We have also understood that part of this system requires some rules and that we are the referee in this system.

Someone stood up at a luncheon meeting I attended the other day and said, ''How do you justify speaking on behalf of the minimum wage?'' I said, ''Do you not support a minimum wage?'' He say, ''No.'' I said, ''Do you think there is not a minimum at all?'' He said, ''That is exactly the case.'' He said, ''I don't think you ought to interfere with the market system in any way. There should be no minimum wage in America.'' Then I asked, ''Should you be able to hire 12-year-olds and work them 12 hours a day? Should you be permitted to do that?'' The Government has said with child labor laws that there are certain things that are not appropriate. We used to have 6-, 8- 10-year-olds working in textile mills in this country. We said, ''That is not appropriate.'' So we passed child labor laws. Even then we had people that said it is not appropriate for us to interfere with the market system, that children ought to be able to work, that people ought to be able to employ 10- or 12-year-olds in the mill. But we thought through that issue a little bit as a country and we decided no. The better part of judgment was to decide that there are certain rules within this market system which represent basic fairness. And among those rules was the minimum wage.

I am not here to suggest that there is anyone in here that does not care about people at the bottom of the economic ladder. I do not want to be judgmental about that. I do hope, however, that all of us in the Senate—and in the House—will understand a little

bit about what it is like to be on the bottom of the economic leader.

I encourage everyone in the Senate to some morning before we vote on the minimum wage again to get up and go downtown to a homeless shelter and talk to a young woman whose husband left her, who has two or three children, who has no skills, who has no money, and who has no place to live. Talk to her about her experience working at minimum wage. When she works she loses AFDC. When she works she is told she cannot save any money to prepare for her first month's rent and 1-month security deposit. There is not any way she can save money to try to get an apartment to shelter her and her kids. After you have talked to her for a bit, think, ''If it were me, how would I get out of this circumstance?'' I will bet you that you would have, as I did, a difficult time understanding how you pull yourself up and out of that kind of circumstance.

I ask everybody in this the Senate as they think about the minimum wage to think about the people who are struggling to try to make a living every single day and who find now that their $4.25 an hour buys a whole lot less than it did 6 years ago. We are now near in terms of purchasing power a 40-year low in the minimum wage. And we ought to pay as much attention to the needs of those at the bottom of the economic ladder as we seem to day after day to pay for those at the top of the economic ladder. My hope is that we will—Republicans and Democrats—understand that there are people who have no voice out there, or who feel they have no voice, and that we should raise our voices on their behalf. There are people out there who work hard but still feel they have no hope. We ought to offer hope to those people. That is what we ought to be about.

The easiest thing in the world is to be negative. The easiest thing in the world is to oppose and reject. The hardest thing in the world is to be a builder and to try to understand what is right and what improves life in this country. I hope we can decide in a bipartisan way to do that in the coming day or two, or week, when we discuss once again the minimum wage.

THE ISSUE OF TAXES

Mr. DORGAN. Mr. President, on the issue of taxes, today is tax day, April 15. And there will be a lot of discussion—I think even later this morning—on the floor about taxes. I do not think anyone in this country particularly likes to pay taxes. I understand that. I personally take great pride in paying taxes to help create wonderful schools that will educate our children. All of us ought to beam a little about that. We created opportunities in our country—building roads, building schools, doing a lot of things that have made life better in our country. So I understand that. But I understand that on tax day most people would prefer to pay a lesser amount of taxes, and most people do not very much like the Tax Code that we have. It is too complicated. It is sometimes unfair. And there is not any reason that we ought to have a Sears Roebuck-style catalog in order to try to have to read through and understand the rules of our Tax Code. We ought to be able to do this simpler than that. I hope working together that we will find a way to do it.

But I want to focus on a couple of things in the Tax Code that kind of relates to what I was talking about on the minimum wage. There is always a way for the bigger interests to fill the hallways out here with really smart people who conceive of ways themselves to avoid paying taxes, or of ways for someone else to pay a little less in taxes. I will give you some examples of that. We have a provision in our Tax Code that I have talked about half a dozen times that says to companies close your plants in America, move it and your jobs overseas, get rid of your American workers, hire foreign workers, get a foreign plant and foreign work, produce the same product, and then ship it back to our country and we will make you a deal. If you do that, we will give you a tax cut. Most people would think that cannot be the case. Anyone who proposed that would have about a 2-second political life. No. That is true. It is in the Tax Code. I have tried to get it out of the Tax Code. I lost last year by a 52 to 47 vote on the Senate floor. We are going to vote on that again this week. I am going to offer an amendment to the immigration bill that proposes that we shut down the insidious tax loophole that encourages somebody to shut their American plant, move their U.S. jobs overseas and then produce the same product and ship it back into our country. We will have another vote this week on that.

We also have had this debate about the budget balancing proposal that was vetoed by the President. And it is interesting. When you take a look at some of these details that are put into these large pieces of legislation, which by the way alters in favor of the line-item veto which I supported—I am delighted the President will now have that—but in that big budget bill there a number of little provisions. Let me cite one of them.

One was a provision which called to repeal section 956(A) of the Tax Code. There are not two people awake in America who understand what that is except the companies who are going to benefit from it. That was a little provision stuck in the bill that was supposed to balance the Federal budget that went to the President and he vetoed it, a little provision that says, by the way let us spend $244 million making it more attractive on top of the already perverse incentive we have in the Tax Code to move your jobs overseas—repeal of section 956(A). I have asked on four or five occasions, is there someone in the Chamber of the Senate—of course, there is no one here now because we are not having votes today—when everyone gets here who would stand up and raise their hand and say, ''Yes, I support that. That is my provision. I sure like that notion. Let us provide more benefits to people who move their jobs overseas?'' Do you know something? I could not find one Senator who would stand up and support it. It is like the blimps in the defense bill. We wrote in $60 million to buy blimps in the defense bill.

So I said, ''Will anyone in the Chamber tell me who thought we should spend money in the defense bill to buy blimps?'' I could not find a one. It is funny how difficult it is to find people in the Senate when you discover a provision in law or a provision that is proposed in the Balanced Budget Act that would actually reward, above the current incentive, companies for moving their jobs overseas.

Most of us understand what has happened to American jobs. There have been some jobs created in the service sector, but we have lost about 3 million good-paying manufacturing jobs in this country since 1979—3 million manufacturing jobs. When you talk about manufacturing, then you are not talking about minimum wage. Manufacturing represents the seed bed of good jobs with good income in this country, and that is why I have talked again and again in the Chamber about measuring America's economic progress not by what we consume but by what we produce, because what we produce is what matters. That is what economic health is about. Do we retain a strong manufacturing sector in this country? Do we retain strong jobs that pay well in this country?

At the same time we are all talking about wanting to do that, we have in the Tax Code—and I bring it to the attention of the Senate on tax day—a provision that says we would like to reward you if you leave America. Take your jobs and go, take your plant and run, and we will give you a reward. In fact, all the rest of the American taxpayers will pay for it; $2.2 billion is the reward for companies that move their jobs overseas—$2.2 billion.

That does not come from me. That comes from the Joint Tax Committee. That is their estimate of how much revenue is lost in this country because we provide an incentive for those who would close their American plants and move their American jobs overseas, produce the same product they used to produce here and then ship it all back to United States. And what has happened? The only thing that has happened is that we no longer have the jobs in America. Somebody overseas has those jobs, and someone who controls those jobs makes more money and pays no taxes.

In my judgment, that is no way on tax day to celebrate. What we ought to do on tax day is talk about things we all talk about—complexity, yes. Let us simplify the Tax Code. Let us make it

more fair even as we make it more simple. But at the same time let us decide that that Tax Code ought to be neutral on the subject of moving jobs. The Tax Code ought not be tilted in favor of taking your jobs and leaving the United States of America.

Those are the kinds of issues that I think we as a Senate will have to confront in the rest of 1996. I know it is an election year, and I know some predict that not much can be done because we have all the tensions, and so on. The businesses of this country will not wait for an election. We will be hard pressed to explain to someone who is struggling out there at the minimum wage that, well, we cannot really deal with this now because there is an election coming. That is just something we cannot deal with. There is too much controversy, and we just are not able to do it. That is going to be lost on a lot of people who are trying very hard to make a living day after day.

There is not in this Senate one side of the aisle that cares a lot about people and the other side that does not. That is not the case I am trying to make. But there has been a confluence of public policies in the last year and a half that represent a more extreme view of where we ought to head—the notion that somehow the only thing that makes the American engine work is if you pour in some petroleum from the top. It is classically the old trickle-down approach; if you help everybody at the top, somehow everybody at the bottom gets damp or somebody at the bottom benefits.

Hubert Humphrey, who was our neighbor over in Minnesota, a wonderful man, said, ''I have a different view of this. My view is the 'percolate up' theory in our country. You give everyone in this country a little opportunity to be able to do well and things percolate up and make this American engine run.'' He said ''This trickle down, that is the approach where if you give the horse some hay, at some point maybe the sparrows will have something to eat.''

We ought to understand in this country that the American economic engine works best when all of the American people are working. The incentive in the minimum wage is to try to be fair to those at the bottom of the economic ladder. And it is not fair to say after 6 years, 6 years of freezing you, because you lose purchasing power year after year, that we are going to continue to do that. That is not fair. And it is not fair to those on the minimum wage that our Tax Code on tax day contains a provision that says, ''By the way, the job you aspire to''—you are on minimum wage, but you aspire to a better job, a manufacturing job perhaps—''is gone, because in our Tax Code we paid somebody to take it out of America.'' That is not fair either.

There are provisions, it seems to me, that we can and ought to agree on as Democrats and as Republicans that represent a fair economic approach which would benefit this country, all people of this country, even those who do not have the capability of sending an army of special interest folks to surround this Chamber as we debate their favorite issue.

Mr. President, we will have a great deal of discussion on these issues this week, I am certain, and my hope is that we will, on the first question I asked today, answer with reasonable unanimity: Should there be a minimum wage? I hope most Members of this Chamber will answer yes.

And if they answer yes, then let us spend the rest of the time asking the question: If there should be a minimum wage, then what is a fair level for that minimum wage? Is it fair having it frozen for 6 years? When the top of the economic ladder gets a 23 percent pay increase to an average $3 million a year, is it fair then to say to the bottom, at the lowest rung of the economic ladder, ''By the way, we will freeze your pay for 6 years?'' I do not think that is the answer most people would come to if you think about it reasonably and you think about it in the context of what would be best for the millions of people in this country at the bottom who are struggling very hard to make ends meet.

I yield the floor.

Mr. President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT AGREEMENT—S. RES. 241

Mr. COVERDELL. Mr. President, I ask unanimous consent that Senate Resolution 241 be temporarily set aside until Tuesday, April 16, at a time to be determined by the majority leader after consultation with the Democratic leader.

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

Mr. COVERDELL. Mr. President, under the previous order, I am recognized during morning business for a period of 90 minutes. I ask unanimous consent that during this period I be permitted to yield portions of my time to other Members without losing my right to the floor.

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

TAX DAY

Mr. COVERDELL. Mr. President, if he were still alive, President Roosevelt would say April 15 is ''a day that will live in infamy.'' We have all come to know this very special day as one of great dread in our country, as we come to grips with the enormous burden every American family, every Georgia family, every citizen comes face to face with—the direct burden of Government and the enormous consumption of the wages of labor that are consumed by the U.S. Government and government in general.

Depending on what you count, today Americans work from January 1 until about June 31 for the Government before they are able to keep the first dime for themselves, their families, their educations, their dreams. I think Thomas Jefferson must surely have many times rolled in his grave because he could never, ever have anticipated that there would come a time that nearly half the resources of those who labor for it are removed from those families and those individuals and sent to some government to redetermine what ought to be done with the wages of the person who earned it.

To just quickly summarize—and I am going to yield to my good colleague from Tennessee—but in my own State, I have asked that a picture be made of the average Georgia family. This is the perfect day to reveal what that picture looks like—April 15. That average family earns about $40,000 a year. Both spouses work and they have two children. Remember, now, they earn around $40,000 a year. They spend $4,183 in Federal income tax liability of the $40,000. They spend $3,118 in FICA taxes. They spend another $844 in other direct and indirect Federal taxes. They forfeit $5,061 in local taxes, State and local. This family's share of the new regulatory apparatus we have been building for the last some 30-odd years—this is an unbelievable figure—is $6,615. This family's share of added interest costs because of our $5 trillion national debt is $2,957. That comes to $22,778, 51 or 52 percent of all wages. Every average family in Georgia is working half time for somebody else—the Government.

America depends on these families to raise the country. We ask them to house the country, to educate the country, to feed it and clothe it, transport it, and see to its health. But we only leave them half of all their earnings to do this great work that we have depended upon for so long. The end result is middle America, the average hard-working family, has been marginalized, has been literally pushed to the wall because of the consumption, the insatiable consumption of Government.

I would have to say this is also the result of certain elitists in our country that have concluded that this average family in Georgia is unable to make decisions for itself and that decisions about its future, its health, its welfare are best made by some Washington wonk in the belly of one of these buildings in the Capital City, and it is better that their wages come here so that some bright person can determine how best this family ought to be preparing for its future and its needs.

I reject that theory outright and I believe America does too. I did not believe I would ever be standing on the floor of the U.S. Senate, talking about average families in my State forfeiting nearly half their earned wages to support this burgeoning, growing, unfettered consumption by Federal and other governments.

With that opening statement on this infamous day of April 15, 1996, I yield to the good Senator from Tennessee up to 10 minutes.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, in recent years the words ''tax and spend,'' have been used together so often that, today, rarely do you hear one word, ''tax,'' without hearing the other word, ''spend.'' The phrase has become so common, so acceptable, so recognizable it approaches the use of words such as ''hand in glove'' or ''horse and buggy.'' It is just when you think of taxes, you think of spending.

Like cliches that become popular because they deliver the truth with clarity and simplicity, ''tax and spend'' boils the point down to its essence. There is only one reason for raising taxes and that is spending more.

We just heard my distinguished colleague from Georgia boil down this tax burden to the effect on an individual family. That tells the whole story. But I cannot help but to share with you this morning a conversation at breakfast, as I sat around the table with my wife and three boys, Jonathan, 10; Bryan, 8; and Harrison, 12.

Jonathan said, ''You are coming back from recess, dad. What are the issues? What are you going to be talking about?''

I said, ''Today is a big day for the American people. It is tax day.''

And Jonathan said, as any young child does quite innocently, ''What is tax day? What does that mean?''

I said, ''Jonathan, it has an impact on every, every family in this great country.''

He said, ''What sort of impact?''

I said, ''Today, people will be writing checks, where a huge portion of what they earn goes to Washington, DC, to the Federal Government.''

He said, ''What do you mean?'' He said, ''Don't you pay sales taxes?''

I said, ''Yes.''

And he said, ''How much?''

And I said, ''About 38 percent, on average, around this country, of income, of money that you take in, goes to government at the State, local, and Federal level, 38 percent; 38 cents on the dollar,'' I said.

He looked up again with those innocent eyes and said, ''Well, why does anyone work if you have to give 38 cents away?''

Clearly, it is much more complicated than that, but through those innocent eyes of a child, it does bring us to that real question of, why do we tax so much and spend money so extravagantly?

Mr. President, unlike the current occupant of the Oval Office, President Calvin Coolidge was a man of few words. However, the thoughts he expressed when he chose to speak were quite precise; it hit the nail on the head.

On the subject of Government spending, he once, very accurately, observed, ''Nothing is easier than spending public money—it does not appear to belong to anyone.''

Apparently not.

Federal spending has risen steadily and continuously over the last 40 years, and to pay for it, so has the burden on the American taxpayer.

Thirty-eight percent of a family's income is paid in Federal, State, and local taxes and, as we just heard, in Georgia it is even higher than that. But, on average, 38 percent. And the problem is getting worse. It was only 28 percent in 1955. Today, a taxpayer has to work more than 3 hours out of an 8-hour day just to get enough funds to pay the tax man.

And if paying taxes were not bad enough, to add insult to injury, the Government makes it as hard as possible for everyone to comply. There are now 555 million words in the Tax Code with 4,000 changes made just in the last 10 years. There are 480 different tax forms provided by the IRS, and there are another 280 forms just to tell us how to fill out those 480 forms.

Every year, in fact, the IRS sends out 8 billion pages of forms and instructions to 100 million taxpayers. This feat alone requires the pulp of 293,760 trees just to accomplish.

This year, individuals will spend 1.7 billion hours filling out their taxes. Businesses will spend another 3.4 billion hours to fill out their taxes, and complying with tax laws will cost all of us about $200 billion above and beyond the taxes themselves.

But for some people, enough is never enough. In the first major action that President Clinton took, you guessed it, he raised our taxes, and when Republicans cut taxes as part of the Balanced Budget Act last December, the President vetoed the bill. Why? You guessed it, because he wanted to spend another trillion dollars on Government, not the people's, priorities.

Tax and spend—one cannot live without the other.

And what are those priorities of the American people? Today, all across America, the problems of crime, drug trafficking, and illegal immigration are out of control. Yet, while we have 24,000 FBI agents or 6,700 DEA agents or 5,900 Border Patrol personnel, we have 111,000 people working for the IRS. The Government cannot stop illegal drugs or illegal immigration, but it sure knows how to collect your money, even if it cannot manage its own.

This month, the GAO audited the IRS. What it found was truly astounding. The General Accounting Office found that the IRS could not account for $10 billion it says it collected. The IRS could not fully explain $2 billion in expenses, and it could not use the sophisticated new computer equipment that cost taxpayers more than $3 billion. So it is still using the old record-keeping and billing system designed in the 1950's.

Perhaps that is why when Money magazine hired 50 tax experts to prepare the return of a hypothetical typical American family it got 50 different results. They found the Tax Code to be so vague, so confusing, so contradictory that, as Money's editor put it, ''The typical taxpayer has no way of knowing how much they actually owe.''

Mr. President, it is time that Americans pay less taxes, not more. It is time Congress simplified the maze of regulations, penalties, deductions and credits that make compliance so difficult. And it is time we made it harder for the IRS to make hard-working Americans pay for its mistakes. That is why I have cosponsored the Taxpayer Bill of Rights 2.

Among its more than 30 provisions, the Taxpayer Bill of Rights will waive interest charges when the IRS, not the taxpayer, is at fault. It will allow taxpayers to sue the IRS for up to $1 million for reckless or negligent collection actions. It will prohibit the IRS from issuing retroactive regulations.

Yes, the era of big Government is over. So is the era of tax-and-spend. For, as Calvin Coolidge also so accurately observed, ''The appropriation of public money is always perfectly lovely until someone is asked to pay for it.''

He continues: ''I favor the policy of economy, not to save money, but to save people. The men and women of this country,'' he continues, ''who toil are the ones who bear the cost of Government. Every dollar we carelessly waste means that their life will be so much more the meager. Every dollar that we prudently save means that their life will be so much more the abundant.''

Mr. President, when Ronald Reagan was President of the United States, the portrait of Calvin Coolidge hung in a place of honor in the Cabinet room as one of the Presidents Mr. Reagan admired the most. Mr. Clinton has borrowed much from Ronald Reagan. Perhaps he would do well to borrow President Reagan's appreciation of Calvin Coolidge as well.

Mr. President, I thank the Chair and yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, a moment ago, as we began this discussion, I outlined the impact of Government and regulations and the costs on an average family in my State. As I said, it comes to almost 50 percent.

I think it might be interesting, and I am going to yield in just a moment to my good colleague from Idaho, but I would like to make a point about what

has been the impact on this average family of this administration.

On the Federal income tax liability, I said that we are currently paying $4,183, but if we had not put in place the policies of this current administration, that is, the largest tax increase in American history in August—that hot August—of 1993, then that tax burden would be considerably less. It would be $3,656.

FICA would be $2,754 instead of $3,118. The regulatory costs, Mr. President, are considerably different, as well. They would be paying $5,892 instead of $6,615.

The bottom line is that without the policies of this administration of taxing and growth and regulation, the total tax burden would have been $20,112 instead of $22,778 or, bottom line, this administration has added almost $3,000 of new costs to this average family.

If you are making gross about $40,000 and you have a new $3,000 bill to send to the Government, it is a wake-up call. That is 15 percent of lost disposable income as a direct result of the policies of this administration. It is incredible.

As I recall, during the debate we were only going to affect the wealthy. I do not believe any family making $40,000 a year considers themselves in the league of wealth, but their contribution—we remember that—the contribution that they would be asked to make is almost another $3,000 for every average working family in my State.

Mr. President, I yield up to 10 minutes to my good colleague from Idaho.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, thank you very much.

Let me thank my colleague from Georgia for yielding me time, but especially for taking out this special order on this very important day in the lives of every working man and woman in the United States, the day when your Federal taxes are due.

I say that because it is also an important day for us to pause and recognize what paying your taxes means and the kind of impact that it has on us as a society. Obviously, my colleague from Georgia has spoken about how it impacts his State. And let me also congratulate him on his constitutional amendment to prohibit retroactive taxation. I am a cosponsor of that. I appreciate him leading in those areas something that our Founding Fathers were very, very clear on, while this Government seems to have been a bit confused on it.

Also, today, the House, our neighboring body, will take up the two-thirds majority to raise taxes as a requirement of our Constitution. Some would argue that is putting economics in the Constitution that should not be there. I disagree with that. I think it is the appropriate thing to do because, clearly, within the Constitution we have required two-thirds votes on other procedures that are required.

Obviously, they are proposing an amendment today. That amendment requires a two-thirds vote. Somehow nobody suggests that that is the wrong thing to do or that is the wrong test that ought to be made. So I hope the House is successful today both in their debate and in their vote to require a supermajority to raise taxes. I think it is high time that we in this body and in the Congress of the United States become as sensitive to taxation as the taxpayers of this country that we suggest that we represent on a regular basis.

My guess is that if you vote for increased taxes in this body, you are not representing taxpayers very well because the taxpayers of our country have consistently said for a long while that they are being overtaxed. A recent poll in the Readers Digest suggests that the average citizen believes that taxes ought to be no higher than about 25 percent of their income, and they would even say in this poll that if somebody was paying 40 percent, even though they might be making more money, they were probably being taxed too much. Even the poorer of our society would suggest that those that are being taxed at a higher level ought to be taxed at a lower level because, for some reason, higher taxation was just blatantly unfair. I have to agree that that is the case.

Today, as mentioned, is April 15. Americans will work until May 7 of this year just to pay their taxes. And, as we all know, that day just keeps increasing. I am talking about January 1 to May 7 of every year now for the average taxpaying working American to meet their tax requirement. If you went to work at 8 o'clock this morning, the first 2 hours and 47 minutes of your 8-hour working day were worked just to pay your Federal tax requirement.

Obviously, you live in another taxing district besides the Federal tax realm. You live in a State tax realm. Probably you would work another 35 minutes to an hour just to pay your State taxes. So it all adds up, and the average working person out there is going to spend the first 3-plus hours of their working day not putting one dime in their own pocket, not putting one dime to the purchase of a loaf of bread for the toast for the family breakfast, not putting one dime in the savings account that they are building to send their child to college, not putting one dime against the purchase of a new car or a new house, because for the first 3 hours, on the average, they will be putting all of those dimes either in the Treasury of the U.S. Government or the treasury of State government.

That is why most every American agrees that they are overtaxed. That does not mean that Americans are antitax. I cited the poll a few moments ago where I think all Americans recognize the importance of some government, the importance of the basic services of government, and the need to pay for it, and the need to have budgets balanced. But what they cannot understand is why the average two-wage-earner family, a family of four, pays 38 percent of all of their income to pay taxes for all levels of government. It is simply too high, and we know it. And Americans know it more, I think, than we do.

This last week during the Easter recess I had a rare privilege of taking my parents, who were here visiting, my wife and I to Williamsburg. I have been a student of Jefferson and Washington and Madison, as I hope many Senators have been on this floor. We visited the colonial capital of the colony of Williamsburg, better known as the House of Burgesses. Again, it was a remembering of why this country went through a revolution, why our Founding Fathers finally said, enough is enough, why they put their lives and their property on the line, simply saying they could not tolerate an oppressive Government, primarily because of the level of taxes that that Government was levying against a society of people who did not have a vote, who had, as we now know, taxation without representation.

Of course, as mentioned in several of the books I have read about Thomas Jefferson, following the great revolution and a new country and an America under a Constitution in which we had representation, he was visiting in Europe and a British parliamentarian said, ''Well, you went to war because you had taxation with no representation. Now what do you think? You have got taxation with representation.''

I think we all recognize by that statement and 208 years of history that central Government, if not controlled, can become oppressive, and the greatest tool of oppression on the rights and freedoms of an individual, of family, a working person, is the ability of Government to tax.

Since this country instituted the income tax and since we instituted automatic withdrawal from our wages of the Government's share of those taxes, we all know that that 38 percent that gets taken out of the average family of four's salary, while it seems to go very easily and we forget about it being in or having been there, we fail to recognize the tremendous purchasing power that that would have or the additional freedoms that that could afford the individual family that is now taken away from them and, therefore, the freedom to choose, the freedom to be financially independent, the ability to make for themselves and their children a better life. All of that is part of why Americans become increasingly frustrated when they see a government that progressively adds taxes to their ability to earn money.

In 1992, as we all know, President Clinton talked about a middle-class tax cut. He was the champion during that Presidential year of wanting tax cuts for middle-income Americans. Somehow this President forgot or lost his way. We know what happened just a

year later, in 1993, when he pushed through the largest tax increase in the history of this country.

Oh, I know argumentatively he played class-war politics by suggesting it would only go on the backs of the rich, but, as my colleague from Georgia has so clearly pointed out, it did not go on the backs of the rich; it went on the backs of everybody. It went on the backs of middle-income wage earners in his State of Georgia, in my State of Idaho. It hit all levels. And when it hits all levels, it hurts all levels of our economy and the ability of families today to make their own way.

So we now have taxation with representation. But at the same time, what I think we, those who are the agents of representation, have failed to recognize is the real impact that taxes have on the ability of the wage earner to function for himself, herself, or for their family, or even the incentive in a society.

You know, I talked about that first 2 hours and 47 minutes of work to pay the Government. If you decide you will not work that 2 hours, 47 minutes because that money goes to the Government, think again. It does not work that way. What I am suggesting by that is that it has become, by increased rates of taxation, a blight on the ability of our economy to produce and the right of the individual to produce.

Why can we not get above about 1.5-percent growth in our economy? Remember, growth is a factor of job creation, greater opportunity, upward mobility for wage earners starting at lower levels to move to higher levels, to provide for themselves and their families to have a better home, a better car, to seek a better education, to put a better coat on their back. If you deny growth in the economy, you deny those kinds of opportunities that have been historically true in our society.

Taxation is a factor that puts that kind of blight against economic growth, dampers it down and, of course, as we all know in a society today, in an economy where we do not compete just with our neighbor down the street, we compete with our neighbor in China, our neighbor in Japan, if we and our level of taxation is not similar, certainly our ability to produce is less.

I have talked about income tax and its impact on the family. If I could for just a moment move to something else that I think is grossly unfair, but it fits into all of this element of taxation. That is the issue of estate taxes. Somehow we have developed an attitude in our country, Mr. President, that if you collect wealth during your productive years, you work hard, maybe you do not work the 8-hour day, maybe you work the 12-hour day, maybe you work a 14-hour day and you accumulate wealth, you own a home free and clear, you have money in a bank, you have a savings account, you have stocks and bonds, you are not allowed to move those through to your children when you die, or not all of them.

Again, the Government steps in and says, ''No, we will take that away from you.'' That is an estate tax that I have for so many years believed to be so wrong. I have watched farmers and ranchers in my State work for a lifetime to pay off a mortgage, to own something, only to sell it and find out that they have to give a high percentage of it back to the Government. Why? The Government did not earn it. It is not the Government's right to have it. Somehow that is something that our country has slipped into and something that April 15 of every year reminds me is just fundamentally wrong.

I hope today is a day of reckoning, a day of better understanding. It appears I am out of time. Could I have an additional 2 minutes yielded to me?

Mr. COVERDELL. The Senator is yielded 2 additional minutes.

Mr. CRAIG. I hope today is a day of reckoning. Again, a time when we all awaken to the fact of what our Government does to us—not for us. There are many things that Government can do for us, but this is an instance where I believe Government takes too much of our money and spends it unwisely.

That is why, along with the amendment that the House will be voting on today to require a two-thirds supermajority to raise taxes, why the amendment by my colleague from Georgia dealing with retroactivity in taxation, why the $500 tax credit that we have offered in our balanced budget bill that we sent down to the President, that he vetoed, is so important. Why trying to deal with a capital gains tax, trying to deal with an estate tax, reducing those rates, creating less impact on hard-working, saving, earning Americans is what this day ought to be about.

I thank my colleague, the Senator from Georgia, for leading Members in this important debate on this important day. I hope other colleagues would join with us and come to the floor, talking about how all of this impacts their States and their citizens' lives. It truly does. When you watch that kind of money, whether it is 38 or 40 percent that you earn being taken away from you for purposes that in many instances you find unnecessary, it is a question that that has to be on a monthly, daily basis, brought before this Congress.

I thank my colleague from Georgia for bringing this matter to our attention.

Mr. COVERDELL. Will the Senator yield?

Mr. CRAIG. I am happy to yield to the Senator.

Mr. COVERDELL. Mr. President, in my opening comments I was talking about an average Georgia family, and I alluded to the fact that virtually half their income has been absorbed by one government or another. You and the Senator from Tennessee have used the figure 40 percent. I thought we might clarify that a bit.

Would the Senator agree that a family's interest payments that are a direct result of our national debt should also be added into what is being taken from them?

Mr. CRAIG. Absolutely. I think it is clearly the appropriate day to debate what is the total impact of our current Government's need based on net, based on taxation on the lives of the average citizen. When you do that, I think that is absolutely right. It gets well past the 40 percent mark in many instances. You have to factor in, as I think you have, and when I talk abut 38 percent I am not factoring in State government in many instances, but you are doing so, I think, and that is a very important part.

Mr. COVERDELL. Would the Senator also agree, the impact that families share of the regulatory costs, those have to be paid by that family, are also a factor that have to be weighed in as to what the total impact is on our working family?

Mr. CRAIG. No question about it. That is something that you and I have struggled on for a good many years. We busily write an awful lot of laws around here with no sense of the kind of cost that it will have on the average citizen through regulatory compliance or making sure their businesses operate within the framework of those regulations. Those are real costs, and they get passed on to the consuming taxpayer, and ultimately that is a form of taxation.

Mr. COVERDELL. I have enjoyed the Senator's remarks immensely, but I conclude by saying that in our colloquy, that the effect of all of this is that you have essentially removed half the earning wages of our working families, no matter where they are.

I am reminded here, because it has been brought up several times, of a statement that the President made in a campaign commercial on January 16, 1992, Mr. President. It said, ''I'm Bill Clinton, and I think you deserve a change. That's why I have offered a plan to get the economy moving again, starting with a middle-class tax cut.'' However, 1 month into his Presidency, that promise was dramatically altered. The message in the State of the Union speech that was made by the President on February 17, 1993, said, ''To middle-class Americans who have paid a great deal over the last 12 years and from whom I ask a contribution tonight.''

Mr. President, that contribution turned into a $250 billion tax increase which resulted in every working family paying a lot more money to Washington and having a lot less in their checking account to take care of their own needs.

The PRESIDING OFFICER (Mr. CRAIG). The Senator from Wyoming.

Mr. COVERDELL. I yield 10 minutes to my colleague from Wyoming.

Mr. THOMAS. I thank my friend from Georgia for organizing an effort to talk about something that we especially are aware of on tax day, on April

15, but certainly should be talked about every day. Unfortunately, I think not many of us often recognize the fact that nearly 40 percent of our revenue, of our income to our families, is taken in taxes.

It has been talked about here today, that we work more than 3 hours a day out of our 8-hour day simply to pay taxes.

Although I am quite sure that will not become the tax system, some believe—and perhaps there is merit in it—if we had this sales tax, we would be more aware of the level of payment that we make, where now much of it is withheld. We talk about our wages after taxes, and so it sort of disappears and fades off. So I think it is appropriate that we talk about it today.

It seems to me that there are at least two important areas that need to be talked about. One, of course, is money—dollars. What does it mean to us and our family income? We probably ought to ask the question, of course, who should spend it? We work to support our families. Who should spend that money that we earn? Obviously, we would expect to be taxed if we want public activities to continue. Then we ask ourselves, how much is enough? How much should go? Is 40 percent too much? It seems to me that perhaps it is.

Then, of course, there is a direct relationship between taxes and the amount of Government we have. It seems to me that is a principle we ought to talk about. Many of us believe—and I am one of those—we ought to have a limited Government at the Federal level, that we ought to, as it describes in the Constitution, do those things that are described in the Constitution and leave to the States and to the people those other activities. Taxes have a great deal to do with that.

There is a relationship between the size of Government and spending. Of course, if we are responsible at all and we want to do this spending, then we should pay for it. That is where taxes come in. Unfortunately, we have not done that very well. We have wanted to do the spending, but we put it on the credit card for our kids. We need to change that, and we are in the process, hopefully, of doing it. The real measurement is not what Government can do for people but the kind of environment that can be set that allows people to do for themselves. So when we talk about taxes, we are also talking about the size of Government that we envision.

I think we should talk about where we are now. As Paul Harvey says, ''What is the rest of the story?'' We are beginning to hear a lot about how ''the deficit is down, the economy is up, and we are saving taxes,'' and so on. The fact is that Washington has never spent more on the Federal bureaucracy than we are and have under this administration. The fact is that we are spending less on defense, and that may be right or wrong. But it means we are spending more, then, in the nondefense areas, these programs that simply continue to grow. America's tax burden, State, Federal, and local combined, has never been higher than it is under this administration. It has never been higher as a percentage of GDP. Americans will pay more than one-half trillion dollars more in taxes as a result of the President's tax increase of last year.

So despite what we hear and what we heard in the State of the Union Address on January 23, part of which said, ''We know big Government does not have all the answers''—I am quoting the President—''We know there is not a program for every problem, and we know we have to work to give Americans a smaller, less bureaucratic Government in Washington, and we have to give the American people one that lives within its means.'' He said, ''The era of big Government is over.'' Yet, we have the largest expenditure for Government that we have ever had under this administration.

So, Mr. President, this is tax day. It has already been noted that the typical family spends more than 38 percent of its income on taxes—more than it spends for food, clothing, and shelter combined. It has been mentioned that more than 3 hours of our 8-hour day is spent to produce taxes. It is also mentioned, I think importantly, that there are more than 100,000 employees at IRS, which is more than at the FBI, DEA, and Immigration Service combined. There is something wrong with that, when you take a look at the billions of dollars that are spent simply to prepare the forms that we have to use.

It is also interesting, in terms of spending, that for every dollar in new taxes, the Government spends $1.59. The rest of it goes on the credit card. So what we have had, of course, is what we might call ''the Clinton crunch.'' The President has promised a tax cut and delivered a tax increase, which is very difficult on small business, and it holds down the creation of new jobs. It is difficult for senior citizens on fixed incomes. There was a tax increase for everyone, among them a gas tax, which hits my State of Wyoming very hard. The new budget contains $60 billion in new taxes.

So we have not moved toward the end of big Government. On the other hand, I think that in this session of Congress the majority party has made a real effort to do that. We passed tax cuts last year, a $500 per child tax credit, marriage penalty, capital gains tax, expanded IRA's, adopted tax credits, student loan interest deduction—all, of course, which was vetoed.

Today the tax limitation amendment will be considered in the House. I happen to think it is a good idea. It is like saying we do not need to amend the Constitution. It is the same thing I heard when we were talking about a balanced budget amendment. Everybody stood up, and before they began to talk, they said, ''I want to balance the budget, but we do not need an amendment to do that.'' Maybe we ought to remind them that it has been 25 years since we balanced the budget. And 43 States have that amendment. In my State, the legislature cannot spend more than it takes in. I think, similarly, we need that same kind of amendment on spending. There is no reason why, if spending is important, you cannot generate more support than 50 percent to do that.

So, Mr. President, I think it is an issue we ought to talk about every day, and it is appropriate on tax day. Keep in mind, it is not only dollars. It is also how much Government do you want? I think that is a question that each of us, as citizens, ought to ask ourselves. Unfortunately, we do not have the kind of cost-benefit measurement in the Federal Government that we do at home. If the school district thinks they need a new school building or a sign, they say, ''Here is what it costs and here is what you have to pay,'' and you make a decision as to whether it is worth it. That is not what happens on the Federal level. We send in an amount of money, and we do not even know what it is really being spent for. We do not make any real decisions in terms of those programs that are funded.

I am persuaded that we can have a much leaner Government and still provide for the things that most of us believe are necessary for the Government to perform. Remember, the measure of good Government is not what the Government can do for the people, but the kind of environment it sets so that we can do for ourselves. That is what the tax system, tax amendments, and being concerned about taxes is all about.

I thank my friend from Georgia for organizing the time to talk about this important issue. I look forward to our doing something about it as a followup.

I yield the floor.

Mr. COVERDELL. Mr. President, I thank my colleague from Wyoming. He made an interesting observation. Not only did he talk about the effect of the tax increase of this administration, but he began to talk about the advantages that would have accrued to working families if the Balanced Budget Act that was sent to the President—which he vetoed—had passed.

A moment ago, I was talking about this average Georgia family paying almost $3,000 more because of the policies of this administration. The Senator from Wyoming reminded me that if the Balanced Budget Act had been signed by the President, the immediate effect to this average family would have been to return to their checking account $3,000 a year, or thereabouts. Here is a family making $40,000, and they would have $3,000 in additional income in their checking account—not on April 15 being shipped to Washington. Think what they could do with that. That is the equivalent of a 10- to 20- percent pay raise, Mr. President. It is not insignificant.

Mr. President, I yield to the Senator from Iowa up to 10 minutes.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I thank the Senator from Georgia for his leadership on this very important day, April 15, the day taxes are due for American citizens. I appreciate the opportunity to discuss the issue of the high-tax policies of the President Clinton administration. The high-tax policies of this administration are policies toward the highest taxes in the history of the country. More money is coming in from taxes now than ever before in history, and of course, that money comes from the people.

The tax bill which we find so burdensome is President Clinton's tax bill of 1993, which passed this body. But even all the Democrats would not vote for it, and there was a tie-breaking vote by Vice President GORE. The President's 1993 tax bill, OBRA 1993, was very controversial. President Clinton raised everyone's taxes by a record amount—again, the biggest tax increase in the history of our country.

It also happens that the President had misgivings about his tax increase legislation. He was speaking in October of last year to the attendees at a Clinton fundraiser in Texas when he said that he thought that he raised taxes too much in 1993. I agree with the President.

I want to remind everybody, as the Senator from Georgia does, of the various ways in which the President went about raising taxes at the highest level that they have ever been raised in one tax bill.

He increased the tax on Social Security benefits. Some Americans have to report 85 percent of their Social Security income so it can be taxed again after they have already paid tax on it once.

In addition, he added a new and higher income tax rate which also set the situation in order, which we call the marriage tax penalty, exacerbating it so that people are going to pay a lower tax living together than being married.

He also added new and higher estate and gift tax rates.

He decreased the business meals deduction for the truck driver and for the small business people of America. He hit farmers, truck drivers, and everyone who drives a car or truck with a 4.3-cent-per-gallon increase in the gasoline tax.

In Iowa—I do not know about the rest of the country—this Clinton gas tax costs every two-driver family an average of an extra $53.32 per year.

For small business people, the President hosted a White House conference on small business. He waxed eloquently on the need for expensing deductions, for creating IRA's, for pension simplification, and for estate tax reductions, to name a few. But when Congress passed legislation on those very same issues, President Clinton vetoed not one, not two, but every one of those ideas that he spoke eloquently about at his conference.

For education, he talked about a new tax deduction. But when Congress sent the President my new student loan interest deduction last fall, President Clinton vetoed it, again contrary to what he said he wanted to do. He even hurt families trying to relocate to new jobs by decreasing their deductible moving expenses.

These, Mr. President, are just a few among many of the new, unpopular, and economically hurtful Clinton tax increases.

The troublesome irony is that the President has many people still paying their extra 1993 Clinton income tax increases. People are still paying their 1993 income taxes because the President accomplished something that no other President had done before him. The President managed to raise taxes even before he was sworn into office because the tax rate increase of 1993 was made retroactive at his request.

So those with the mind of softening the blow on people who would have to pay a retroactive tax increase insisted the President at least allow taxpayers to pay the retroactive portions of their 1993 taxes in three separate installments. The first installment was due in 1994. The second was due in 1995. And people just paid their third and final installment of their fiscal 1993 Clinton tax increase today, Monday, April 15, 1996.

So, in October 1995, when the President testified in Texas at his fundraiser that he had raised people's taxes too much, perhaps he meant that he would feel their pain again on April 15, 1996. This is because today the President has given many taxpayers the unique opportunity to be taxed on income of three different years.

Today many taxpayers will pay the last installment of their fiscal 1993 taxes, the balance due on their now higher regular 1995 taxes, and their first quarter estimated taxes for 1996.

Indeed, the only taxable year of the Clinton Presidency that President Clinton is not taxing this very day is 1994. Fortunately, Mr. President, no one is perfect. Even though President Clinton has done his best to raise taxes in a Democratic Congress, and to keep them just as high in a Republican Congress. He did this by vetoing efforts of the new Republican Congress to reduce taxes, particularly the tax deduction that gives a family of four with two children an additional $1,000 more in their pocket to spend.

I believe that we should credit public servants for their good deeds and hold them responsible for their harmful ones.

Apparently, President Clinton must love to raise taxes almost as he loves to deficit spend.

Do not forget Mr. President, that he sent Vice President GORE to this very Chamber to cast that tie-breaking vote on the 1993 tax increase because even all the members of his own party would not go along with it. The voters remember it mostly because they are still paying for it, and will continue to pay for it every day.

In addition, we passed last year a taxpayers bill of rights so that the taxpayer will not have to be intimidated by the IRS during audit, and the President even vetoed the taxpayers bill of rights.

So, Mr. President, annually, this day April 15 brings to mind the complexities and the enormities of the Tax Code.

April 15, 1996 of this year further serves to remind us of the dangerous precedent that President Clinton set with his 1993 tax increase, the biggest tax increase in the history of the country, and the only one retroactive to a period of time before the President was sworn into office.

With his retroactive tax increase, President Clinton is the first President in the history of the Nation to have raised taxes before, during, and after his term of office. Of course, if we are not careful in the future, this may prove to be one of the most memorable and dangerous of the Clinton legacies.

In addition to increasing taxes at the highest level in the history of the country with that tax bill of 1993, the President set in motion an economic situation in which money that would be invested for job creation has created less jobs than during the period when the country was recovering from the recession of 1991 to 1992 by some 3 million jobs.

So, somewhere out there, even though we do have a high level of jobs being created, there are 3 million more people who could be employed if the tax increase of 1993 had not stymied the economy to the point that the people who create jobs were afraid to do it to the tune of 3 million jobs.

I yield the floor.

Mr. COVERDELL. Mr. President, I appreciate the kind remarks of the Senator from Iowa.

As a former native son of Iowa, I always enjoy listening to him address this Chamber.

A moment ago, I was talking about the effect of the President's tax increase on the average citizen in our State, but just for the general record I think it worthwhile acknowledging what some of the impacts of that tax were. That tax increase created a 4.3-cent per gallon gas tax increase levied on all Americans. Once again, when we heard the debate to impose the tax increase, which was only passed by one vote, the Vice President casting the deciding vote here in the Chamber late in August 1993, it was just supposed to affect the wealthy. But a 4.3-cent-gallon tax affects every farmer, trucker, every family, every carpool, every business—everyone. Under the provisions of that tax increase, senior citizens making as little as $34,000 a year—I guess that is another rich person—found their taxes hiked as a result of a 70-percent increase in the taxable portion of their

Social Security benefits. We all can hear people on the other side of the aisle talking about their concern for protecting Social Security benefits. One of the first things the administration did was to tax them.

Small businesses were clobbered by the Clinton tax hike. More than 80 percent of small businesses file their returns as individuals. As a result, small businesses were forced to pay the higher individual rates of up to 44.5 percent. I repeat, Mr. President, 44.5 percent. That is much higher than the 35-percent rate for big businesses. If you had to point to one sector of our society that was the most ravaged by that huge $250 billion tax increase, it would be small business. And this is the reason why. Because of paying taxes as individuals, they really got their marginal rate pushed up.

As a result of Clinton's tax increase, the local hardware store in our State must pay a higher tax rate than a corporation like General Motors. Now, think about it. Most corporations in America, 60 percent of them, have four employees or less, and they were the fixed target of this tax increase. It was just like a Mack truck coming down the highway, bowling over them and left the situation where these smaller corporations are paying higher tax rates than, of all things, corporations like General Motors.

The National Federation of Independent Businesses, the Nation's largest small business organization, called Clinton's tax increase ''about as antismall business as you could ever see.'' That was published in the White House bulletin on June 18, 1993.

I have focused a lot of my attention on the effect of taxes on the average family. I would like to visit that just a bit more, if I might.

I have often referred to the quintessential average family in the 1950's. I refer to the television family that we saw so often, ''Ozzie and Harriet.'' They were the picture of what we all thought the American family ought to be. At that time, Ozzie was sending to the Federal Government 2 cents—2 cents, Mr. President—out of every dollar he earned. If Ozzie were here today, he would be sending 24 to 25 cents out of every dollar to Washington.

It is hard to envision or believe. When I was growing up, I was told that the single largest investment any American would ever make would be the purchase of a home. That is not true anymore. The largest single investment that any American or American family will make today is in the Federal Government, not the home.

In fact, the Federal Government's consumption from the wages of this average working family equates to housing, food, and clothing combined. Who would have ever thought that working families in this country would be faced with this sweeping hand of the Federal Government coming through families and removing over a quarter of their income, removing more resources from the family than it took to build their home or buy their home or rent or to feed the family or to clothe it combined; that the Federal Government alone would come in and sweep more out of that family's checking account than all those fundamental functions we count on that family to do for America.

I became very curious about this about a year ago because in the 1950's the typical family had one parent working and one parent at home with the family, doing the business of raising the family. As you know, today that has been turned upside down.

I mentioned a little earlier this average family in Georgia. It requires both parents to work. I got curious about that, and I wondered at what pace families started to have both spouses out in the workplace. If they had one in the workplace and one at home in 1950, just how quickly did it get to the point we are now where the majority of them have both parents in the workplace.

So we tracked it on a chart from 1950 to 1990, the percentage of families for which both spouses were working. It is really interesting. If you take that line of the number of families where both spouses now work, as it grew over the last 40 years, and you take another chart and you map out the increases from the 2 cents to 25 cents that they are paying in taxes, those two lines are within 6 percentage points of each other all the way.

What does that mean? It means that as the Government took more and more and more out of that working family, the Government was making the decision that for the family to keep fulfilling their needs in housing, education, et cetera, they had to send the second spouse out. And each year as that tax increase grew, many more families had to make that tough decision.

It is incredible. There is no institution that has had a more profound effect on the behavior of the working family in America than the Government. It is not even Hollywood. We all talk about Hollywood and the violence in films, and I am sure that has had an effect, but it does not compare to the effect of the Federal Government taking more and more and more away from the family, leaving it with no option but to produce another worker, often even more.

I said that those lines track each other; the number of working families that had to put both spouses in the workplace followed identically the increase in the tax burden. There is another way to look at it. How much had the tax burden increased over that period of time? It comes out about $10,000 to $12,000 per family. It is interesting that the average income of the second spouse is within $1,000 of the increased tax burden. In other words, we made the second spouse work so that they could pay the added tax burden. That is what they are doing in the workplace.

Obviously, there have been other changes. There have been people who have made a choice about their careers. That is fine. But when you survey the second spouses in the workplace and ask them their choices about it, 85 percent would make a choice different than it is now. A third of them would not work at all. A third of them would work part time. And a third of them would direct their work at charitable activity instead of the necessity to be out in the workplace, just to pay Uncle Sam another tax bill so we can redistribute these resources from Washington. Back to the point I made a little earlier, Mr. President, we have a school of thought here that it is better for the wages to come to Washington because Washington can determine more effectively where those priorities for that family ought to be.

That reminds me of a story that Senator GRAMM, the senior Senator from Texas, often tells. He was in a debate in Texas with somebody from the Education Department and they were going back and forth about the priorities of education. Senator GRAMM finally, in frustration, turned to the person and said, ''Hey, look, I love my children more than you.'' Whereupon the representative from the Education Department said, ''No, you don't.'' And then Senator GRAMM said, ''Well, OK, you tell me their names.''

It is not a question of spending, it is a question of who is going to do it. Is the family more equipped to make these choices about education, housing, where to live, how to expend those resources? Or should we continue this idea of moving it up here so somebody who does not even know that family can be determining where those resources go?

Mr. President, I am prepared to yield up to 10 minutes for the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. LOTT. Mr. President, I thank the distinguished Senator from Georgia for yielding me this time. I thank him for making arrangements to have this time to talk today about the tax burden on the American people. It is appropriate that we talk about this issue today, April 15.

When the poet T.S. Eliot wrote, ''April is the cruelest month,'' he had in mind something other than the income tax deadline of April 15, I am sure. But for most Americans, the middle of this month, despite all its beauty, is a time of resentment and disaffection. Over this past weekend, over the past weeks, maybe over the past couple of months, maybe even today, there are people all over America who are scrambling to try to figure out their ''simplified'' tax forms.

That is always good for a laugh when I am home in Mississippi, speaking about how we developed simplified income tax return forms. They get more complicated every year. The average person is just not able to do it by himself or herself. It is a hodgepodge of 3 million words in the law and in regulations and requirements with regard to

our Tax Code. It is a mess. It is unfair. It is cumbersome. It is unmanageable. And something must be done about the tax burden on the American people.

It might be argued that the tax burden on the American people is not all that great compared with some of the other countries around the world. But this is not other countries around the world. This is America. As a matter of fact, there are some countries that have a higher tax burden than us, others less. But I understand the average American pays about 37 to 40 percent of his or her income for taxes.

Some of them obviously go much higher than that. It gets in the range of 50 percent or more when you figure all the taxes: Federal income tax, the FICA tax, the State tax, the local property tax—all the taxes that are heaped on the American people—even the cruelest of all, I think, the estate tax. That is one where we tax people's death. I wonder how we ever came to that, where we put American people in the situation where they worked all their lives to build a small business, perhaps they are third generation farmers, and when they die and they want to pass on their estate to their children, many times they wind up having to sell it because they cannot pay the taxes on this farm that has been in their family for many, many years. Or, because they cannot pay the taxes on the small business that they worked hard for, labored for, and built up, then they wind up having to sell it because of the tax burden.

So, this is a cruel time. I understand, now, the average American also has to work until May 7 to pay the taxes that he or she owes. Way back in the beginning of this country it was only until January 31 that you had to work to pay the taxes for the year. Then it was February, March, right on through April. Now, average Americans work over 4 months just to pay the tax burden that they are faced with today. Something must be done about this. There must be a way to have a fairer Tax Code. Changes should be made to make it more fair and changes should be made to provide, I think, overall basic reform.

It is not that most of the American people do not want to pay any taxes. People understand they get a tremendous benefit from Federal Government, from State government. There are certain guarantees that we want. We do want the shores to be defended. We do have an obligation to support a strong national defense. We do need infrastructure. We do need the Interstate Highway System. There are some things the Federal Government can do to help with education. So there are some positive things that the Government can run, where it can be helpful, and we want that to continue.

But I remember the days not so many years ago that most taxpayers signed their IRS returns with a kind of pride, a self-satisfaction that, by golly, you are getting a good deal, you are doing your part, you are pulling your weight. Sure we always griped about taxes and joked about them, but we knew that, while there was a price to be paid, there was some benefit that we all basically supported coming from that.

I believe that has changed in many respects now, and not for the better. With a steady expansion of Government, both at the State and Federal level, the percentage of family income going for taxes has grown tremendously. For most households today, taxes are the largest single outlay in their budgets. I hate to think how many families now have two earners these days, both mom and dad, in order to compensate for the lost income siphoned off by official Washington. That is why the Republican Contract With America last year promised tax relief for families. That is why majorities in both the House and the Senate translated the contract's promises into carefully crafted legislation.

We all know what happened to it. Tax relief for families with children was vetoed by President Clinton, along with many other revenue provisions that would have curbed Washington's appetite for the public's earnings. Today, April 15, is an appropriate time to remember that outcome and to consider why it occurred. It happened because there are still too many elected officials who believe they know best how to spend the people's money. They believe that big Government can take care of families better than they can take care of themselves and of their children. And it takes cash, hundreds and hundreds of billions of dollars to do that, if you are going to let Washington look after all these problems.

That attitude is fading fast over most of the Nation. I found it is fading, certainly, in my home State while I was home during the Easter recess break. But it persisted in many high places here in this city. Only in official Washington is it called a tax expenditure when you allow people to keep their own money. That was a bit of ingenious wordsmithing, some few years ago. I think it really started in the 1970's, when we started calling it a tax expenditure. Only inside the beltway is a tax cut considered a loss. Only within the shrunken ranks of Federal dogmatists is broad-based tax relief called a tax cut for the rich.

It is almost as if the opponents of tax reduction disbelieve in the American dream of hard-earned success. It is as if they think people who strive and contribute are bad, while those who depend on Government should be encouraged to stay that way. More than any other factor, I believe that attitude, that set of ideological blinders, accounts for last year's opposition to the tax provisions of our Contract With America.

Let me just mention, again, the major provisions in that tax package that we considered last year, but the President vetoed. We eliminated the marriage penalty. How many years have we been talking about how it is unfair, when a young couple—or couple, not even necessarily young—gets married, if they both work, when they get married they pay more taxes even though their income does not go up? There is nobody who can defend the marriage penalty.

How about the spousal IRA? Why is it that the only group in America that cannot have an IRA is a spouse working in the home? Should we allow that? Should we encourage the spouse in the home to be able to save a little bit for his or her retirement days? Absolutely we should do that.

Another thing that we included in that tax package was relief for our seniors who still want to work. We would raise the limits on the earnings that you can have and still get Social Security. Why should people just between 65 and 70 lose part of their income if they make over $11,500 a year? Thank goodness we have now passed separate legislation to do that, but that is another example of what was included in our package.

Certainly, we should provide families the $500 tax credit if they have children. Some people argued, ''Oh, what difference would it make to a family with one or two children?'' Let me tell you, in my State, for a couple making $30,000 a year with two children, a $1,000 tax credit would make a significant difference, and then they could decide what their children needed most instead of the Federal Government.

Finally, and not least, it did provide a capital gains tax rate cut. If you are going to reduce the deficits, you can only do it by three ways fundamentally: by controlling spending, by raising taxes or, hopefully, by doing some things with Government and regulatory relief and by changing the Tax Code to provide growth in the economy. The capital gains tax rate cut would do that.

In my State of Mississippi, if we cut the capital gains tax rate on timber and on timberlands, there would be an explosion of activity in the turning over in the timber area. It is probably the biggest industry we have in our State. Yet, people are hesitant to sell that timber, to sell that land because so much of it is taken in capital gains. It is just, basically, not fair.

So those are the things we had in our tax package last year. It would have provided some relief to families with children and to individuals when they are newly married and to a spouse working in the home. Tell me that is helping one group over the other. That helps everybody.

Our tax package was not a giveaway to the rich. It was a give-back to hard-working people, and there is a big difference. If President Clinton had signed, instead of vetoed, the Republican tax package last December, 88 percent of its tax relief would have gone to families with incomes under $100,000 and 72 percent would have gone

to families with incomes under $75,000. That is certainly not rich. That is families in which both husband and wife are maybe schoolteachers. It is a family whose sole breadwinner is perhaps an auto worker in Detroit or a shipyard worker in Pascagoula, MS. It is the self-employed, heads of households. It is the men and women starting up small businesses. It is the parents who could well use that $500 tax credit for their children, which was all vetoed by the President. After all, in the private sector, this $500 can go a long way toward clothing, food, and education of our children.

The hopes of those middle-income taxpayers were splattered by ink with that veto last year. But they should not give up hope. There is still an opportunity for this Congress this year to make some needed changes in our Tax Code that will help middle-income Americans and others, also.

But now to the heart of the matter. Just what is the price that has been paid?

Mr. President, I ask the distinguished Senator from Georgia if he will yield me just another minute to finish up.

Mr. COVERDELL. I will be glad to yield another minute to the Senator from Mississippi.

Mr. LOTT. Mr. President, why could the President and his allies not accept tax relief for the American people? The answer is profamily, progrowth tax reform puts a crimp in Government spending. If you allow the people to keep more of their money, it is a little less the Government would have had to gobble up and to spend. It makes it harder for practitioners of business as usual around this institution to provide favors to their constituents. It slows down the Government spending machine.

That is why most Americans have paid more in Federal taxes than they should have paid. Big government in Washington needed their money to stay big and to grow bigger. I really believe that by giving some tax relief to the people, in many instances—in fact in most instances—you can actually wind up getting more revenue coming into the Government because the people are given more incentives to work hard, keep their own money, pay taxes, and everybody benefits from that.

As of midnight tonight, tax year 1995 will be history. It is maybe too late to lessen the burden on that year, on the past, but we can, indeed, do something about the future in the hope that on this same day next year, taxpayers will be able to celebrate the tax give back that they so justly deserve.

Mr. President, I yield the floor.

Mr. COVERDELL. Mr. President, I appreciate the remarks of the Senator from Mississippi, as always. I am going to yield our time until 1 o'clock to the Senator from Arizona, with this logistical comment: If the senior Senator from Georgia has not arrived at 1, I will ask unanimous consent to extend our time another 10 minutes so that the Senator from Arizona will have sufficient time to complete his remarks. I think we can achieve that. I will not know until 1 o'clock.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Arizona.

Mr. KYL. Mr. President, I begin by thanking the Senator from Georgia for conducting this particular discussion on tax policy on this day, a day which we might paraphrase will live in infamy at least in the lives of many Americans. By midnight tonight, millions of Americans will have completed their tax returns and may agree with T.S. Eliot who characterized April as the cruelest month of all. I am not sure this is what he had in mind, but perhaps it applies.

According to estimates by the Internal Revenue Service, individuals will have spent about 1.7 billion hours on tax-related paperwork. Businesses will have spent another 3.4 billion hours to comply with their Tax Code preparations this year. The Tax Foundation estimates that the cost of compliance will approach $200 billion.

If that is not evidence that our Tax Code is one of the most inefficient and wasteful ever created, I do not know what is. Money and effort that could have been put to productive use solving problems in our communities, putting Americans to work, putting food on the table, or investing in the Nation's future are instead devoted to wasteful paperwork.

It is no wonder that the American people are frustrated and angry, as I found in the townhall meetings and other visits with constituents in the last 2 weeks in Arizona. They are demanding real change in the way their Government taxes and spends.

There are, of course, a number of proposals that have been generated for comprehensive tax reform. Senator RICHARD SHELBY and House Majority Leader DICK ARMEY have proposed a flat tax. Versions of the flat tax have also been suggested by Steve Forbes and Senator PHIL GRAMM. Former HUD Secretary Jack Kemp has issued a report at the request of Speaker GINGRICH and Majority Leader DOLE which recommends a single rate simpler tax system. The chairman of the House Ways and Means Committee has recommended that the income tax be pulled out by its roots and replaced with a national sales tax. Senator LUGAR has proposed a sales tax as well.

The Senate Judiciary Committee just concluded a hearing on a proposal to change whether we move to some version of a flat tax or sales tax or some other alternative. Indeed, it is a change that should be made whether comprehensive tax reform occurs or not. I am talking about a change that requires a two-thirds vote in both the House and Senate in order to approve tax increases. The House of Representatives is scheduled to vote on its proposal later on this evening.

The tax limitation amendment it is called. The tax limitation amendment, which I proposed in the U.S. Senate, with the support of 20 other Senators, would require a two-thirds vote of approval in both the House and the Senate in order to increase the tax base or to increase any tax rate.

The two-thirds supermajority that many of us believe should be added to the U.S. Constitution was recommended by the National Commission on Economic Growth and Tax Reform, as I said, appointed by Senate Majority Leader DOLE and Speaker GINGRICH and chaired by former HUD Secretary Jack Kemp who testified at this Judiciary Committee hearing this morning, along with former Governor of Delaware Pete du Pont and a host of other experts on tax policy.

This Commission that Secretary Kemp chaired advocated the supermajority requirement in its report on how to achieve a simpler single tax rate to replace the existing maze of tax rates, deductions, exemptions, and credits that make up the Tax Code as we know it today.

In fact, in the words of the Commission, and I am quoting:

> The roller-coaster ride of tax policy in the past two decades has fed citizens' cynicism about the possibility of real, long-term reform, while fueling frustration with Washington. The initial optimism inspired by the low tax rates of the 1986 Tax Reform Act soured into disillusionment and anger when taxes subsequently were hiked two times in less than 7 years. The commission believes that a two-thirds super-majority vote of Congress will earn Americans' confidence in the longevity, predictability, and stability of any new tax system.

That is the end of the quotation from the Kemp Commission report.

In the 10 years since the last attempted comprehensive tax reform, the Congress and the President have made some 4,000 amendments to the Tax Code—4,000 amendments. In the future, without the protection of the tax limitation amendment, taxpayers will be particularly vulnerable to tax rate increases, particularly if the tax reform eliminates many of the deductions and exemptions and credits in which they sometimes find refuge today.

In short, Mr. President, the tax limitation amendment will make it more difficult for Congress to raise taxes, and it will also help restore confidence, stability, and predictability to the Tax Code.

Mr. President, I have more of the statement which I would like to present. I wonder if, in view of the hour, it would be appropriate for the Senator from Georgia to ask for an extension of time.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I ask unanimous consent that our side be granted an additional 10 minutes.

The PRESIDING OFFICER. Is there objection? Hearing none, without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I yield an additional 5 minutes to the Senator from Arizona.

Mr. KYL. I thank the Senator from Georgia.

Ideally, Mr. President, the tax limitation amendment would be put into place after comprehensive tax reform is accomplished. This is because tax reform necessarily aims to broaden the tax base, eliminating the maze of deductions and exemptions and credits that make up the Tax Code today, and then apply one low tax rate to whatever amount of income is left. So a two-thirds majority vote requirement would make comprehensive tax reform more difficult.

I would note parenthetically that the Tax Reform Act of 1986 would have met the two-thirds test because it passed both the House and the Senate with more than a two-thirds majority. So advocacy of tax reform is not necessarily a reason to oppose the tax limitation amendment at this time. But in any event, it is important that this debate begin now, Mr. President, because of course, constitutional amendments such as this are going to take a long time to get adopted.

It probably will not be approved this year in the House or the Senate. It would require a two-thirds vote in both the House and Senate, and then three-fourths of the States to approve it. So the last thing I am worried about is that we will accomplish this constitutional amendment before we accomplish fundamental tax reform. I think we need to begin the debate now on the constitutional amendment, and by the time we get finished with fundamental tax reform, perhaps the constitutional amendment can then be put in place to make it difficult thereafter to change the Tax Code.

I think it is also important to make three other quick points. First, the tax limitation amendment cuts no taxes. It only raises the bar on passing future tax increases. Many people, including myself, already believe that taxes are far too high. This amendment in effect says, ''Enough is enough.'' It makes Congress find a way to meet its obligations without taking more from the pockets of the American people.

Understand that the average family today pays more in taxes than it does on food, clothing, and shelter combined. I would refer you to the chart, Mr. President, entitled ''Family Budget 1995'' in which you can see the amount spent on savings; recreation; transportation; medical needs; then food, shelter, and clothing; and then, finally, Federal, State, and local taxes. We pay more in Federal, State, and local taxes than we do on food, shelter, and clothing all combined. Clearly, this tax burden on the average family is too high.

Let me also note that it has obviously been fairly easy for Congress to raise taxes. Here is the Federal tax burden per capita just in the last 15 years, the years 1980 through 1995. You can see that in 1980 it was about $2,286 per capita. Today it is over $5,000 per capita. Clearly, it is not hard to raise the tax burden on taxpayers. We need to make it harder.

If you want to look at the macrochart, the chart that shows the Federal Government revenues from taxes since 1950, look at this chart. It clearly shows that tax increases have skyrocketed. It is not hard to raise taxes. It is too easy to raise taxes. That is why we need a two-thirds supermajority to raise taxes. What the tax limit amendment says is that it ought to be harder to raise taxes, that we are already taking too much from working American families and therefore we ought to take less.

I also note that our Constitution already provides several—10 specifically—supermajority requirements. My guess is that that is because the Framers wanted a consensus to be developed to make really important changes. That is why it takes a two-thirds vote to override a President's veto, for example. My guess is the Framers would say today this is out of control. It is important enough that a broader consensus than a mere simple majority should be required in order for us to raise taxes.

Mr. President, there is no small irony in the fact that it will take a two-thirds vote for us to cut taxes since the President has vetoed our tax cut proposal and yet the largest tax increase in the history of the country in 1993 was passed not even with a majority, technically, because the Senate vote was tied 50 to 50, and it took the vote of the Vice President to break that tie.

It ought to be as hard to raise taxes as it is to cut them. The amendment will make it harder to raise taxes. That is the point. I know that is the objection of the opponents, but that is the whole point here. I think we would all agree that a lower tax rate would be more beneficial, not only for the American family, but for our economy. As a matter of fact, lower tax rates, research shows, results in more taxable income, more taxable transactions, and eventually more tax revenues to the Treasury. So we actually are benefited by reductions in tax rates, not increases in tax rates.

The tax cuts of the early 1980's are a case in point. They spawned the longest peacetime economic expansion in our nation's history. Revenues to the Treasury increased as a result—from $599.3 billion in fiscal year 1981 to $990.7 billion in fiscal year 1989, up about 65 percent.

High tax rates, on the other hand, discourage work, production, savings, and investment, so there is ultimately less economic activity to tax. That is precisely what Martin Feldstein, the former chairman of the President's Council of Economic Advisers, found when he looked at the effect of President Clinton's 1993 tax increase. He found that taxpayers responded to the sharply higher marginal tax rates imposed by the Clinton tax bill by reducing their taxable incomes by nearly $25 billion. They did that by saving less, investing less, and creating fewer jobs. The economy eventually paid the price in terms of slower growth. So increases in tax rates do not usually translate into more tax revenue.

It is interesting to note that revenues as a percentage of gross domestic product [GDP] have actually fluctuated around a relatively narrow band—18 to 20 percent of GDP—for the last 40 years. Revenues amounted to about 19 percent of GDP when the top marginal income tax rate was in the 90 percent range in the 1950's. They amounted to just under 19 percent when the top marginal rate was in the 28 percent range in the 1980's. Why the consistency? Because tax rate changes have a greater effect on how well or how poorly the economy performs than on the amount of revenue that flows to the Treasury relative to GDP.

In other words, how Congress taxes is more important than how much it can tax. The key is whether tax policy fosters economic growth and opportunity, measured in terms of GDP, or results in a smaller and weaker economy. Nineteen percent of a larger GDP represents more revenue to the Treasury and is, therefore, preferable to 19 percent of a smaller GDP.

Requiring a supermajority vote for tax increases is not a new idea. It is an idea that has already been tested in a dozen States across the country. In 1992, an overwhelming majority of voters in my home State of Arizona—72 percent—approved an amendment to the State's constitution requiring a two-thirds majority vote for tax increases.

There is a reason that the idea has been so popular in Arizona and other States. Tax limits work. According to a 1994 study by the Cato Institute, a family of four in States with tax and expenditure limits faced a State tax burden that was $650 lower, on average, 5 years after implementation than it would have been if State tax growth had not been slowed.

The tax limitation amendment will force Congress to be smarter about how it raises revenue. It will force Congress to look to economic growth to raise revenue, instead of simply increasing tax rates. It will protect taxpayers from additional tax increases.

We are going to have to confront this issue of raising taxes sooner or later because the burden on the American family is simply too high. It seems to me this is a good time to do it. Starting this debate on tax day, April 15, is a propitious time when people's attentions are focused on the issue. I hope that the House of Representatives later today approves the tax limitation amendment pending there. I hope that Leader DOLE will be able to schedule this amendment sometime soon on the Senate floor for a vote here.

I appreciate the chairman of the Judiciary Committee making time available for our hearing this morning. It was an informative hearing which certainly sustained the case that the time

for a tax limitation amendment is upon us and an amendment that would make it hard to raise taxes by requiring a two-thirds vote in both the House and the Senate.

Mr. President, again, I commend the Senator from Georgia for making this time available. I hope that we can get on with this prospect of making Americans' lives a little bit easier by taking less of their hard-earned income.

Mr. COVERDELL. I thank the Senator from Arizona. Mr. President, how much time remains?

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Georgia has 5 minutes.

Mr. COVERDELL. Thank you, Mr. President.

I want to commend the Senator from Arizona for his legislative efforts to make it only possible to pass new burdens on the American people with a two-thirds vote. I think there should be an extra burden on any legislative chamber before it has the right to pass on even greater burdens.

We have spent the entire morning here talking about the size of the burden which is just—I am convinced, if any of our Founders were here today, Jefferson in particular, they would be absolutely stunned at the scope of the amount of wages that a laborer must forfeit to the Government. He said we needed a frugal Government which did those things that absolutely had to be done, but other than that, the fruits of labor should be left to those who earn it, and allow them to choose their own pursuit of happiness.

We have talked a lot this morning about the scope of the tax increase this administration put on the American people. The effect and burden it added, in our case, is almost $3,000 for the average family annually that they are having to forfeit from their wages, preventing them from doing the things they ought to do.

But I want to close with one piece that is particularly egregious about that tax increase. That tax increase which was passed in August 1993 changed the Tax Code backward even beyond the administration taking office. For the first time in history, it changed the Tax Code all the way back into a former administration, the Bush administration, January 1993.

Mr. President, the Russian Constitution does not allow you to tax retroactively. It is wrong. It is morally incorrect. Families and businesses and communities have to know what the rules of the road are. They have to be able to plan their lives, plan their families, plan their tax burdens in advance. They cannot get to the end of the year and have a Congress of the United States and President come forward and say, ''Whoops. We're changing all that to take effect back a year earlier. So all your planning was for naught. We don't care.''

Mr. President, that is wrong. When I leave this Chamber, I will be going to a hearing on a constitutional amendment which I and others are sponsoring that, like the Russians', would prohibit Americans from being subjected to retroactive taxation.

Whenever I speak to any American group—it does not matter where they are, my State or any other—and you talk about retroactive taxation, there is a unanimity that that is wrong. Our Government has all too frequently in current years gotten into the business of changing the rules midstream. It has had a very deleterious effect on the planning of our families, planning for our businesses, particularly small businesses.

This retroactive tax that was dumped on the American people by the President's last tax increase, I believe, is horribly wrong, and has had a terribly negative impact. We ought to do everything we know to do to assure that it never happens again—not in the United States of America.

I yield back any remaining time.

DEBT LIMIT EXTENSION AND SOCIAL SECURITY

Mr. SIMPSON. Mr. President, because we recently shouldered the important matter of extending the debt limit, I feel obliged to address the provision in that bill that increases the earnings limit for Social Security beneficiaries aged 65–69. As my colleagues know, this is a change that I have expressed serious concern about in the past. Now that enactment of this provision has come to pass, I want to state my views about the general issue of the earnings limit.

First, let me pay tribute to a fine chap, my esteemed colleague from the great State of Arizona, Senator JOHN MCCAIN for his dogged determination and tireless efforts to effect this change in the law. I know that my past intervention on this issue has not always been truly welcome to my colleague—but I trust that my intentions, which were always constructive, were apparent.

It has never been my intention to permanently forestall all changes to the earnings limit. I trust that the provision attached to the debt limit extension provides the best available means of achieving the objectives of my friend from Arizona and all others who are interested in raising the earnings limit for seniors.

Clearly, I appreciate the fundamental principle behind the earnings limit legislation. Americans are living longer, are productive for more years, and our retirement systems need to recognize these facts. As chairman of the Senate Finance Subcommittee on Social Security and Family Policy, I have a demonstrated interest and responsibility to see that we adapt wisely and properly to these changes. One of my charges is to monitor any changes in Social Security policy and to ensure that those changes are not detrimental to the long-range solvency of the Social Security system. I have expressed my misgivings about previous funding mechanisms to ''pay for'' this legislation, and I am pleased to note that the offsets now come in a more straightforward manner from Social Security spending.

Ultimately, Congress must come to grips with the fact that American society is aging. For the benefit of today's workers, we must act to address these issues very soon, or the cost to our children and grandchildren will be catastrophically high. We must make changes to ensure the solvency of future retirement programs—we should increase the retirement age while at the same time offering inducements for Americans to work longer without suffering penalties that discourage continued participation in our work force.

We can't have it both ways—handing out plums that allow workers to stay in the work force in a productive way, while at the same time avoiding the hard choices that must follow—meaning raising of the retirement age. I hope that this first step will lead Congress to confront the next necessary decision. Increases in the Social Security eligibility age must be enacted soon, and the change will have to be phased in over a long period—perhaps 20 years—in order to be fair and effective. Such a plan will allow today's workers to plan for these changes.

This legislation to increase the earnings limit is offset in large part by terminating the disability benefits for drug addicts and alcoholics. Many have considered the payment of benefits to these groups to be an abuse of the Social Security system. This measure passed by the Senate makes a clear choice that we will subsidize the continued working activity of senior citizens instead of subsidizing these addictions of alcohol and drug use. Clearly, the Senate is appropriately going on record as to what activity we wish to encourage and what we want to discourage.

Another change that will offset the cost of this legislation is the increase in reviews of those people who are currently receiving disability benefits. Such payments were never intended to be a lifetime allowance to substitute for employment or self-employment. For years, the Social Security Administration has been unable to complete these required reviews—the result of which is that people are receiving disability payments long after their disability has either ceased or improved to the point where a return to work is possible. Not only will these reviews result in savings for the trust funds, but they will place able Americans who can return to work back in the workplace.

I congratulate Senator MCCAIN for finding the offsets that enable us to pay for the increased earnings limits for seniors. I am very pleased—you can hardly know how much—to be able to speak to this issue without having thrown a monkey wrench into the works and frustrating my colleague from Arizona. I am most hopeful that

this measure will be merely a prelude to Congress coming to grips with the much larger issue of the aging of America and the future of our retirement programs. The steps that we must take in the future will never—in any way—be as popular as this measure, but we must have the political fortitude to make those decisions as well. That is our job, that is our duty.

WORKER TRAINING AND THE BOSTON HARBOR CLEANUP

Mr. KENNEDY. Mr. President, Ben Franklin once said that ''an investment in knowledge always pays the best interest.'' The same can be said about an impressive initiative on worker training undertaken in recent years by the Massachusetts Water Resources Authority as part of the current environmental cleanup of Boston Harbor.

In replacing outdated and obsolete water treatment plants with new state-of-the-art facilities, MWRA invested in retraining its existing work force in the skills needed to operate the new facility, rather than lay off hundreds of employees and recruit new workers with the needed skills. The strategy worked, and has led to lower costs for the new plant, lower costs for ratepayers, and a newly skilled work force with high employee morale.

I commend MWRA for this practical demonstration of the effectiveness of job retraining and the wisdom of tapping the untapped potential of its experienced work force.

Too often, such retraining initiatives are the exception, not the norm. We live in an era when workers are too easily under-valued and under-appreciated by employers. The MWRA example can be a lesson to the Nation that a wise course is available. I ask for unanimous consent that an article by Douglas B. MacDonald, executive director of MWRA, be printed in the RECORD.

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

[From the Boston Globe, Mar. 19, 1996]

EVERYDAY HEROES OF DEER ISLAND

(By Douglas B. MacDonald)

The first phase of the new Deer Island sewage treatment plant has been up and running for a year. The ''filthiest harbor in America'' is quickly succumbing to visible signs of environmental recovery; seals and porpoises in the water, swimmers at the beaches, fishermen on the shore. Those are striking testimony that the new infrastructure of pumps, valves and tanks really can retrieve our environment from the careless ravages of a neglected sewer system. Within the new plant there is another less publicized but equally inspirational, success story; the workers themselves.

When the MWRA began design and initial construction of the new Deer Island treatment facilities in the late 1980s, it wrestled with the question of how more than 200 workers at the old Deer Island and Nut Island plants would fit into the new plant. Those workers, experienced only in operating treatment facilities with antiquated technology, might have been considered as obsolete as the old plants themselves.

Happily, neither MWRA management nor its workers ever accepted that fatalistic view. The workers were challenged, and they challenged themselves, to staff the 21st century facility arising in their midst.

The old plants were decades past their prime, underfunded and neglected. Workers had to almost hand-process raw sewage. They kept the old plants functioning with little more than their own dedication.

But from their years of working with outmoded and failing equipment, the workers had become pros at troubleshooting the nuances and complexities of the MWRA's sewer system, which takes in over 400 million gallons of wastewater each day from 43 communities. They managed to operate the old plant with countless jury-rigs, even bringing in their own tools to keep the plants functioning. Collectively, the old plant workers has over 4,000 years of experience. Their knowledge was an enormous potential asset.

Still, decisions about staffing the new plant were difficult. Managers and collective bargaining units wrestled with how to mesh the workers' pride and old-plant experience with yet-to-be-attained technological skills and computer literacy. Discussions were candid and sometimes heated.

Slowly, however, trust took root. MWRA management agreed that existing workers would be the core of the new work force. Workers who upgraded their abilities were promised jobs in the new plant. The notion that a new generation of technology must make redundant a generation of workers was rejected outright.

Armed with this guarantee, each worker developed a training plan, and MWRA invested several million dollars in courses, workshops and support for outside schooling. Programs covered everything from basic reading and math skills to advanced computer training.

Giving workers a sense of ownership in the new plant was another important step, and began with plant familiarization tours of each new building at the earliest points of construction. As the new plant was being designed, plant staff provided engineering firms with ''will it work?'' critiques, relying on their own knowledge of the idiosyncrasies of the old system.

Today the human side of the new Deer Island treatment plant is a remarkable story, and underscores the resilience of the American worker. For example, a 20-year veteran worker staffs a three-screen computer console, clicking the mouse like a kid playing a video game. Three years ago this man feared that computer illiteracy would land him outside the plant gate. But he and his computer-trained coworkers know from experience exactly what the computer tells them is going on with a valve 500 yards away.

This new productivity benefits MWRA and its rate-payers. Three years ago, cost projections foresaw 500 workers as the necessary staffing level for the Deer Island plant. Today, MWRA plans to run that plant with about 400 workers.

For all the money spent on the new tanks, valves and pumps, the best time and money expended to date on the Boston Harbor Project has been invested in the workers who are running our facilities. For the public we serve and for the people we employ, it was the smart thing to do and it was the right thing to do.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, April 12, 1996, the Federal debt stood at $5,145,722,307,691.76.

On a per capita basis, every man, woman, and child in America owes $19,444.53 as his or her share of that debt.

RON BROWN: A TRIBUTE TO PUBLIC SERVICE

Mr. HOLLINGS. Mr. President, now that the initial shock of the horrific jet crash in Croatia has passed, we are forced to accept the fact that my friend Commerce Secretary Ron Brown and 34 other talented professionals have perished. Today, almost 2 weeks later, it's still hard to describe the echoing sense of loss and deep sinking sorrow that still remains in all of us—man, woman, black, white, Republican, Democrat.

There has been much written and said about Ron Brown over the last few days, and that is fitting, because there is so much to say. He was many things: key strategist, mesmerizing speaker, wily politician, savvy businessman, superb lawyer. Most of all, he was an exemplary public servant for this country. On his last day, he was on the road in a faraway place aggressively promoting U.S. business interests abroad. And, in this case, he was trying to bring peace and economic recovery to the war-weary Bosnian people. He took very seriously his responsibility to preserve the American dream for the next generation of Americans, so that they will have economic opportunity rather than a declining standard of living. To him, championing the economic interests of the United States was tantamount to championing the people of the United States, and so, in a very literal way, he died serving his country.

Ron Brown was the most effective Secretary of Commerce I have known in my years in the Senate. It is fair to say that he was the most energetic and outstanding individual to ever serve in that post. Throughout his distinguished career in private industry, politics and the executive branch, Ron Brown served as a role model for all Americans. With the fall of the Berlin Wall, international business has become the new realm for competition. Ron Brown understood that and worked tirelessly to promote U.S. exports and business overseas. It was quite typical for Secretary Brown and me to meet after he had returned from a long trip abroad. Lack of sleep and shifting time zones never set him back. Jet lag wasn't in his vocabulary. It just was not in Ron's nature to take time to rest up.

Ron Brown was an especially strong role model for African-Americans. He never forgot his roots, and he took special pride in his efforts to make Commerce Department programs more inclusive and to provide equal opportunity in the work force. He took pride in his efforts to revitalize the Minority Business Development Agency and the Economic Development Administration. Most of all, he set an example for those who would follow in his footsteps with his determination, his intelligence and his optimism.

Secretary Brown came into the Commerce Department with a tremendous

task: to shake one of the Government's largest and most diverse departments out of its dormancy, and turn it into forceful, focused, and effective agency. At his confirmation, he expressed the following among his priorities for the Department of Commerce: ''Expanding exports, promoting new technologies, supporting business development—these all require integrated action, crossing old lines between business, labor and government.'' Ron Brown was an expert in crossing old lines, whether racial or bureaucratic, whether he was rejuvenating the Democratic Party or reinvigorating the Department of Commerce. He could see potential where others couldn't, and he had that unbeatable combination of vision and determination that was contagious. He inspired those around him.

In addition to his political acumen and leadership abilities, Ron Brown was extremely likable. I remember walking down the corridors in the Hoover Building seeing signs on employees' office doors that read ''Ron Brown Fan Club.'' Even those misguided few in Congress who spent the last year trying to abolish the Commerce Department found their efforts thwarted by the simple fact that so many businessmen and Members of Congress not only believed in the importance of Commerce—but also that everyone simply liked Ron Brown.

This is a tragedy that hits home for me, Peatsy, and my staff. Ron Brown was a good friend. Our heartfelt sympathies go out to Alma, his children, and all the families of the passengers and crew of the aircraft.

Mr. President, let's all remember Ron Brown for his firebrand style of engaged public service. We'll all miss him. I wish we had more like him.

TRIBUTE TO DR. THOMAS F. WEAVER

Mr. PELL. Mr. President, I rise to pay tribute to Dr. Thomas F. Weaver, a man who devoted his life to ideas and to education. Tom died earlier this month at home in Rhode Island and his sudden passing came as a shock to all who knew him.

Although he was in his midsixties, Tom was an active athlete and an inspired educator. As chairman of the department of environmental and natural resource economics at the University of Rhode Island [URI], his aggressive intellect, his warm spirit, and his enthusiasm all reflected the energy of a much younger man.

Tom worked closely with my staff for more than a decade in planning the $24 million construction of buildings that will comprise URI's Coastal Institute on Narragansett Bay. Indeed, the building to be erected on the university's main campus will include a policy simulation laboratory that would have been his pride and joy.

Although the Coastal Institute will be the result of work by many talented and committed individuals, Tom stood out as the workhorse who followed every development. He helped nudge the process along to assure that USDA matching construction funds were secured. My staff and I were only too glad to help.

The University of Rhode Island is now perfectly positioned, as both a land grant and a sea grant college, to develop the Coastal Institute. It is my hope, and a hope I know Tom shared, that these closely related natural resources disciplines will meet and grow at the Coastal Institute.

The University of Rhode Island's Coastal Institute went though the most rigorous USDA feasibility review, including a peer review. Its funding has been approved step by step in a painfully rigorous appropriations process that began in the 1980's.

Tom was there every step of the way, providing information, drafting testimony, and helping me to pave the way for approval.

As I advised Congress, using information that Tom polished with my staff, the primary mission of the Coastal Institute will be to carry out research and analyze policies to better enable society to manage its coastal resources wisely.

In Tom's words:

> The strength of the Coastal Institute will be multidisciplinary teams addressing complex problems in a holistic manner. The Institute will take advantage of the information superhighway and long distance interactive communication.

The Rhode Island-funded half of the Coastal Institute facilities are nearing completion of URI's Narragansett Bay campus. The federally funded half are in the bid preparation stages for buildings there and on URI's Kingston campus.

I am deeply saddened that Tom did not live to see the completion of the Coastal Institute. It will be an institution that is unique in the world and will include, housed in the building on the Kingston campus, a policy simulation laboratory that also will be unique.

The private sector has been involved almost from the start, thanks to Tom, in the concept and design of the policy simulation laboratory. When the lab is up and running, the private sector is expected to be an active participant in its programs.

The policy simulation laboratory will represent, more than anything else at the Coastal Institute, the vision of Tom Weaver. He conceived it, helped design it, and looked forward to running it as a unique resource for educators, businessmen, and government officials.

The Coastal Institute represents an extraordinary mix of scientists and researchers from disparate academic disciplines. As I mentioned, it combines two of the greatest strengths of the university—which has an international reputation for both land grant and sea grant programs.

Anyone who knows of academic politics at the university level can imagine how difficult it must have been to forge that alliance. With help from countless friends and diplomatic guidance from colleagues, Tom's determination was one of the forces that made it happen.

I have focused on Tom's work on the Coastal Institute, simply because I shared his enthusiasm for the academic adventure, the scientific possibilities, and the very real benefits that it will provide. But he was a far more complex man.

My staff and I noticed that Tom, who always kept his eye on the goal, could be stunned by a well-deserved compliment. He was so busy driving toward his objective and encouraging others, that he never seemed to notice the excellence of his own hard work and leadership.

I know he will be missed by all who knew him or were touched by his teaching, but I hope everyone who uses the policy simulation laboratory will remember him. They will be there working side by side with his determined spirit.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. NUNN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ACCOLADES TO LANE KIRKLAND

Mr. NUNN. Mr. President, I rise today to pay tribute to Joseph Lane Kirkland, who last summer announced he would not seek reelection as president of the AFL–CIO. Lane Kirkland has been a friend since I arrived in Washington in 1972. He and his wife, Irena, are a great partnership, a great team, and my wife Colleen and I have been very honored to be their friends.

Lane Kirkland is the son of the modern South. Born in 1922 in South Carolina, he is the son of a cotton merchant and was raised in the textile town of Camden. As a child in the 1930's, Lane Kirkland had classmates who lived in mill villages and worked as sweepers in the mills after school. Seeing the conditions under which they lived and worked convinced Lane that unions were needed to protect workers. He held that view and still holds that view. He certainly devoted his life to that view.

Like some of his childhood friends, Lane's wife, Irena, endured a painful, indeed, a traumatic and tragic ordeal early in her life. Irena survived the concentration camps of World War II, and when the Communists took over her native Czechoslovakia, she was imprisoned just before she escaped the country. Irena's firsthand experience of oppression and, indeed, terrible, terrible tragedy, deepened Lane Kirkland's already strong concern for the freedom of people all over the world. Irena has been a strong partner

in the Kirklands' dedicated quest for freedom of people behind the Iron Curtain and indeed throughout the world.

Upon conclusion of high school, Lane was a student at Newberry College. He later graduated from the United States Merchant Marine Academy in 1942. During World War II, Lane served as a deck officer on a number of merchant marine vessels that transported ammunition for our troops on the front lines. After his service in the merchant marine, Lane enrolled in the Georgetown University School of Foreign Service.

Following his graduation from Georgetown in 1948, Lane began his work as a researcher for the American Federation of Labor and rose through the ranks serving as an assistant to the late George Meany, and was elected as Secretary-Treasurer of the AFL–CIO in 1969. Ten years later, he was elected president of the AFL–CIO, a post he held for the next 16 years.

During Lane's almost three decades in the highest ranks of labor leadership, he played a critical role in unifying what he termed the ''House of Labor.'' Under his leadership, the International Brotherhood of Teamsters, the United States Automobile Workers, the International Longshore and Warehouseman's Union of the West Coast, and the United Mine Workers of America came back into the overall AFL–CIO fold.

Although I certainly did not vote for labor's legislative position as often as Lane would have liked, I always respected his views. He presented those views to Capitol Hill with courage, with conviction, and with honesty and integrity. Lane was tough, erudite and unwavering in his promotion of workers rights. Lane Kirkland never lost sight of the needs of America's workers, but his concern also included workers around the globe, particularly those behind the Iron Curtain. Lane Kirkland has been a stalwart advocate of human rights and he led the American labor movement by providing critical practical help at crucial moments.

In my view, Lane Kirkland has done as much as any living American to hold America to a steadfast course during the long cold war and to encourage freedom throughout Eastern Europe and throughout the world. Lane was the stalwart supporter of a strong national defense. He never wavered in his conviction that a strong America was essential not only to protect America but to promote freedom across the globe.

Mr. President, when I first came to the Senate, the defense budget, the whole idea of a strong national security, was under severe attack. We were coming out of the Vietnam War. We had been disillusioned by our participation in that conflict. The defense budget itself, indeed, America's national security, was under very severe scrutiny and attack. Lane Kirkland stood up many, many times, many times quietly but effectively making sure that his support for strong national security was known by people on Capitol Hill. That made a big, big difference in a period of time where our military forces needed strong voices and courageous voices.

We need only also recall Lane's effort in the early days of the Solidarity movement in Poland. As an editorial in last summer's Detroit News so accurately recounted:

> When the trade union Solidarity bravely emerged in the 1980s to fight the Polish communist regime, Mr. Kirkland and other labor officials smuggled money, printing presses and even electronic equipment to keep the fledgling anti-communist movement alive. . . . When it came time to confront the gravest security threat this country has ever faced, Mr. Kirkland did not flinch. He fought communism and supported fledgling democratic movements that contributed to the demise of many totalitarian regimes. For that effort, he deserves everyone's appreciation.

Mr. President, I certainly endorse that editorial.

Lane Kirkland truly deserves America's appreciation. He has devoted his life to improving the lives of all Americans and to extending our democratic values throughout the world. Lane Kirkland is an able and courageous individual whose leadership at the head of the labor movement will be sorely missed. I am confident that he will continue to make a very strong national security contribution as well as a contribution to the well-being of workers here in America and, indeed, people all over the world. I am confident that he and Irena will continue to serve their country, the workers of America, and the cause of freedom in whatever they undertake. I extend my sincere thanks to both the Kirklands, Lane and Irena, for their devotion to their fellow man, and I wish them the very best in all of their future activities.

THE UNLIMITED SAVINGS ALLOWANCE TAX PROPOSAL

Mr. NUNN. Mr. President, much attention has been paid in recent days to proposals for fundamental tax reform. By fundamental tax reform, I mean the replacement of the current tax on individual and business income with a better alternative.

A significant share of the debate over fundamental tax reform has occurred in Congress. Last year, Senator DOMENICI and I introduced, along with Senators KERREY and BENNETT, S. 722, the unlimited savings allowance tax, or the USA tax. Senator SHELBY and Congressman DICK ARMEY have introduced legislation proposing a flat rate tax. We have all heard considerable debate about that in the Presidential campaign. Senator LUGAR and Congressman ARCHER have argued for a national sales tax. Other proposals, perhaps variations on these ideas, will appear in the coming months.

If we are to have fundamental reform, this sort of congressional debate and activity is absolutely necessary—necessary, but not sufficient. The American people must be involved in this discussion, and the sooner the better. They must decide this matter in the long run because they and their children will live with the results.

None of us can be absolutely certain what our fellow Americans would choose if fully aware of the various tax reform proposals now before the Congress. Not enough debate has occurred for that awareness to take place throughout our country, and certainly there has not been enough publicity giving the details and analyses of these various proposals. It may be that after inspecting alternative ideas, in spite of being frustrated with the existing Tax Code, Americans may decide to stick with the current tax regime regardless of its serious faults. I hope not.

But whatever the decision, one must be made. Public apathy and its close relative, public cynicism, are not appropriate to the challenge of fundamental tax reform, which I, for one, believe is essential for the Nation.

If citizens are to make a reasoned judgment about the merits of various proposals, they must have recourse to a set of constant standards upon which to rely. This is the only commonsense approach that is possible and effective, and it applies to the evaluation of tax reform proposals even more than to other areas.

When the summer Olympics comes to Atlanta this year, athletes from all over the world will be competing against each other and against the record book. It would really not matter if, say, the pole vault event were measured in feet or in meters, provided the standard of measurement is consistently applied, and applied to all. But an athlete would have every right to cry foul or unfair if his pole vaults were measured in meters while the vaults of his rivals were measured in feet. The standard has to be the same. That is how you determine the best.

So it is with tax reform. If the American people are to evaluate the varying proposals that have been presented, they need us to talk with them about our ideas in a way that makes those ideas readily comparable. If proponents of reform and the media covering this debate do not do that, then citizens will be trying to compare apples with oranges, rather than apples with apples. I am afraid that is what has occurred thus far in this debate.

Let me offer several examples about what I mean.

First, for purposes of fair comparison, all tax reform proposals should be designed to raise the same amount of money. That amount should equal what is now raised by the part of the Tax Code that reformers want to replace. In other words, all the proposals should be revenue neutral compared to the current code.

This is an important discipline. Indeed, it is a very critical discipline. Low rates are attractive. Accordingly, some reformers assume heroic cuts in

Federal spending and Federal tax requirements when they calculate their proposed tax rates. By doing so, they can present proposals with rock-bottom rates. If one proposal is going to have that advantage, then every one should have that. Why not propose a 10-percent flat rate instead of a 17-percent?

It is easy to see how we would have debate that completely obscures and, I think, brings no clarity to the issue if we do not have the same rules. This strategy is like selling a suit three times too small on the assumption that the customer will lose 30 pounds. Maybe the diet will work, but if it does not, or even if it is not quite as successful as hoped, the suit will not fit and the customer will be unhappy.

All of us believe that our proposals will accelerate economic growth and the standard of living of the American people, or we would not be promoting fundamental change. But if the proponents of one plan are permitted to use dynamic estimates even in their debate and presentations to the public, and the resulting lower tax rates, while other areas use conventional estimates and the result is higher tax rates, then this is not real debate. Rather, it is an exercise in creative arithmetic.

I have long worked for reductions in Federal spending. I hope the current budgetary impasse can be broken. We can and we should put the Nation on a path toward a balanced budget. But this process, as I view it, must be separated from tax reform. It is imprudent to model a tax reform plan based on rosy revenue assumptions that have yet to be put into place.

There is also the matter of what share of the tax should be collected from individuals and what share should be collected from businesses. I believe that all tax reform proposals should be modeled to collect from business and individual revenues in the same proportion as what the current code extracts from both.

There is nothing magical about that proportion. From an apples-to-apples perspective, however, we must guard against the temptation, in modeling tax reform proposals, to shift the tax burden from individuals to businesses, or vice versa, in order to play shell games with the rates. You can make a tax proposal sound very attractive if you lower the individual rates dramatically and increase the rates on business. But that, in my view, unless it is clearly spelled out as to why you are doing it and what the philosophy is and why that is going to improve the lives of the American people, it makes no sense.

Just as all the tax reform proposals should be revenue neutral, so too should they provide enough detail to allow people a fair chance to assess them in their entirety. Architects of fundamental tax reform plans need not draw up a complete set of blueprints with every single detail. The goal is to furnish enough of the foundation and framework to permit citizens to understand how the entire structure would function and to suggest ideas for its improvement.

Often when a proposal seems simple in concept, it does so because its advocates have not explained how it would apply to the many economic transactions that occur every day in our very complicated and complex economy.

Transition issues are a good illustration. Replacing much of the current code with an alternative system will entail more than just a one-time transition cost. Over many years and using after-tax dollars, Americans have amassed trillions of dollars in savings. Businesses have invested trillions of dollars in plant and equipment. That has already been done.

If and when we move to a new tax system, what will happen to that savings and investment? Some tax reformers are silent on that issue. Does their silence mean that senior citizens, our best savers, will find their savings taxed yet again under the new regime? Suppose somebody saved all of their lives and they have $100,000 in liquid assets, and they are in their golden years and plan to retire. If you pass a 20-percent sales tax and do not have a fundamental transition, then you have said to that senior citizen, ''You have $100,000 which you saved all your life, and you paid taxes on it. These are after-tax dollars, but now, as you spend that money, we are going to levy a 20-percent tax on everything you spend in the latter years of your life.'' Does anybody really believe that is fair? Yet, those matters have not yet been discussed by many of the proponents of some of the plans.

Will businesses that invested in productivity-enhancing equipment be penalized for their foresight because they will be unable to amortize fully these investments? Is that the way we want to increase new productivity, by penalizing previous modernization efforts for productivity that have been made without a new code?

When Senator DOMENICI and I drafted our USA tax proposal, we devoted much of our attention to solving the transition problems. I do not claim we have solved every one of them, but we have gone a long, long way. Under the USA tax, pre-transition savings would not be taxed and businesses would be given an opportunity to write off their previous investments.

Proponents of other reform plans have criticized the USA tax's transition rules as overly complicated. That is easy to do if you do not have any in your own proposal, and if you have not thought about the results of not having any. Perhaps so; we welcome any suggestions for improvement. But, to use an old poker expression, you can't beat something with nothing. Proposals for fundamental tax reform that do not address transition are not simple—they are simplistic because they are not complete. They have avoided the hard questions and the hard work which are essential for meaningful tax reform.

Transition is only one of the many details that require elaboration. Farmers must know how tax reform proposals will treat cooperatives. Bankers and insurance companies will ask how financial and service organizations are to be taxed. When you give them an answer and you have not really thought about that, and you say, ''Well, we will have to have a transition rule,'' that means your proposal is going to get more complicated and more complex. That is inevitable. But when you have not thought about these issues, it makes comparisons for the public—and even for the news media people who follow it on a regular basis—almost impossible.

Wage earners will wonder if fundamental tax reform will address the very regressive payroll tax, which is one of our most regressive taxes and is one of the reasons why our American average working person has been hit so hard in the 1980's and even in the 1990's while people get up and talk about the overall rates having come down. Yes, income tax rates have come down. Of course, they came back up again 2 years ago. But they have come down substantially when measured over the last 10 or 12 years—very substantially. But guess what has happened during the same time? The Social Security tax, which has more effect on many of our working people making lower incomes, that tax rate has gone up dramatically, and, therefore, many working people, during the Reagan years where everybody talked about taxes going down, many working people have seen their taxes go up.

Wage earners will not be the only ones who ask about that. There is not a small business person in America who is not vitally interested in the same issue because the payroll taxes for small businesses have also gone up dramatically in the last 10 or 15 years.

Advocates of fundamental tax reform must address these and many more matters openly and early-on. The pass-it-now-and-fix-it-later philosophy of tax legislation will not work. A lack of candor at the beginning of the process invites precisely the public cynicism that now surrounds the current Tax Code.

This issue of candor and thoroughness brings me to the final and most important apples-to-apples issue. Those of us calling for fundamental change must explain why we think the Nation should embark upon such a large project. Only by knowing our motives and why we think change needs to be made can citizens evaluate fairly whether our plans are likely to succeed.

My own sense is that the authors of the various tax reform plans have many goals in common. Those goals have little to do with tax rates and even allowable deductions. I am not

saying tax rates and deductions are unimportant. They are of course important. But changing the tax rates or altering the number of deductions does not require fundamental reform.

In 1986, Congress lowered tax rates and eliminated certain deductions without replacing the Tax Code. If it so chooses, Congress could today enact a flat or single rate individual income tax with minimal tinkering with the rest of the tax system. As a matter of fact, while Senator DOMENICI and I have offered a fundamental tax reform plan with a progressive rate structure, we could easily adapt our proposal to a flat rate system if citizens so demanded without changing our essential purpose.

Mr. President, the debate on flat tax loses a great deal in terms of the understanding that is required. You could take the current Tax Code with all of its headaches, with all of its deductions, with all of its complexities, with all of its perceived unfairness, and you could apply a national flat income tax rate to the current code. It is just a matter of arithmetic. You take the amount you need to produce a breakeven with the current revenue today, you take the rate that would be required to apply to the taxable income, and you apply it. Instead of having four, five, or six individual income tax rates, you could have one. That could be done in just a few hours. You could have a national flat tax rate with the current code. But you would not have solved the problem that is frustrating the American people in terms of complexity, unfairness, and the problem that bothers so many of us because you would not have changed the basic disincentives to save and invest which are required if we are going to increase productivity and if we are going to increase the average income for our American citizens.

Our essential purpose is to change what we tax. This is true for the flat tax and the national sales tax as well as the USA tax and all the other proposals based on these models.

All of these plans aim to correct the bias in the current code against saving and investment. Marginal changes in the Tax Code cannot eliminate that bias. It is ingrained in our current system. If you want to remove the bias in the tax base, you have to replace large parts of the code.

What do we mean by bias some ask? Here is a simple example. If you take $200 and buy a television set, you are not again taxed for whatever enjoyment or enlightenment you may receive by watching it. If, however, you take that $200 and put it in a college savings account for your children to go to school, all the interest you earn is subject to tax.

The act of consumption—using the $200 to purchase a television set—is taxed once, as income. The act of saving—putting the $200 away for future education expenses—is taxed twice. The original $200 has already been taxed as income. The returns to that $200, in this case, interest, is taxed again. Saving $200 for tomorrow is more expensive than consuming it today.

So we have an inherent bias built into our tax system that tilts us toward consumption and away from savings and, therefore, away from investment, productivity, and a higher growth standard with higher income.

Millions of middle-class Americans own stock or shares in mutual funds that own stock. They rely on this saving for retirement, health care, and other future expenses.

I wonder if most realize how double taxation reduces the return on their investments. Because our tax law regards corporations and their investors as separate entities, it taxes corporate earnings twice: once as corporate income and again as dividends received by individuals. In contrast, because corporations may deduct interest payments if they borrow, holders of corporate bonds are not penalized by double taxation.

The current Tax Code says to citizens: faced with a choice between buying today or saving so that you can buy more tomorrow, then you should buy now. It says to corporations: faced with the choice of building a strong foundation through equity financing or borrowing to the hilt, borrow to the hilt.

This bias against saving is a bias against our future. We see its crippling influences in our economic data. The saving rate in this country is at historically low levels. Because our savings are low, our investment has been correspondingly low. Continued low saving inescapably means continued low investment. Low levels of investment mean low productivity gains. Low productivity gains means stagnant wages and, therefore, little or no growth in our standard of living. We have been on this treadmill for long enough—too long.

All of the major proposals for fundamental tax reform—the national sales tax, the flat tax, and the USA tax of Senator DOMENICI and myself—would rid the Tax Code of its bias against saving. That is their central, core characteristic. While we debate the differences, this core characteristic should not be overlooked. It is this focus upon the tax base that distinguishes fundamental reform from the incremental changes of previous years.

Although many of the details of the national sales tax proposal remain sketchy, its basic mechanism is familiar to most Americans. The sales tax is paid on purchases. Saving remains untaxed until spent. In theory, every dollar of wages or salary is taxed once and only once at the point of consumption.

The flat tax would be administered in much the same way as the current income tax. The key difference is that capital income—that is, money earned as the result of saving and investment—is not taxed at the individual level.

For example, citizens would not be taxed on interest earned on a bank savings account. Nor would they be taxed on income from dividends, interest on corporate paper, or capital gains. Corporate income would still be taxed at the corporate level; by not taxing it again at the individual level there would be no double taxation. While I certainly understand the theory behind this proposal, I would have a hard time ever explaining why the wealthy owner of a yacht living off of investment income would have to pull up to shore to let his captain off to file an income tax return each April 15 while the owner remains on-board watching television and playing cards.

That is a burden I do not want to assume. So the theory has validity, but the application seems to be, and I think would be perceived to be, very unfair.

Senator DOMENICI and I took another tack. Like the flat tax, our USA tax proposal is administratively similar to the current income tax. Some people, of course, do not like that. But our method for relieving the current code's burden on savings and investment departs in considerable and very significant degree from the flat-tax approach.

A major, perhaps insuperable, problem with the flat tax is the failure to treat all income alike. An individual with only wage income would file a tax return while his neighbor, with only capital income, would not.

Now, it is true that the capital income would already have been taxed at the business level. Dividends, for example, would have been taxed at the business level as corporate income, but I am afraid that would be far from obvious to the wage-earning neighbor. Such a lack of clarity would inevitably lead to a lack of public confidence.

When we designed the USA tax, we wanted to make the proposal as understandable and fair as possible so we chose to avoid the complex and confusing distinction between wage and capital income.

The USA tax is indifferent to the source of income. It is concerned with how the income is used. In every taxable year, the amount of money a taxpayer chooses to save would not be taxed. The taxpayer would be taxed only on the amount he or she spent during the year. This removes the double taxation of savings. Note, too, that no dollar ever escapes taxation. Over a lifetime, every dollar would be taxed once and only once in the year it was spent.

The USA tax grants to all America a power that today is reserved only for the wealthy: the ability to lower their tax obligations. Exercising that power does not require an army of tax lawyers to ferret out loopholes in the tax system. Merely by saving, taxpayers can reduce how much of their wages is subject to tax in any given year.

Under the USA tax, everyone will have the tools to take greater economic responsibility for themselves

and for their families. At a time when we must moderate the growth of entitlement programs, this sort of change, I believe, is absolutely essential.

I know that many of us in America do not think we can afford to save. My response is that we have no real choice. Savings must become a greater priority in every household budget, just as it must in the Federal budget by lowering the deficit. It is Government's responsibility to help our citizens by providing a tax code that does not penalize them when they try to do what is best for their future and for their children's future.

Mr. President, I believe the U.S.A. tax offers a superior path to fundamental tax reform. Its savings deduction is understandable and equitable. Those who take the time to acquaint themselves with our legislation—which we tried to write in plain English in the hope that Americans will read it—will also see how the U.S.A. tax would simplify both the business and individual tax; encourage American exports by offering a tax rebate on sales or exports from this country; it would include vital deductions for education, charitable giving and retain the home mortgage interest deduction; and it would provide taxpayers and businesses with a credit for the payroll tax they must pay, which is enormously important to our small business community and, most of all, to our average working people.

Ultimately, however, neither Senator DOMENICI nor I see ourselves in some sort of fundamental win-or-lose conflict with advocates of the flat tax or a national sales tax. Fundamental tax reform must be a collaborative process. There are tremendous forces in favor of keeping the Tax Code as it is. They are already well along in their job of scuttling change. We assist these defendants of the status quo when we focus only on our differences and neglect what we have in common.

For all the conferences, column inches, research reports, and speeches devoted to fundamental tax reform over the last year or so, the truth of it is that those of us who want fundamental change stand at the beginning of a very long road. We must begin to travel that road together. We have to speak with the American people regarding what is really at stake in fundamental reform. We must solicit their views rather than stir up their passions. We must challenge our critics to help improve our work, and when we offer proposals for reform, we must employ similar revenue estimates and provide a comparable degree of detail about what we wish to do. We must begin to make apples-to-apples comparisons if people are going to be able to understand the debate and participate in it. Then and only then can the people of America decide, and the people will have to decide in the long run.

As we enter the Presidential election cycle, it is evident that the American people are restive and uncertain about our collective future. They wonder about which direction our country should take.

At another time of great national uncertainty, Abraham Lincoln offered some very practical advice. Quoting him, ''If we could first know where we are and whither we are tending, we could then better judge what to do and how to do it.''

Those of us who believe that fundamental changes in the Tax Code are one important element, a very important element, in getting the country's house in order should heed Lincoln's advice. Let us work together to encourage a public understanding of where we are economically and how our current Tax Code constrains us and prevents us from fulfilling the American dream of a better life for all of our citizens. If we can do that, we may safely leave it to the public to judge what to do and how to do it.

Mr. President, I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, before I proceed with my remarks, let me just offer my thanks and appreciation to my dear friend and colleague from Georgia for the statement he has made, for the leadership he has given on this issue. He is known best, I suppose, for the extraordinary leadership he has given on matters of national security now for more than two decades in the Senate, but he has been a courageous leader in other areas, including this one of tax reform. It reminds us about why we will miss him next year and why I hope he will continue to push us in the direction of reform from the private sector. I thank my friend for his superb words.

Mr. NUNN. I thank the Senator.

COMMERCE SECRETARY RONALD H. BROWN

Mr. LIEBERMAN. Mr. President, as we return to session today, it is spring in Washington. The blossoms are out. It is a beautiful time, and yet I am sure the experience I had in returning with my family yesterday was comparable with others coming back to Washington; it brought home the terrible tragedy that occurred while we were away, that of the plane going down in Croatia carrying Secretary of Commerce Ron Brown and so many others, including two corporate executives from Connecticut, Claudio Elia and Bob Donovan. And coming back here to this city, where many of us came to know Secretary Brown, filled me with a sadness and a sense of loss yesterday and today.

I wanted to come to the floor and share with my colleagues just a few thoughts about Ron Brown. I hope someday in the not too distant future to be able to offer to my colleagues some comments, if they did not have the opportunity to know them, about Bob Donovan and Claudio Elia, whose service to our country was extraordinary.

Today, however, I wanted to speak about Ron Brown. I am proud that I had the chance to work with Ron Brown during his all too short tenure at the Commerce Department. I tremendously enjoyed working with Ron Brown in his various capacities as a private attorney, as a leading Democratic activist, as chairman of the Democratic National Committee, and most closely and I think most creatively in this last period of years as Secretary of Commerce. I am honored that I can call him a friend. We are all going to miss him—it's painful to think that my staff and I won't have the sheer fun of working with him again—and the country will miss him even more. I have the greatest respect for him, as have so many others, as a wonderful, warm human being and as a leader who had a clear-eyed vision of how to make our people and our country better.

This is a case which is so often true where you interconnect with a person in a professional capacity, but you never think of a man in the prime of life not being here. In a way, I suppose it is death that makes you appreciate even more the great skills and the enormous service that this individual, Ron Brown, displayed for our benefit.

Ron Brown, it seemed to me, truly loved the job he had at Commerce. He always managed to fit well, wherever he was, and this job really did fit him like a glove, from the moment he took it. He had an early understanding that the mission of the Department of Commerce was to promote economic growth, that is job creation. He understood from his own experience the wide-open nature of our market system and that it was the unique way America had for creating opportunity for its citizens—the market, upward mobility.

Ron Brown never saw the business community as an enemy, he saw it as an ally in expanding opportunity, and he threw himself into this job with a single-mindedness and joyous commitment to forcing the system, the economic system, to deliver for all Americans.

Against this background, I want to talk about two areas of his time at Commerce that I think was so critically important. I believe that they were truly extraordinary, and set a new performance standard for our government's relationship with the private sector.

EXPORTS

The first has been written about extensively in the last days since his death, and even some over the preceding three years: The incredible export promotion operation he put together at Commerce. But I do not think that enough has been said about why that was so important.

Until the mid-1970's, the U.S. economy was on top of the world, dominating it. While our economic rivals, led

particularly by Japan, were figuring out that selling advanced manufactured goods for export was the key to economic growth and raising the living standards of people back home, our Government in a way was coasting on our success. We were not paying attention to that message.

Other countries built export promotion machines—and they were machines—through the most intimate and comprehensive alliances between business and government, the private sector and the public sector. But the truth is that our Government paid too little attention to that need to build those alliances. American businesses—and I would hear this repeatedly from business executives in Connecticut—would go abroad to compete, and they would see what the business-government alliances of our competitors were doing for export promotion.

I remember being told a story by the executive of one of the companies in Connecticut, telling me that they were competing against two other companies, one from Asia and one from Europe, for a very large job in a foreign country. They went over there to participate in simultaneous bidding among the three business competitors. This company from Connecticut, a big company, had its executives and lawyers in one room. But in the other two rooms, the executives and representatives of the Asian company and of the European company were teamed up with a representative of the Asian government and of the European government, respectively. In that case, the Connecticut company did not get the contract. We lost some opportunity and jobs.

The State Department, I am afraid, continued to treat American business as if it had to be held at arm's length. Too many administrations went along with that distant attitude. Preoccupied with the end of the cold war and retaining the political alliances required for it, the State Department embraced a traditional and outmoded notion of what foreign policy was all about, what mattered to people here at home. Too often they missed what was happening in the world economy and the American economy which has been a grave error. They made export promotion a low priority, while our rivals made it the top priority. The State Department treated U.S. business like pariahs, it was ''Upstairs-Downstairs''—trade was beneath our diplomatic priorities.

This hasn't ended. A Business Week editorial this week notes that, ''The U.S. foreign policy and security elite believe security should be divorced from economic issues. Some go so far as to suggest that providing security is a perk of global power.'' It concludes, ''We don't. American workers can't be expected to suffer economically to protect [other nations] from one another.'' Ron Brown shared this view, and he was the new momentum for bringing our economy into foreign relations. The President was his staunch ally on this effort, and helped him force change in this area.

Ron Brown, working together with President Clinton, understood that they had to create a central position in our foreign policy for our economic policy. Export promotion had to be at the core of our international outreach; that it was not a bad thing, but in fact it was a very good thing, that if a President visited a foreign country with the Secretary of Commerce and one of the items they discussed with the leadership of that foreign country was buying American goods.

I come from a very export-oriented State. In fact, it has the highest level of exports per capita of any State in the country. We know that exports create jobs, high-paying manufacturing jobs, and that each manufacturing job has an economic multiplier effect, creating a chain of goods and services behind it, longer by far than most other types of jobs.

The sad fact is that we have been disinvesting in manufacturing since the mid-1970's, even though we need those kinds of jobs more than ever to develop a strong economy and a better standard of living for our people which will continue America as the land of opportunity. Ron Brown, as Secretary of Commerce, understood this from the beginning of his service.

When he began his export promotion effort, within days of arriving at the Commerce Department, the leaders of the American business community that I spoke to—and I particularly heard this from heads of firms in Connecticut—were in disbelief. Someone was finally paying attention to their priorities. Somebody was finally trying to help them pull together an American governmental countermovement to the vast efforts rival countries and their businesses had been mounting for decades, to take jobs and exports away from us. Finally, someone with real power, the Secretary of Commerce, understood the problem. The fact is, at the beginning a lot of folks in the business community were skeptical that Ron Brown could make this all happen.

But he proved them wrong, to their delight. He was great at this. Trained as a lawyer and always a superb advocate, he used those skills on behalf of American businesses throughout the world. He knew how to run campaigns, and he ran this export operation like a campaign, which is exactly how it was. Nobody had ever done this before in the way that Secretary Brown did, and our country has never benefited as much before as we did from his service.

He even set up, in the Commerce Department, something like a campaign ''war room,'' where he would get reports on economic opportunities opening up to sell American products and create American jobs—an early warning system. Then the letters and the phone calls would start flying—Ron Brown was a phone wizard, it was a technology invented for him, he was forever reaching out to touch some business leader or a head of state abroad. Then following those calls with visits, such as the one he was on when his life on Earth ended. He was so enormously skilled, he was so hard working, he was absolutely and irresistibly likable, he had such a great smiling charm, such sharp intelligence, he was such fun, he had such energy.

The customers loved his performance. They all knew he spoke directly for and to the President of the United States, and that he would relay their messages back to the White House. Even our friends in Japan, who have systematically been denying entry for too many U.S. products for too long, liked him, as Ron Brown worked very hard at breaking down the barriers.

U.S. business strongly appreciated his commitment to them, an enormous accomplishment. He was a terrific political operator in the very best sense of this phrase—he was mobilizing the political system to serve the public's needs. The business community uncderstood this and respected it deeply—I've heard this again and again from U.S. companies. Ron Brown was a new kind of life force to them and they had great affection for him.

Ron Brown and his team's export success was only beginning when he left us, because the historical changes he was starting are a long-term project. But this new direction was a very important accomplishment for America. A major job for Secretaries of Commerce from now on will be to promote U.S. goods, not just on the offhanded, random way of the past, but with all the force of Ron Brown's campaigns, or they will be judged failures. From now on, the Federal Government is going to have to get down and get to work with business selling our economy. It's about time, but it took Ron Brown to show us how to do it. Ron Brown has set an entirely new standard for the country by which all that come after him will be judged.

INNOVATION

A second remarkable thing he did as Commerce Secretary was to fight for innovation. This has been almost nowhere mentioned in the press, and it is not well understood by the public or the fourth estate or Congress. But Ron Brown understood that for the American dream of opportunity to be sustained for a new generation, a higher level of economic growth was crucial. In addition to exports, he concentrated on another ingredient of that strategy: innovation. Even before he was sworn in as Commerce Secretary, his friend George Fisher, then president of Motorola and now of Kodak, invited him to speak to a leading group of business thinkers, the Council on Competitiveness. Ron Brown set out in that speech an aggressive agenda of technology development and promotion. He recognized that innovation has been the great American competitive advantage for generations, that it is now under attack as our competitors expand, and that it has to be renewed if we are

going to keep expanding our economy. Economists estimate that technology development—coupled with a technologically trained work force—has accounted for 80 percent of the increase in U.S. productivity and wealth for most of this century.

Innovation is our bread and butter.

Brown understood that since the Second World War, the Federal Government has backed most of the long-term research and development and applied R&D that has gone on in the United States, while business focused on shorter term product development. That is an economic reality—the risk and cost of R&D means that the private sector must focus on what it can raise capital for—shorter term products. It is a classic market failure problem, and until recently Congress on a bipartisan basis has supported the need for governmental support of innovation. Brown picked up a series of small technology and technology extension programs that had been quietly started at Commerce in previous administrations, and made them a central focus. With an able team around him, he made the Commerce Department the administration's leader in civilian technology development, and supported a new system of cooperative R&D development with business, requiring business to match Federal funding to ensure sounder Government R&D investments and leveraging Federal research dollars. He also helped expand a new system of manufacturing extension centers around the country, now in over 30 States, to bring advanced manufacturing techniques and technology to smaller and mid-sized manufacturers desperately in need of it to be able to compete with global competitors. In a time of budget cutting, he successfully found the resources to build these programs. He was also head of the administration's information infrastructure task force, formulating policies on the new information highway and how to expand our population's access to it.

He was a true innovation supporter, and was moving quickly toward making the Commerce Department what it long should have been: a department for trade and technology, where each of these two sides of the department provides synergy for the other. It was becoming an agency which provided governmental leadership in these two areas in support of the private sector, not trying to dominate it, and much stronger because of this.

Ron Brown's clear success, of course, led to the usual Washington political reaction against signs of creativity. Unfortunately, for too much of this past year he had to spend time deftly deflecting attacks on the existence of the Commerce Department. But he had helped make it into an instrument for growth and job creation, and his efforts had strong support among business and work force constituencies. He had begun the process to put the Commerce Department on the map as a unique American engine to support opportunity and growth in America. He had a great dream for his agency, and I respect that dream very much. I, for one, pledge to him that I am not going to sit here in this body and let it get dismantled.

All around this city of Washington are statues of Union Army generals. This is a good thing—they remind us of the crisis the Civil War represented to our country's future, of the great wave of sacrifice required thirteen decades ago to keep this country intact and to advance the freedoms it stands for. Now we are engaged in a different kind of conflict, a global economic conflict. There are no particular enemies in this conflict, at most we have rivals, not enemies, although in some ways the real enemy is ourselves because we have not yet been able to mobilize to confront our problems. This new conflict will test whether the great American dream of opportunity, of economic growth that will allow all our citizens to grow, will endure for future generations. Someday, if we are successful in keeping our opportunity dream alive, we should think about putting up some statues of the men and women in the private and public sectors who are the new generals, new kinds of heros, of that conflict. Ron Brown's statue should be one of the first we erect.

BARRIERS

I have discussed his innovative role at Commerce, but I want to say something about barriers, too. Occasionally, I think about how Chuck Yeager felt piloting his X–1 rocket plane when he was the first to break the sound barrier. Ron Brown was a great barrier-breaker, too, our first African-American to achieve many things. While Chuck Yeager's courage enabled him to break his barrier, the sound barrier remained and had to be broken again by countless additional pilots. Ron Brown's barrier breaking style was a little different. It also required courage, but he had a way of breaking barriers that began to erase them. He would get through a barrier in his wonderful, excited, buoyant way, and he would make everyone who watched him think, there goes another one, and why didn't we do that long ago? When Ron Brown became Commerce Secretary, many were expecting the President to name an experienced business leader, and were appalled when he named a friend and politician. Big business has long been a barrier for African-Americans, but Ron Brown's outstanding performance as Commerce Secretary, and the depth of support he built in the business community, was unlike anything any Commerce Secretary has been able to do before. We watched and thought, there he goes through another barrier, the biggest he had ever faced.

In so doing, Ron Brown broke an even bigger barrier. America has been blessed with a long line of outstanding African-American leaders. In the past, those leaders typically have been leaders of the African-American community, and that has been very important for the country, too, and we need many more. Ron Brown well-remembered and was intensely loyal to his African-American roots, but, like Colin Powell, he was also a national leader, who was clearly understood, in his great energetic way, to be battling for the well-being of every American. That is a new, promising thing in America, it is a strong new step down our country's freedom road.

Mr. President, he led this effort to take some small, relatively unknown program in the Commerce Department—the Advanced Technology Program is one—to build it into an engine for technology growth and job creation.

Much was said in the aftermath of Ron Brown's tragic death about him being a bridge builder. I say he was also a barrier breaker. I think sometimes about Chuck Yeager, how he felt piloting that X–1 rocket plane when he first broke the sound barrier.

Ron Brown was a breaker, too, but the thing about Yeager's accomplishment is that barrier has to be broken every time someone chooses to do it. Ron Brown broke barriers that erased them. When he became Commerce Secretary, many were expecting the Secretary to name an experienced business leader. They were disappointed when he named a friend and politician.

But Ron Brown, by his outstanding performance at Commerce and the depth of support he built in the business community, broke another barrier and brought with him the business community and a lot of Americans.

Ron Brown was true to and proud of his African-American roots and the community from which he came, but he became in his lifetime like Colin Powell: Not just an African-American leader, but a great American leader.

Mr. President, finally, I say this. All around our city of Washington are statues of our great military heroes. Now we are engaged in a different kind of global conflict: an economic global conflict. If we ever start building statues for those generals who served as courageously and with great success in the economic battles that affect the quality of life and job opportunity for people in our country, we ought to erect a statue to Ron Brown as one of the greatest of those leaders.

I yield the floor.

IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The PRESIDING OFFICER (Mr. STEVENS). Under the previous order, the clerk will report calendar No. 361, S. 1664.

The assistant legislative clerk read as follows:

A bill (S. 1664) to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship

or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The acting majority leader.

Mr. LOTT. Mr. President, I ask unanimous consent that no amendment relative to the minimum wage be in order to the immigration bill during today's session of the Senate.

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

Mr. LOTT. I yield the floor, Mr. President.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. Mr. President, I want to thank the chairman of the Judiciary Committee, Senator HATCH, for his superb work in this area. I have not always agreed with my good friend from Utah with regard to immigration issues, legal and illegal. And I say, too, to his fine staff after some early misunderstandings, they have certainly been excellent to work with. I appreciate that. To Senator Strom THURMOND who was chairman when I started this rather unique work, always helpful, always supportive, always there; to my old friend companion and colleague from Massachusetts, Senator KENNEDY, who served as chairman of the committee when I came here in 1979, who then served as the ranking member, then as chairman, then as ranking member, and it certainly is much more fun having him as ranking member than as chairman! I have thoroughly enjoyed the experience and have the greatest regard personally for him. We have worked together on these issues doggedly and persistently for 17 years.

It is a case of, in some ways, new players on an old field of battle. During my 17½ years in the Senate, I have literally spent weeks on the floor of this historic Chamber debating immigration reform legislation. Whether it was legislation to provide legalization for long-term illegals or to prohibit the knowing employment of undocumented workers, legislation I sponsored and which this body debated in the mid-eighties, or whether it was legislation Senator KENNEDY and I sponsored to increase immigration by nearly 40 percent in 1990, it has always been a terribly difficult issue for all the Members of this body. We know that no matter how we vote on immigration issues, we are going to assuredly upset and create anguish among segments of our constituencies.

But immigration policy is a critically important national issue, and Congress must deal with it. It is not for the States to deal with.

Immigration accounts for 40 percent, or more, of our population growth, which pleases some and distresses others.

Immigrants come here and work hard and they work cheap, which pleases some and distresses others.

Immigrants bring cultural diversity, which pleases some and distresses others.

And that is the nature of the immigration policy debate. Powerful, powerful forces tear at the country.

There are some members of our society who believe immigration is an unalloyed good. They consider it maybe something like good luck; you simply cannot have too much.

Other segments of the population believe that immigration should be severely restricted, if not eliminated altogether. They see America changing in ways that they particularly—to them—do not wish to see.

I deeply believe that immigration is good, it is good for America, but I firmly believe that this is not an eternally inevitable result. It depends upon those of us in the Congress and in the other branches of Government to make it work. Immigration policy must be designed and administered to promote the national interest or it may not have that effect.

So Congress created the U.S. Commission on Immigration Reform in the 1990 act. The Commission was chaired by that remarkable woman, Barbara Jordan, a powerfully articulate and splendid woman of such great good common sense and civility and intelligence.

That Commission is composed of a truly impressive group of immigration experts. Lawrence Fuchs, who was the executive director of the Select Commission on Immigration when I started in this field, along with Senator KENNEDY, Senator Mathias, Senator DeConcini on that select commission. The other names are people who are deeply respected in the United States: Michael Teitelbaum, Richard Estrada, Robert Charles Hill, Nelson Merced, Harold Ezell, Warren Leiden, and Bruce Morrison, a former Congressman.

That Commission had labored for more than 4 years, holding a very large number of hearings and consultations around the United States of America, and issuing two reports—two reports—one on controlling illegal immigration and one on reforming legal immigration.

I have heard some people in the debate and in the country say, ''Where did all of these disturbing ideas come from? Where did this issue come from, this discussion about the preference system and this one about chain migration?'' and about a verification system, as if it were all some scheme that was presented by some of the fringe elements of American society. Each and every one of the proposals in each and every one of the bills presented has come from or out of the Select Commission on Immigration and Refugee Policy or the Jordan Commission.

They are not disturbing, they are not sinister; they are real. They come from a group of people that I have just described who I think you could surely say are very mainstream Americans. They are from both sides of the issue.

The Commission labored and found that—and I quote—''a properly regulated system of legal immigration is in the national interest of the United States.'' The Commission also noted, however, that there are negative impacts. It proposed a reduction—a reduction—in the total level of immigration. That is who is suggesting the reduction.

The Jordan Commission strongly recommended that the family immigration visas go to those who are of the highest priority in order to promote a strong and intact ''nuclear family.'' A ''nuclear family''—would that we could have a better description than ''nuclear family''—but it is the one we think of as the tight-knit family; the spouse and minor children. Surely we want to be certain that we unite those people, but that we also have measures adopted to ensure that family reunification does not create financial burdens on the taxpayers of this country.

I thoroughly support those findings and recommendations. I have tried to follow them very carefully and very honestly in the legislation that I have sponsored.

Regarding the issue of control of illegal immigration, the Commission reported—and I quote:

> The credibility of immigration policy can be measured by a simple yardstick; people who should get in, do get in—people who should not get in, are kept out—and people who are judged deportable are required to leave.

That seems pretty sensible, pretty darn clear, actually. Pretty Jordan-like, I think.

Mr. President, I am pleased to report that the committee bill will measure up very well by that standard, by that yardstick. S. 1664 will provide additional enforcement personnel and detention facilities. It will authorize a series of pilot projects on systems to verify eligibility to be employed and to receive public assistance. It will also make improvements in both birth certificates and drivers licenses in order to reduce fraud.

The bill will provide additional incentives, additional investigative authority, and heavier penalties for document fraud and alien smuggling. It will streamline exclusion and deportation procedures. It will establish special procedures to expedite the removal of criminal aliens. There are additional enforcement-related provisions. It is a good illegal immigration control bill. I urge my colleagues to support it.

The committee has also reported a legal immigration reform bill which, I regret to say, does not carry out the major recommendations of the Commission on Immigration Reform chaired by Barbara Jordan and does very little to address the problems and weaknesses in our present legal immigration policy. There might have been some great expectations of that at one time.

I am reminded of a story of my good friend Senator HOWELL HEFLIN, who is certainly wont to tell a story or two from time to time, especially the ''Notie'' Hawkins variety stories and others that I am sure we have all heard from time to time and that we never tire of. At least I do not. So one has to give credit when you have heard and retell a good story, but you only do that once. The second time you just do not say anything. And the third time you claim it for yourself.

So the story is that this attractive elderly couple, both of whose spouses had passed away, were on a long airline flight together, very long. They were sitting there enjoying visiting with each other. They were in their late seventies. They talked about their children and grandchildren and their interests and things that excited and spurred them both on to a full life. And they had dinner, and they visited some more. And after a highly convivial evening and long flight, they landed. The lady reached over and patted the gentleman on the knee and said, ''You know, it has been wonderful. You remind me of my third husband.'' And he said, ''How many have you had?'' She replied sweetly, ''Two.'' You can think about that one when you get home. But that is called great expectations.

That is what was there with regard to legal immigration reform, at least in accordance with what Barbara Jordan and her commission had reported to us.

Yet what we have here is something that will not solve our problems with regard to legal immigration. These are the most vexing and the most troubling results. These deficiencies are the ones that give rise to proposition 187, ladies and gentlemen. These are the omissions that will see proposition 187's come to life in every single State in the Union unless we ''do something'' at the Federal level. We are doing very little in the area of legal immigration and badly need changes there.

Then you want to observe the various proposals passed either incrementally or on immigration reform measures which allow States to deny or impose charges for elementary and secondary public education for illegal alien students. These will also be part of a very vexatious debate. Do we continue to give support to the illegal community and deny it to the American citizen community? That will be a good test. If you want to be sure that we provide various things to mothers who are here illegally, then where is the money coming from that offsets that? Who is paying for that? If you want to relieve in a compassionate way a sponsor from having to pay for the person they bring over here and we sometimes say we cannot do that—heavens no, for the fellow cannot afford that.

But, you see, ladies and gentlemen, you have to remember that you cannot bring an immigrant legally to the United States unless the sponsor agrees, and also the immigrant, that they will not become ''a public charge.'' That has been on our books since 1882—1882.

This bill, these bills, tighten that singular requirement in an excellent way. We do say now that the affidavit of support has teeth and, indeed it does. That is a very excellent step. What we find in at least half a dozen or more States of our Union —and yet we just cannot say that is for six States alone to deal with; or that we do not need to do a national bill; no, that would be a true flight from reality. In half a dozen or more States, current high levels of immigration are perceived as causing, rightly or wrongly, some very serious social and governmental problems.

Do they take more out than they put in? Do they leave more in than they take out? Well, it depends on what side you are on. Do they pull their share? Do they really take the jobs Americans do not want, or with millions lesser employed in the United States, and having done a welfare reform bill, will there not be many people looking for work—all questions that will never go away, ever.

We are informed that in the California public school system subjects are taught in 100 different foreign languages. California must construct a new school building every day to keep up with immigrant student enrollment. It is not only illegal immigration, which is about 300,000 entries a year, but also our historically high level of legal immigration, about 1 million a year in the current years, that have given credence and impetus to the widespread view that immigration is out of control—perhaps even more tragically, beyond our control.

I do sincerely believe that if Congress fails to act to address these very real and reasonable concerns of the American people, there is a very strong possibility—and we have all been warned about this by the select commission, and by the Jordan Commission—we will lose our traditionally generous immigration policy. The American people will demand a halt to all immigration. They will not stand still for the Congress-knows-best approach, as some would have us take this route on this burning issue.

For these and other reasons, I will, at an appropriate time, offer an amendment to provide a modest, temporary reduction in legal immigration. It matters not one whit to me what the vote is on that, but we will vote on that issue. It will attempt to reduce immigration to a level approximately 10 percent below current level and hold it at that level for 5 years—a breathing space, if you will. For the first time in more than 50 years, there will be no increase in legal immigration over a 5-year period. At the end of the 5 years, the numbers and the priority system will return to exactly what they are under the present law—no change, back to business as usual.

During this 5-year breathing space, the visas will go first to the closest of family members of citizens of the United States of America. They will go first to citizens. Then they will go to the closest family members of permanent resident aliens, and then to other immigrants. Any that remain will fall down logically to the lowest priority of family immigrants. We can expect many amendments and several days of debate and much disagreement, but despite the emotion, fear, guilt, and racism that is involved in the immigration issue, we have always—historically, at least—had a good, clean, honest, civil debate on immigration in this body. I trust it will be no different this week.

Republicans will disagree among themselves, I can assure you. Democrats will disagree among themselves, I assure you. I will have serious disagreements with my friend TED KENNEDY, and my friend, Senator SPENCER ABRAHAM of Michigan, who is a fine addition to this body and adds greatly to the debate of this issue. This is not and never should be and never has been a partisan issue. Anyone taking it to that level is making a serious mistake. You will find that in the rollcall votes. There is no partisanship involved in immigration reform.

I want to commend the new members of the Judiciary Committee and the subcommittee of both parties, Senators KYL, FEINSTEIN, ABRAHAM, DEWINE, FEINGOLD, and THOMPSON. They bring a special vigor, intelligence, energy, and passion to the game. I like that.

Just a couple of things, and then we will go forward and proceed with our work. I want everyone to be aware of the usual fare that will be presented as the menu is spread before the Senate in this debate. First, the Statue of Liberty—that will always be a rather thorough, impressive, rich debate, but we are not talking about the Statue of Liberty, because the words of Emma Lazarus, do not say on the base, ''Send us everybody you have, legally or illegally.'' That is not what it says. We hear that. I hope the American people can hear that one and remember that we are seeing in this country groups of people who are in enclaves where they never learn or speak any other language. They are in New York, they are in San Francisco, they are in Los Angeles. We read about those things daily. That will not be improved by doing nothing.

Then we will hear—this is always a rich tapestry in itself—that we are all children and grandchildren of immigrants. We will all hear that. I can tell my story and everybody in this Chamber can tell theirs. We are not talking about that. We are not talking about populating a country and settling the West. We are talking about people in the United States who are brooding about illegals in their midst and show it in every poll, and then show it at the polls.

We had a man running for the Presidency of the United States who, perhaps if he were in the race, would pick

up 17 to 20 percent of the vote based on a lashing out about immigration or a move toward xenophobia, just as has happened in Germany, with a person receiving 17 to 20 percent of the vote, or in France, with another man with such views garnering 17 percent to 20 percent of the vote. Those things are out there. There is no question about them being out there.

My grandfather came here from Holland. His parents died at the age of 6. He was orphaned. He was a ragamuffin in the streets of Chicago with a tin cup, as far as I can find. Every one of us can tell that kind of story. Then he went to work as a clerk for the railroad, and he went west. Horace Greeley was right, ''Go West, young man.'' He did. He not only ended up working on the railroad, he ended up running and owning a coal mine in a little town named Kooi, WY—named after him. He was, in every sense, an American success. He died a very happy man after giving birth to my mother, and assuring the wonderful heritage I have. We can all tell those stories, and we can go on to the Irish relatives, the German relatives. All of us can tell these stories—the stories of persecution, the stories of horror, the stories of pogroms. Those are real. Those are stories of inspiration of which we can take—I think we shall call ''judicial notice.''

One other thing we should take judicial notice of, we are the most generous country on Earth. I have heard the phrase, ''why, why would we turn inward? What are we doing?'' What is American about that? Mr. President, we take more refugees in than all the rest of the world combined. We take in more immigrants than all of the rest of the world combined—combined. All immigrants, refugees, the whole spectrum.

Then we will see on the menu, passionate words about some national ID card, which has never escaped the menu, as far as I have ever known in my 17 years here. Some have played that card with a better look at a poker hand than any I can remember. I remember particularly a Congressman from California who was certainly vigorous in his pursuit of his feelings and the depth of his internalization of that. We have never talked about a national ID card in the entire time I have been working on this issue. I have put it in every single bill, that there would not be a national ID card, under no circumstances. Yet, I still hear it bandied about.

In fact, one group of worthies has even spread a curious little packet about which describes the Smith-Simpson bar code tattoo, which is certainly a grisly looking thing. But that chap must, I think, keep his day job, for he has wasted a lot of energy to try to put that kind of tilt on what we are trying to do.

We all know why employer sanctions did not work in the 1986 bill. Employer sanctions did not work because so many engaged into a cottage industry of making phony documents. We have employer sanctions but we did not want to put the burden on the employer. So we said, whatever document you are shown, the employer, cannot be responsible for the validity of it. So they just took them. I always love to explain my own here because it costs 100 bucks. We picked it up on the streets of Los Angeles. ALAN KOOI SIMPSON, Turlock, CA, a very distinguished person of less than hirsute appearance reflected here on the card. And here is my phony Social Security card. I do not know what other poor soul shares the same number with me—maybe none. But that is why nothing worked. That is why, in this bill, something will work.

I think we will keep those provisions—I hope so—because we are not talking about national tattoos. We are not talking about Nazi Germany. We are not talking about an error-filled national data base. We are not talking about a mess of an administration in some other agency of the Government. We are talking about ''doing something'' about illegal immigration. And the oddest thing to me is that the people who seem to really want to do something to illegal, undocumented people—other than thumb screws or the rack—as I often hear them speak, have failed to realize that the one thing you can do that does work and is humane is a more secure counterfeit-resistant card, or verification, or something like a telephone verification, where you slide it through some kind of electronic device, some type of computer link, or similar process. All of that can be studied under this bill in the form of pilot programs.

I will try to make an amendment that those pilot programs not simply be authorized, but that six or seven of them be required to be looked at, and then ''of course'' a vote before they would ever go into effect. We cannot get there without this. You cannot do something with illegal immigration and moan and whine and shriek about it day and night and not do something appropriate with some kind of counterfeit-resistant, tamper-resistant card, and also doing something with imposters who use the card and those who are gaming the system. That, I hope, will become a very clear fact of this debate.

And then I hope we do not hear too much about the ''slippery slope,'' because I have not seen any editorials about the fact that when you go to drop your bags at the airport, somebody asks you for a picture ID. It is not even an agent of anybody, I would guess, except the airline. But I have not seen any editorials that that is the first step, the first slide down the slippery slope toward a national ID. So it is with the American public—at least in airline travel. I do not know what it is on the bus lines, but I have a hunch that not many people here ride the bus lines. Maybe they do, but I wonder if they ask that there. If they do or if they do not, is that the first step? Is that the slippery slope toward a national ID? I think people choose to hear only what they will with regard to that.

Finally, we will hear about placing the burden on the employers. Why the argument, ''Are we doing this to the employers of America? How can we do this and make them the watchdogs of America and make them do the work of a failed Federal Government?'' Fascinating. Without employers, we would have no ability to administer the Internal Revenue resources, because the employer gathers up the withholding tax. I have not seen any editorials on that as to the burden on employers.

And now it is curious to me that I also saw an editorial the other day that said that what will happen if the bill is passed is that the American employers will find out they will have to ask somebody whether they are authorized to work. I tell you, that editorial writer has to have drilling rock instead of brain, because that one is on the books already. Since the 1986 bill, you have had to present to the employer the fact that you had an I–9, which is a one-page form authorizing you to work in the United States of America. It has been on the books now for 9 years. Did anybody miss that? I think not.

So you are going to find that that is exactly what employers already have been doing. We are trying to say—and I hope we can get this in; we will see—that if we go to a pilot program and the Attorney General finds that it is accurate and it works, and it is reliable, you will then not need to do the I–9. Skip it right there. Throw it out. But employers are the core of anything we can do with regard to immigration. We are trying to lessen the burden on employers.

The occupant of the chair cited to me a case of an employer in Alaska several years ago who asked the person in front of him for additional documents and therefore was charged with discrimination. We have corrected that completely. Not only that, we do not let them ask for 29 different documents. We have it down to six. And we say there has to be an intent to discriminate before you get nailed for it simply by asking someone for an additional document. And remember—I hope you can hear this in the clatter of the debate—that whatever we do in the way of the identifier, or more secure system, or whatever it is, will be used only twice in the course of human life—when you get a job, or when you go on some kind of public assistance, period. Whatever we have will not be carried on the person, will not be used for law enforcement, will not be any part of any other nefarious Big Brother scheme. That gets lost in the process along with so much that gets lost in the process. What we are trying to do is relieve the burden on employers. We think we can do that.

Then we do something with birth certificates. I hope we can retain that. I

think we have a good amendment which will offset the cost of that so we do not make that an unfunded mandate, because the birth certificate is the breeder document of the first order. You get the birth certificate and, with that, you go on to get the driver's license, Social Security card. You can check the obituary columns and find out the death and go get the birth certificate. These things must be corrected.

Legal immigration reform is certainly not the most popular cause that I have been involved in in my 17½ years, yet I have often been involved in such causes. What we are trying to do there is simply stop the phenomenon of chain migration. Chain migration is rather simple as you define it. There is a preference system. Remember that if you are a U.S. citizen, you can bring in your spouse and minor children, and they are not any part of a quota system. Yet they are computed in the entire scope of how many come to the United States. And then you can bring in adult, unmarried children. And also adult, married children. And then we have minor children and spouses of permanent resident aliens. Then we have brothers and sisters of U.S. citizens.

What we are saying is let us take in the spouses and minor children first, and not let somebody bring in on a single-person petition 30, 40, 50, 60, or 70 relatives—all from one U.S. citizen. That is called ''chain migration.''

I commend the Jordan Commission report to those of you who wish to read about that phenomenon, and see whether you would ''join in'' in doing something about that.

As I say, it is not a partisan issue. None of these tough ones will be partisan issues. I am sure the Democrats will caucus, and the Republicans will caucus, and we will pound each other around, and at the end of it we will realize that it is the Nation's business, and that it is always very difficult.

But one thing I want to make very clear. I note that since I will be exiting the Chamber at the end of this year, some will speak of this as ''SIMPSON's swan song.'' This bird has never looked like a swan—neither me nor the legislation. It is about a corollary of legislative activity that my friend from Massachusetts has learned well through the years. Any time you look obsessed about a piece of legislation, you are history. I can tell you that. Yet we have come further in these two bills than we have in 10 years. There are people on my side in this one who, if I had said those things 10 years ago, or 5, they would have run me out of town on a rail.

So we have some good things there. But I can assure you of this: Win, lose, or draw, up or down, I did not come here simply to have my name attached to immigration legislation. That is about the biggest political loser in the history of man. It never helped me get a single vote in three races for the U.S. Senate. In fact, people said, ''What are you doing? What are you up to? Forget it. It does not affect us.''

But it does fall upon those of us from the smaller States and districts, from areas such as Senator McCarran of Nevada, and Representative Walters of the 16th District of Pennsylvania, or Senator SIMPSON, and Mazzoli of Kentucky. The KENNEDYs of this body cannot handle this issue; the FEINSTEINs of this body cannot handle this issue; the Wilsons—when he was here—cannot handle this issue because their constituents will not allow them to do it. Yet this is one issue, one burning issue, that will not go away.

So be assured that your angular, western representative will not be chagrined in any sense with whatever this eventually looks like. But we are surely going to have a good debate. We are going to throw it all in there, get it mashed around. And if I come up with a vote of 92 to 8 on the losing side, that is fine with me. But we are going to have a vote, and we are going to have a debate. We are going to talk about things that the American public is talking about. And that is, ''What are you going to do about illegal immigration so that our social systems are not overwhelmed?'' And answer their question, ''You told us the first duty of a sovereign nation was to control its borders, and you did not do it. Why? You told us that you would do things in the national interest, and you did not do it. Why?'' And also watch what they do for themselves. People from States that do not have any real tough immigration problems at all are thinking about proposition 187 type laws. And that is disturbing.

So I hope that we pay careful attention, have a good, rich debate, and not think of swans but maybe of turkeys, or of eagles, because there is a little of each of them in all of this. There are some soaring like-eagle parts in this. And there are some things that do not match any kind of other bird activity.

But this is one that will not go away. It seems to me it is best that we address it while we are all here and in a knowledgeable, civil way, and I look forward to the debate. I look forward particularly to working with newer members of the committee, the subcommittee, and with my friend, TED KENNEDY.

I think it was either Henry James or William James who said, ''To do a thing be at it.'' And we are at it. It is an election year. But anyone who wants to use this one for pure partisan political advantage is making a most serious mistake, it is much bigger than that.

I thank the Chair.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that legislative fellows Tom Perez, Bill Fleming, and Liz Schultz be granted floor privileges during the debate on the immigration bill.

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

Mr. SIMPSON. Mr. President, I ask unanimous consent that John Ratigan be granted floor privileges during the pendency of S. 1664.

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

Mr. KENNEDY. Mr. President, I would be glad to yield for a moment to the Senator from North Dakota.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

AMENDMENT NO. 3667

(Purpose: To express the sense of the Senate that a balanced budget constitutional amendment should protect the Social Security system by excluding the receipts and outlays of the Social Security trust funds from the budget)

Mr. DORGAN. Mr. President, first of all, I understand the Senator from Massachusetts wishes to give an opening statement. I appreciate his indulgence. My son is having a birthday party in about 20 minutes. I promised I was going to be there, and I intend to keep that promise.

I wish to offer a sense-of-the-Senate resolution and want to do that. But before I do that, if the Senator from Massachusetts would indulge me for about 3 minutes, let me say that the Senator from Wyoming has done extraordinary work in the Congress over these years. The Senator from Wyoming mentioned SIMPSON and Mazzoli. He is talking about himself, ALAN SIMPSON, and Romano Mazzoli, with whom I worked in the House of Representatives. They have left their mark on immigration and will again with this legislation. Much of what the Senator from Wyoming has done with respect to illegal immigration is going to be very, very important, and I commend him for his work.

We will have, of course, difficult amendments. But we will work through those. And I hope at the end of the day we will pass some legislation that moves in this direction that will be good for this country.

Now that I have said nice things about the Senator from Wyoming, he will probably now be upset with me for offering a sense-of-the-Senate amendment. But let me tell him that I will certainly agree to a time limit that is very short. I expect tomorrow we will have a vote on this.

The only reason I am constrained to offer this on behalf of myself, Senator DASCHLE, Senator REID, Senator HOLLINGS, Senator FORD, Senator CONRAD, and Senator FEINGOLD is because this will be the only opportunity to do so prior to the majority leader bringing up a constitutional amendment to balance the budget.

The majority leader has announced that he intends to take up his motion to reconsider the vote by which the balanced budget amendment was defeated. Some have said he will do it this week; if not this week, perhaps next week. Under the rules, there will

be no debate on the balanced budget amendment this time around.

So in order to have the Senate go on record on this issue prior to that, it was required that I offer a sense-of-the-Senate amendment. My amendment is very simple. I will send it to the desk. It simply indicates:

It is the sense of the Senate that because Section 13301 of the Budget Enforcement Act prohibits the use of the Social Security trust fund surplus to offset the budget deficit, any proposal for a constitutional amendment to balance the budget should contain a provision creating a firewall between the receipts and outlays of the Social Security trust funds and the rest of the federal budget, and that the constitutional amendment should explicitly forbid using the Social Security trust funds to balance the federal budget.

Because of the circumstances, there would have been no intervening opportunity to discuss this. I will offer this amendment, ask that it be sent to the desk, and that it be immediately considered by the Senate.

Before the clerk reads it, let me say that I do not intend to hold up the immigration bill, and I intend to agree to any reasonable short time agreement. Understand that this does not relate to the underlying bill, but also understand that this will be the only opportunity prior to a vote that Senator DOLE has already announced to the Senate and the country that he intends to require of us. It will be the only opportunity prior to that time for us to register on this question.

Mr. President, I ask for the immediate consideration of my amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself and Mr. DASCHLE, Mr. REID, Mr. HOLLINGS, Mr. FORD, Mr. CONRAD, and Mr. FEINGOLD proposes an amendment numbered 3667.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, add the following new section:

SEC. . SENSE OF THE SENATE ON A BALANCED BUDGET CONSTITUTIONAL AMENDMENT.

It is the sense of the Senate that because Section 13301 of the Budget Enforcement Act prohibits the use of the Social Security trust fund surplus to offset the budget deficit, any proposal for a constitutional amendment to balance the budget should contain a provision creating a firewall between the receipts and outlays of the Social Security trust funds and the rest of the federal budget, and that the constitutional amendment should explicitly forbid using the Social Security trust funds to balance the federal budget.

Mr. SIMPSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, as we begin to consider reforms in our Nation's immigration laws, our thoughts also are with our Immigration Commissioner, Doris Meissner, and her children, Chris and Andy, as they cope with the loss of a husband and father. Chuck Meissner was serving ably as the Assistant Secretary of Commerce and he was on Secretary Brown's plane when it crashed in Croatia just 10 days ago. I know that the thoughts and prayers of all of us in the Senate go out to the Meissner family during this very difficult time.

At the outset of this debate on immigration reform, I commend the chairman of the Immigration Subcommittee, Senator SIMPSON, for his able leadership on this landmark legislation, as well as for his able leadership over many years on the many difficult issues involved in immigration.

Senator SIMPSON has always approached these issues thoughtfully and fairly and with an open mind. He is steadfast in his commitment to what he believes is best for America. And I know that all Senators of both parties join in expressing admiration and appreciation for his efforts.

As we consider immigration reform today, we must be mindful of the important role of immigration in our history and our traditions. Immigrants bring to this country a strong love of freedom, respect for democracy, commitment to family and community, fresh energy and ideas, and a strong desire to become a contributing part of this Nation.

As President Kennedy wrote in 1958 in his book, ''A Nation of Immigrants'':

There is no part of our nation that has not been touched by our immigrant background. Everywhere immigrants have enriched and strengthened the fabric of American life

Those ideals are widely shared and bipartisan. As President Reagan said in his final speech before leaving the White House:

We lead the world because, unique among nations, we draw our people—our strength—from every country and every corner of the world. . . .

Thanks to each wave of new arrivals to this land of opportunity, we're a nation forever young, forever bursting with energy and new ideas, and always on the cutting edge, always leading the world to the next frontier. This quality is vital to our future as a nation. If we ever closed the door to new Americans, our leadership in the world would soon be lost.

Across the years, both Republicans and Democrats have been true to these ideals.

Three decades ago, I stood on this floor to manage one of my first bills, which became the Immigration Act of 1965. I believed strongly then, as I do now, that one of the greatest sources of our success as a country is that we are a nation of immigrants. And I remain as convinced today as I was then that immigration under our laws is as beneficial and as needed in America today as it was in 1965 or at any other time in our history.

In 1965, it was clearly time for change in our immigration laws. We eliminated the vestiges of the racist and discriminatory national origins quota system that had denied immigration opportunities to so many for so long based on where they came from.

In the years since then, we have acted several times to strengthen and reform the immigration laws to deal with changing times, changing problems, and changing circumstances.

Congress also passed important reforms in 1986 and 1990. In 1986, the Immigration Reform and Control Act of 1986 set us on the course of removing the job magnet for illegal immigration. That landmark law, sponsored by Senator SIMPSON, made it illegal for the first time for employers to hire illegal immigrants. The reforms that we will consider today build upon that historic change in our immigration laws. And it legalized the status of over 2.7 million undocumented immigrants who had set down roots in America.

The Immigration Act of 1990—which Senator SIMPSON and I sponsored together—was the most sweeping reform of our immigration laws in 66 years. It overhauled our laws regarding legal immigration, the bases for excluding and deporting aliens, and naturalization.

THE CURRENT PROBLEM OF ILLEGAL IMMIGRATION

Today, the paramount problem we face is to deal with the continuing crisis of illegal immigration. As Barbara Jordan reminded us, ''We are a country of laws. For our immigration policy to make sense, it is necessary to make distinctions between those who obey the law, and those who violate it.'' And that's what we must do today.

The Immigration Service estimates that the permanent illegal immigrant population in the United States is now about 4 million, and that the number increases by 300,000 each year. That number is a net figure. The INS estimates that over 2 million illegal immigrants cross our borders each year. About half of them enter legally as tourists or students, but then stay on illegally, long after their visas have expired.

About 1.7 million of the 2 million illegals remain only briefly in this country to work or visit friends and relatives. But 300,000 stay on as part of the remnant illegal alien population.

The illegal immigrants are easily exploited. They tolerate low pay and poor working conditions to avoid being reported to the INS. Their presence depresses the pay and working conditions of many other Americans in the work force. They compete head-to-head in the job market with Americans just entering the work force and with working American families struggling to make ends meet.

Part of the answer to this problem is the increased support in this bill for

border patrols in order to prevent the entry of illegal aliens.

But jobs are far and away the biggest magnet attracting illegal aliens to the United States, and we cannot turn off that magnet at the border. We must do more to deny jobs to those who are in the country unlawfully. The most realistic way to turn off the magnet is contained in the provisions that Senator SIMPSON and I sponsored which require the President to develop new and better ways of identifying those who are eligible to work in the United States.

After 3 years of pilot tests, the President is required to present a plan to Congress for a new approach that will deny jobs to illegal immigrants, will be easy for employers to use, will not cause increased employment discrimination, and will protect the privacy of American citizens.

Our provisions state clearly that this system will not involve a national ID card. And our provision provides added insurance by requiring that any plan the President develops must be approved by Congress before it can go into effect.

REFUGEES AND ASYLUM

A further goal for immigration reform is to provide safe haven for refugees fleeing persecution. We should not place arbitrary caps on the number of refugees we decide to bring to the United States for resettlement. The Immigration Subcommittee chose instead to let this number to continue to be set annually, under the terms of the Refugee Act of 1980, and in cooperation with other governments. I was pleased to join with Senator GRASSLEY in addressing this issue in the subcommittee.

We should also oppose arbitrary limits on how long those fleeing persecution can wait before applying for asylum after they enter the United States. The Immigration and Naturalization Service has already made dramatic progress in addressing the abuses that have plagued our asylum system in recent years. In the past year alone, the number of asylum applications has dropped by 57 percent.

Mr. President, this chart indicates what progress has been made in the very recent years. Going back to 1994: asylum claims, 120,000; the completed cases, 60,000.

This year, in 1995, INS received 53,000 new asylum claims and completed 126,000 cases. This is as a result of a variety of different, very constructive actions that have been taken by the INS.

The blue line represents those completed cases. The red lines represent the new claims. So, clearly we see the asylum claims decline by 57 percent as productivity doubles in 1995. Clearly we are making important progress in this area. It has been as a result of a great deal of time consuming, exacting, hard work that has been initiated by the INS. Enormous progress has been made.

We will hear this issue debated. It seems to me we are on the right track already with the INS reforms, and the kinds of suggestions that have been included in the current legislation should give many of us pause.

I commend, in particular, Senator DEWINE, who made a strong case that a 30-day asylum application deadline, originally proposed in the legislation, would exclude those who face the gravest persecution. They are the ones who take many months to organize their affairs, contact an attorney, and gain the confidence to approach the INS with their painful and tragic stories. I believe the 1-year deadline adopted by the committee is a reasonable way to accommodate such humanitarian cases.

The bottom line is that the cases where there appears to be the greatest validity of the persecution claims—the ones involving individuals whose lives would be endangered by a forced return to their particular countries—are often the most reluctant to come forward. They are individuals who have been, in the most instances, severely persecuted. They have been brutalized by their own governments. They have an inherent reluctance to come forward and to review their own stories before authority figures. Many of them are so traumatized by the kinds of persecution and torture that they have undergone, they are psychologically unprepared to be able to do it. It takes a great deal of time for them to develop any kind of confidence in any kind of legal or judicial system, after what they have been through, and to muster the courage to come forward.

That conclusion has been reached by a number of those who have been studying this particular problem. The initial proposal of requiring that there be action taken within 30 days of the person's arrival in the United States failed to understand what the real problem is—and fails to understand the remarkable progress that INS has made in this particular area.

I remain concerned that the so-called expedited exclusion procedures in the legislation will cause us to turn away true refugees. Under this procedure, when a refugee arrives at a U.S. airport with false documents and requests asylum, that person can be turned away immediately if the INS officer believes the person does not have a credible claim. There is no hearing, no access to counsel, not even a requirement for an interpreter.

If it were not for the courageous efforts of Raoul Wallenberg in providing false documents to Jews fleeing Nazi Germany during World War II, many thousands of persecuted refugees would have had no means of escape. This provision runs the risk of turning away all those whom the Raoul Wallenbergs of the future seek to assist.

All we have to do is review the recent history in El Salvador and Nicaragua, and be reminded of some of the egregious kinds of circumstances have been revealed here in the last week or 10 days by members of the religious community, to understand what the real conditions were. To think that an individual who might be able to get out of that oppressive atmosphere with some false documents, with a very legitimate fear of persecution, and come to the airports of this country and be turned away summarily and sent right back on the next plane, is something that I think deserves reevaluation during the course of this debate.

PUBLIC ASSISTANCE

In addition, the immigration reforms in this bill will reduce access to public assistance by illegal immigrants. Illegal immigrants should have access to assistance only in limited situations, where the public health or similar overriding public interest clearly requires it. For example, they should have emergency medical care, immunization, treatment for infectious diseases. These benefit all, because they relate to the public health and are in the public interest. Where the public interest is not served, we should not provide the public assistance to illegal immigrants.

A main issue, however, is how to deal with public assistance for illegal immigrant children in public schools. In an extraordinarily unwise and inhumane action, Republicans in the House, at the urging of Speaker GINGRICH, voted to give States the option to expel such children from their schools. We all know why illegal immigrants come here. As I have said, the magnet is jobs. It is ludicrous to argue that anyone would uproot their family, pay exorbitant sums to a smuggler to cross the border and risk their lives in the effort, all so their children can attend public schools in the United States.

A study by the Committee on Illegal Aliens during the Ford administration concluded that ''the availability of work and the lack of sanctions for hiring illegal aliens is the single most important incentive for migration.'' That has been the conclusion of the Ford administration, the Jordan Commission, the Hesburgh Select Commission on Immigration and Refugee Policy—all have found that the magnet is jobs. That is what we ought to focus on. That is where we ought to give our attention.

As I indicated, this finding was confirmed by the Hesburgh Commission in 1981, and again more recently by the Jordan Commission, which found that ''employment opportunity is commonly viewed as the principal magnet which draws illegal aliens to the United States.''

We are making steady progress in finding new and better ways of denying jobs to illegal immigrants. It is a serious mistake, and hypocritical, for Republicans in Congress to oppose or weaken this bill's requirement on employers, who are at the heart of the problem, and then punish innocent children, who are not the problem, by expelling them from school. So, I urge the Senate to reject the Speaker's attempt to make Uncle Sam the bully in the schoolyard.

That kind of policy is not only cold and cruel, it is also shortsighted and counterproductive. It may cost money for those children to attend school. But, if they do not, society will end up paying for it in other ways. Police will have major new crime problems on their hands from children out of school and on the streets and into gangs. Teachers will have to start checking the papers of all pupils, whether they are citizens or not. Before starting school each year, children across America would be required to bring documents to school to prove they are American citizens or legal immigrants.

All across America, teachers will have to learn to distinguish between the new green card and the old invalid ones. They must know what refugee documents, passports and valid Social Security cards look like.

School administrators and police have already spoken strongly against this proposal. They are the ones who must deal with the crime and other social problems that will inevitably develop.

What we are basically doing is requiring our schoolteachers, in many different school districts, to turn into police officers and truant officers. Teachers are there to teach children. They have enough challenges to face every day without adding this burden to them. Now, to put the burden on every one of these schoolteachers to become truant officers, and effectively policemen, is unacceptable public policy.

The case has been made by the law enforcement officials, who say you are either going to pay one way or the other. You are going to pay for the students who are going to the schools or you are going to pay for it in terms of crime and a host of other social problems if they do not go to school.

You can imagine, too, Mr. President, a mother who comes over to this country with a child who is a toddler. She brings the child here, then has a baby here in the United States who is an American citizen. That American citizen child goes to the school and his older brother or sister, who is an illegal immigrant, does not. That child is out on the street. That is a wonderful situation, which we are going to absolutely face in this kind of proposal.

The parents would not leave America just because their children cannot go to school. The parents have no choice. They came here because they could not find work at home and they will not go away as long as they can get away with working here illegally and I urge the Senate to reject any such cruel and mindless attempt to punish the children for the sins of the parents.

CONSIDERING ILLEGAL AND LEGAL IMMIGRATION SEPARATELY

In general, this bill does not address the issues of legal immigration. The Senate Judiciary Committee voted 12 to 6 to consider those issues separately and the House of Representatives voted 238-to-183 to do the same. I expect we will have a vote on legal immigration matters later in the debate. I plan to oppose such a move. We must not allow our rightful concerns about illegal immigration to create an unwarranted backlash against legal immigrants who enter under our laws, play by the rules, raise their families, pay their taxes, and contribute to our communities. Combining these issues in a single bill creates precisely that unacceptable possibility. Addressing these matters separately does not mean deferring legal immigration reforms indefinitely. Reforms are required in legal immigration. It is my hope that we can address them soon, but separately.

SAFETY NET FOR LEGAL IMMIGRANTS

In fact, this bill does contain certain provisions relating to legal immigration, and I voted against the entire bill in the committee because of these provisions. They go too far in denying a safety net to legal immigrants. These legal immigrants enter under our laws, play by the rules, pay taxes, contribute to our communities and also serve in the armed services. They deserve a safety net when they fall on hard times.

The record is very complete, Mr. President, that those who are the legal immigrants do not have a greater dependency in terms of these supportive programs than Americans, with the exception of the SSI Program for the elderly. But in these other areas, I can give as many studies that demonstrate that legal immigrants make greater contributions—in terms of paying taxes, by participating in the community, by payroll taxes, by sales taxes, by all of the other factors—than they absorb from the system. If we need to, we will have an opportunity to examine the various studies when we come to the particular amendments. But I do believe the legal immigrants deserve a safety net when they fall on hard times, and I support the provisions in this bill to make sponsors more accountable for the immigrants that they sponsor.

Senator SIMPSON is right not to ban legal immigrants from any program. Instead, the bill's deeming provisions count the immigrant sponsor's income as part of the immigrant's own income in determining whether the immigrant meets the eligibility guidelines for public assistance. For the first time, however, the deeming provision would be broadened by the bill to apply to every means-tested program.

Under the current law, deeming applies only to SSI, AFDC, and food stamps. But under this bill deeming would apply to scores of other programs including school lunches, homeless shelters, community clinics, and even one of the most important means of protecting the public health, the Medicaid Program. Under this bill, illegal immigrants get emergency Medicaid, immunization, treatment of communicable diseases, disaster assistance, and certain other types of aid—no questions asked. But legal immigrants who come here under our laws and play by the rules can get this assistance only after they go through the complicated deeming process. That gives illegal aliens a benefit that legal immigrants cannot receive. It is unfair, and I intend to offer an amendment to correct this injustice.

I am also concerned with the denial of Medicaid to legal immigrants unless they overcome the deeming hurdle. As a practical matter, deeming means that virtually no legal immigrant will get Medicaid assistance. Experience has shown that deeming is very effective in denying access to public assistance programs. I am particularly concerned that this will hurt children and expectant mothers.

I also believe legal immigrants who have served in our Armed Forces should also have a Medicaid safety net for their families in hard times.

Legal immigrants can join the Armed Forces. We have over 20,000 legal immigrants in the Armed Forces today. That young person, who might not have been able to get into college, comes back from Bosnia and wants to go to college and then makes an application and goes to that college and gets a Pell grant for 1 year—for 1 year. And then that young person graduates. He might have been a 19- or 20-year-old kid that for 1 year took the Pell grant. And as a result of that single action, for the rest of his life, he is subject to deportation—immediate deportation. This could occur even after he had served honorably in the Armed Forces.

There may be a lot of heat about doing something about illegal immigration, Mr. President, but that is one of the most extraordinary positions for this country to take. We have a Volunteer Army, certainly now, but when we did not have a Volunteer Army, we had the draft. Legal immigrants are subject to the draft. Some had gone to Vietnam. A number of them were actually killed. Now we are saying if, at any time in the future, they have any particular need, in order to get a benefit, they are going to have the deeming process for the purposes of that particular program.

That is going to be true with regard to the Stafford loans as well. These are programs that are repaid. These are not considered to be welfare programs. They are education programs. We will come back to that issue later in the discussion. These are matters that need attention and focus and amendments.

FAMILY IMMIGRATION

Our immigration laws must continue to honor the reunification of families. I agree it is necessary and appropriate to reduce the number of legal immigrants coming to the United States each year. Obviously, the door is only partly open now and can fairly be closed a little more without violating the Nation's basic ideals of our immigrant heritage and history.

But in achieving such reductions, we must keep certain fundamental principles in mind. We must continue to reunite families. We must remain committed especially to the reunification of immediate family members. Spouses and minor children and parents should be together.

I also believe our citizens should have the ability to bring their adult brothers and sisters to America. We should act to reduce the troubling backlogs that have kept husbands, wives and children separated for many years.

The Judiciary Committee adopted an amendment, which Senator ABRAHAM and I proposed, to reduce overall legal immigration, to establish new priorities for family-based immigration. Our proposal would make visas available to more distant family members only if the more immediate family categories do not need them. For example, brothers and sisters would not get visas as long as there are backlogs of spouses and children.

In this way, we address the concern raised by many about chain migration, the ability of a citizen to bring in a brother, who in turn brings in his wife and children. Once his wife is a citizen, she can then bring in her parents and other family members, and there is an endless chain of immigration. We ought to address that issue.

We believe the amendment that was accepted by the Judiciary Committee recognizes the important recommendations by the Jordan Commission that said give focus and attention to the immediate families. We have done that. We have defined that in a way that we think also includes clearing up of the backlog before there can be any consideration of reunification by the brothers and sisters.

The Kennedy–Abraham proposal solves the problem of family categories that create these chains. These are categories that Senator SIMPSON proposed for total elimination. Our proposal says that these categories remain, but they get visas only if the closer family categories do not need them. And our proposal reduces the level of legal immigration below current law.

After the committee's adoption of the Kennedy–Abraham amendment, the Immigration and Naturalization Service released higher projections of the number of family immigrants expected to enter this country over the next few years. Even under these new projections, our amendment reduces the total immigration below current law. However, we will modify our proposal to provide added insurance that it does fall below the current law.

Mr. President, some in this debate will praise the contributions of immigrants with one breath and then propose to slash family immigration in the next breath.

They say, ''We want your skills and ingenuity, but leave your brothers and sisters behind. We want your commitment to freedom and democracy, but not your mother. We want you to help us rebuild our inner cities and cure diseases, but we do not want your grandchildren. We want your family values, but not your families.'' I urge the Senate to reject this hypocrisy and treat immigrant families fairly.

DIVERSITY IMMIGRATION

Mr. President, reforms in legal immigration also must retain the diversity program established in the Immigration Act of 1990. This small but important program provides visas to countries that have low immigration to the United States and are shortchanged by our immigration laws. A number of countries made good use of this program in the past 6 years. These countries otherwise would have little or no immigration to the United States, such as Poland, South Africa, and Ireland. The Judiciary Committee agreed to retain the program, but reduced the number of visas available each year from 55,000 to 27,000.

PROTECTING AMERICAN WORKERS

Increasingly, Mr. President, in recent years we have come to realize that our immigration laws do not adequately protect working families in America. Reforms are urgently needed here. I intend to offer them at the appropriate time. In spite of the net creation of more than 8 million new jobs in the economy over the past 3 years, and in spite of continued low unemployment and inflation, and in spite of steady economic growth—job dislocations and stagnant family income are leaving millions of American working families anxious and unsettled about their future.

Since 1973, real family income has fallen 60 percent for all Americans. More than 9 million workers permanently lost their jobs from 1991 to 1993. Even as new jobs are created, other jobs have been steadily disappearing at the rate of about 3 million a year since 1992.

In the defense sector alone, more than 2 million jobs have been lost since the end of the cold war. About 70 percent of laid-off workers find another job, but only a third end up in equally paying or better jobs. What we are witnessing is a wholesale slide toward the bottom for the American worker. According to Fortune Magazine, the percentage of workers who said their job security was good or very good declined from 75 percent in the early 1980's, to 51 percent in the early 1990's. In a 1994 survey of more than 350,000 American workers, the International Survey Research Corp. found that 44 percent of American workers fear they may be fired or laid off. In 1990, the figure was only 20 percent.

For the first time ever there are more unemployed white-collar workers than blue-collar workers in America. Yet most of the foreign workers who come in today under our immigration laws are for white-collar jobs. With corporate downsizing and outsourcing, a quarter of the American work force is dependent on temporary jobs for a living. Yet under the immigration laws, we admit hundreds of thousands of foreign workers for so-called temporary jobs which are defined in the immigration laws as jobs that can last up to 6 years.

As working families in America try to put food on the table, employers are bringing in hundreds of thousands of foreign workers into good, middle-class jobs. Yet in most cases they are not even required to offer the jobs to Americans first. We understand that they are bringing in the foreign workers from overseas without even the requirement to offer those jobs to Americans first.

As American workers become increasingly concerned about job security and putting their children through college, it is perfectly legal under the immigration laws for employers to lay off qualified American workers and replace them with foreign workers and offer them a lower wage.

A new study released last Friday by the Labor Department's inspector general proves that the current means of protecting American workers under the immigration law simply do not work. Charles Masten, the inspector general, reported to Labor Secretary Reich:

> The programs do not protect U.S. workers' jobs or wages from foreign labor. Moreover, we found [that the] Department of Labor's role under the current program design amounts to little more than a paper shuffle for the program and a rubber stamping of applications. We believe program changes must be made to ensure that U.S. workers' jobs are protected and that their wage levels are not eroded by foreign labor.

The report of the inspector general is astounding. He found that 98.7 percent of workers whom employers are supposedly bringing into the United States are in fact already here. So when employers go through the charade of trying to recruit Americans first, the foreign worker is already here 98 percent of the time. And 74 percent of those foreign workers were already on the employers' payroll at the time the employer was supposedly required to recruit for American workers first. Do we understand that? So 74 percent of the foreign workers were already on the employers' payroll at the time the employer was supposedly required to recruit for American workers first.

Among workers that employers sponsor as immigrants, 10 percent never worked for the sponsoring employer. Once they got their green card, they immediately went to work for someone else. Of those who did actually work for the sponsoring employer, fully one-third left the job within 1 year. In effectively 60 percent of the cases, employers do not even bother to fill the job again once the immigrant leaves. In most cases in which the employer does refill the job, an American is hired 75 percent of the time.

These figures prove that the jobs are offered as a sham to get a particular immigrant a green card once they go through this hocus-pocus. That is a sham. They already have the worker in

place. As I will point out later, only 5 Americans out of 28,000 that have applied for these jobs, if they were basically offered them, have ever gotten the job. So they are filled with foreign workers. There is a reasonable chance that they have fired American workers previously.

Then once those workers are working and have gone through this process, they leave. They leave the employment, and then the employer goes out and gets somebody else. It is basically a sham. It places American workers at an enormous disadvantage. The inspector general says that over the period of his audit, the employment service referred 28,000 U.S. workers for interviews for 10,000 jobs that employers wanted to give to immigrants, and only five U.S. workers got the jobs. That is outrageous. These figures apply to the category of ''permanent immigrant workers.''

But the inspector general also found rampant abuse of American workers in the temporary worker program. There are two programs, Mr. President. There is the permanent program, where we have the authorization of up to 140,000 of what will be called the best and the brightest. I am going to come back to that. A more modest figure was approved here in 1990, but came out of the conference at the 140,000.

Some of those entering—for example, the Nobel laureate types—really are the best and the brightest. They can come into the United States without any requirement by the employer to recruit U.S. workers first. That is defined currently into law. I support that program.

All other permanent employment-based immigrants have go through the labor certification process—a procedure of reaching out to American workers.

That whole process is a sham. That whole process is a sham. That is what the IG report has pointed out—that 97 percent of the workers are already in their jobs and that they have been working there already for some period of time. Out of 28,000 applications, only 5 Americans got the job. And once the foreign workers get their permanent status, they can then leave because they effectively have their work permit, their green card. They can go for some other job. It is a revolving door. It is a sham in terms of protecting American workers.

The second program is for what is called the temporary workers. Up to 65,000 come in each year, though the number varies from year to year. For those individuals to enter—all we need is an employer to say that this individual has either the equivalent of a college education or 2 years of work experience. They do not have to go out or even go through the process to try to get American workers. Once they are in there, they can be in there for 6 years. That is a temporary job. What happens is they come in on a temporary worker visa, they stay for the 6 years allowed, they want to be here permanently, so they ask their employer, ''Look, I've been 6 years in my job. Will you go for one of the permanent ones for me?'' The employer says, ''OK. I know you have worked for us. I will make that application.'' Once they get it, they get the green card and go out the door.

That is effectively what is happening. It is a sham protection, something which is absolutely wrong and has to be redressed.

Now, Mr. President, I want to just take a moment of the time of the Senate to really get into where we are on these issues of the permanent work force and the temporary work force. This chart shows the permanent work force, the provision that said we need to open up the work force to let these best and the brightest come on into the United States of America. I remember that debate very clearly here. I believe it was the Senator from Pennsylvania, Senator SPECTER, who offered it at that time as part of the Immigration Act of 1990.

The Department of Labor did surveys of which industry employees could help energize the American economy at that time. Those would be individuals who, when placed in a particular industry, could multiply jobs because they were the best minds, and had special training and ability, and could add that special kind of insight, expertise, knowledge, and creativity to expand employment. It was perceived at that time, according to the National Science Foundation, that we were going to have critical shortages of scientists during that period of time. That is why Congress adopted the 140,000 number.

Now, looking at who has been included under the ''Best and the Brightest'' under this chart. As this chart reveals, very few are actually the best and brightest—the Nobel Laureate-type or some unique type of academician or expert. These are let in without labor screening.

The rest are let in here through the sham process of requiring employers to recruit U.S. workers first.

We took the time to go and see who these are. It is very interesting who they are: 12.9 percent are cooks; 10 percent are engineers on this chart; professors, 7.3 percent; also includes accountants and auditors, auto repair, tailors, jewelers. The area of ''computer-related'' is 17.8 percent; 31 percent are all less than 1 percent of those coming in here.

Mr. President, we have seen, as most recently the National Science Foundation has pointed out, the figures of 6 or 8 years ago, having shortages in various skills, they now find did not come about. Today, we have 60,000 qualified unemployed American engineers. Yet about 6,000 foreign engineers came in as immigrants. We have 60,000 Americans who are qualified for that position. They are never given the opportunity to really try for that position.

What is wrong with American workers? What is wrong with those? Nonetheless, we have heard the power of many of the business interests who said, ''Do not tamper with that particular provision. Do not tamper with it because it will effectively stop our economy.''

Mr. President, we ought to look and see that today under the more recent studies that have been done all indicate that with the exception of that very small group of the best and brightest—that amounts to about 20,000, which includes their families—we really do not need the sham recruitment requirement that is in current law. We certainly ought to establish a way to make sure that we will ask and find out if there are Americans ready, willing, and able to do this job before we bring in the foreign workers.

Now, Mr. President, looking at the other provision, where we talk about the temporary workers—the alleged temporary worker provision; 65,000 can come in each year under the immigration law. This chart gives an idea, in the black, which are the temporary workers, of the salaries they make. Look at the salaries they are making. If you take the two columns together, which is about 85 or 90 percent of all of the workers that come on in here as the temporaries, they are making less than $50,000.

Where are all the geniuses? Where are the Albert Einsteins that keep coming in here? Where are all of these people, when close to 90 percent of them are making less than $50,000? It is only the small numbers that come in up at this level that are the ablest and most gifted, the ones that really provide the impetus in terms of the American economy. They ought to be able to come on in to this country and provide their skills.

Mr. President, when we get down to it, we find that the great numbers are basically white-collar kinds of jobs—$50,000—that is a good salary. And they are effectively displacing the Americans from these solid, good, middle-class jobs.

Mr. President, let us look now at who is coming in under the temporary worker program. These are individuals where all the employer has to say is that the individual coming over has completed college or had 2 years of experience, and the employers provide what are called ''attestations'' that they will pay them a reasonable wage. These are the temporaries. Half of them are physical therapists. Mr. President, 50 percent of them are physical therapists. It was true that we had a shortage of physical therapists at one time. But our labor market is recovering now.

Mr. President, 23 percent are computer-related. The rest fall into a wide variety of different categories.

Mr. President, when we have 50 percent in this program who are physical therapists when so many community colleges and other fine schools and State universities are producing them today, individuals who want and deserve to be able to have a crack at the

job, and we are bringing that kind of percentage in here, it does not make sense. It does not make sense, Mr. President. We are effectively denying good, decent jobs to Americans that want to work, can work, have the skills to be able to work, so that others—foreigners—can come in.

What happens, Mr. President, is that those who come in under this program that I just mentioned here, the H–1 Program, are exploited. Why? Because they cannot leave the job that they are on. If they leave, they are illegal. So once they sign up, they are stuck with that employer for the whole 6 years, with no guarantee that they will have to receive any level of wages. Once you bring that person in, you can lower their wage—absolutely lower their wage—and get away with it. You can deny them any benefits at all.

What we will hear from the other side is that there can be an investigation of their conditions on being exploited. The only thing you have to do is get a complaint from someone. Well, who in the world is ever going to complain when they know once they complain they can be thrown out of the country? Under the Republican proposal, the Department of Labor cannot interfere even if they have reason to believe there is exploitation on this, unless they receive a complaint. Anything else has been prohibited under the Republican proposal.

Mr. President, this is a matter, I believe, of importance and consequence to working families. These are important jobs where Americans are available. In each of these categories, except at the very top level of immigration, there are more than enough Americans who are available for those jobs, and who want those jobs. Those are good jobs. Still, we find that they are unable to compete. I think that is wrong.

No piece of legislation ought to go through here that has that kind of depressing effect on wages, because, as I mentioned before, once someone enters under the H–1B program, they can drive the wages right down. They can replace American workers. Once employers get the foreign worker in, they can drive the wages down, which they more often do than not. We have had testimony in our Subcommittee that supports that. We had the testimony of a small businessman down in southern Texas that supplied workers for a number of companies in Texas who came up and asked him to replace his American workers with foreign workers in order to drive his costs down. It is absolutely wrong. We will have a chance on this legislation to work it through.

I see others that want to speak on the measure. Let me move toward a final item. Mr. President, with regard to the employment programs, as I mentioned before, both the IG from the Labor Department and the testimony is really quite complete. This is an area that ought to be addressed because of its impact in terms of American workers and the fact that it really, when we look behind the curtain of these programs, you find out there are good jobs that Americans are qualified for and that they deserve.

There are two, and only two, legitimate bases for employment-based immigration.

First, it can bring the world's best and brightest into our country to create jobs and improve our competitive position. We should welcome legitimate scientists, legitimate business leaders, legitimate artists and performers without hesitation. They enhance our economy, create jobs for U.S. workers, enrich our cultural life, and strengthen our society.

Second, employment-based immigration can meet skills shortages that arise in a growing economy, particularly an economy like ours that relies heavily on scientific and technological innovation for its growth and success. In certain circumstances, an employer's demand for skills cannot be met with sufficient speed or in adequate quantity by U.S. workers. In these circumstances, foreign workers can fill the skills gap, while the domestic labor market and the education and job training system adjust to the rising demand for workers with new or different skills.

Clearly, there are legitimate purposes for employment-based immigration. But we must also recognize that allowing employers to bring in foreign workers has an adverse effect on U.S. workers. Remaining globally competitive should never mean driving down the wages of U.S. workers and increasing their growing sense of insecurity in the workplace.

Instead, in reforming the employment-based immigration programs, we must assure that U.S. workers have a fair opportunity to get and keep good jobs and raise their family incomes. Four changes in the current system are needed to give U.S. workers this assurance of fairness and opportunity.

First, we must protect U.S. workers who already have good jobs from being laid off and replaced with foreign workers. With all the talk of job insecurity, corporate and defense downsizing, and stagnant family income, working families have a right to know that the immigration laws are not being abused to take away their jobs.

Second, we must give U.S. workers who have the skills and are willing, available, and qualified for these jobs a fair opportunity to be recruited for those jobs. Maintaining a strong and growing economy requires that U.S. workers obtain the training they need to merit global competition, and that they have a fair opportunity to use their skills in high-wage, high-skill jobs. We cannot expect working families to improve their economic status if we post ''Road Closed'' signs on the road to higher standards of living.

Third, when a job can be filled by a U.S. worker with a reasonable amount of training within a reasonable period of time, we must assure that the U.S. worker has a fair opportunity to obtain that training and get that job.

Fourth, and more generally, we must give U.S. workers a better chance at getting high-wage, high-skill jobs, without shutting off the safety valve of access to foreign labor markets that some employers may need to meet demands that U.S. workers cannot supply in sufficient quantity or with sufficient speed.

THE PERMANENT IMMIGRANT WORKER PROGRAM

There are two ways for employers to obtain foreign workers for jobs in the United States. The workers can be admitted permanently and become lawful permanent residents through the permanent immigrant worker program. Or, they can be admitted temporarily through one of several temporary, or nonimmigrant, worker programs.

Under current law, 140,000 foreign workers can be admitted into the United States each year through the Permanent Immigrant Worker program. These workers can run the gamut in skills from the most advanced Nobel Prize scientist to unskilled housekeepers and busboys.

One of the most significant changes we made in our system of legal immigration in 1990—the last time we attempted to reform employment-based immigration—was to increase by nearly threefold the numerical ceiling on employment-based immigrants. The number rose from 54,000 to 140,000 each year, and the changes also favored higher skilled immigrants. We did so because of dire warnings of serious high-skill labor shortages that we were all concerned would harm our economic growth, global competitiveness, and our potential to create high-skill, high-wage jobs for U.S. workers.

But these labor shortages never developed. In fact, actual use of the employment-based immigrant program for skilled workers has never come close to reaching the new ceiling level, and it has declined in the last 2 years. The closest we came to the ceiling was in 1993 when nearly 27,000 visas were used for Chinese students under the now-expired Chinese Student Protection Act. Another 10,000 visas were used for unskilled workers.

Use of the employment-based immigrant program for skilled workers and unskilled workers over the last 5 years has been well below the ceiling. In 1993, we admitted a total of 110,130. In 1994, we admitted 92,604, a 16-percent reduction from the previous year. In 1995, we admitted 73,239, a 21 percent reduction from the previous year. In sum, the numbers are well below the cap, and they have also been declining in each of the past several years.

At a time when we are seeking moderate reductions in legal immigration and reducing the visas available for reunifying families, we should also be reducing the employment-based immigration—especially when the positions are not being used and the trend-line is down. It is not fair that the whole

weight of the reductions in the number of legal immigrants should be borne by families and diversity immigrants.

Reducing the ceiling on employment-based immigration is not the same as cutting employment-based immigration. In fact, the reform I intend to propose—adjusting the cap on employment-based immigration from 140,000 to 100,000—would allow actual employment-based immigration to grow by one-third in future years—from 75,000 in 1995 to 100,000. Under current law and the pending bill, the program would nearly double in size.

It is clear that we went too far in 1990 when we increased the ceiling on employment-based immigration to 140,000. The three-fold increase was not needed and has not been approached by actual use. We should pare it back to the more reasonable number of 100,000, as recommended by the Jordan Commission and the Clinton administration. That line still allows reasonable growth in this category, and it also protects our national interest in economic growth, global competitiveness, and domestic job creation.

But immigration is about a great deal more than numbers. It is fundamentally about people. When we consider employment-based immigration, we must have a clear understanding of the kind of people we are admitting to our country and what skills and abilities they are bringing in with them.

Under current law, we divide permanent immigrant workers into two categories: immigrants who are subject to labor certification and immigrants who can be admitted without labor certification.

Labor certification is supposed to serve as a requirement that employers first recruit U.S. workers for a job, before seeking immigrant workers. Some workers are so exceptional that we should admit them regardless of the state of the domestic labor market. But employers should be permitted to obtain other foreign workers only if no U.S. workers with similar skills are willing, available, and qualified for the jobs into which the immigrant workers will be placed.

Those who are not subject to labor certification fit into the best and brightest category. In 1995, the category included 1,200 aliens of extraordinary ability, including recipients of major honors, great commercial success, or leadership positions in their field; more than 1,600 outstanding professors and researchers; almost 4,000 multinational executives and managers; and almost 3,000 special immigrants, who are primarily outstanding clerics.

The best and brightest are the job creators, men and women whose contributions to our country will undoubtedly be dramatic and substantial. We should welcome them without hesitation. Current law permits it, and should remain unchanged.

The workers subject to labor certification, on the other hand, are rarely the best and brightest. They are skilled workers, workers with advanced degrees or baccalaureate degrees. Under current law, up to 10,000 of them can be unskilled workers.

There is no reason for employers in this country to bring in unskilled immigrant workers. There is an abundance, even an overabundance, of unskilled U.S. workers looking for work. The Judiciary Committee supported my amendment almost unanimously to delete the unskilled category from the permanent immigrant worker program. Plainly, unskilled immigrants do not fit into either of the two categories of workers who should be welcomed into our country—the best and brightest and workers needed to fill skills shortages.

Apart from unskilled workers, the immigrants subject to labor certification are professionals with advanced degrees, professionals with baccalaureate degrees, and skilled workers. They may be needed to satisfy skill shortages. But employers may also put these workers in competition with thousands of U.S. workers for jobs that could be filled from the domestic work force.

Employers use these permanent immigrant workers to fill many positions—cooks, computer programmers, engineers of all types, teachers, retail and wholesale managers, accountants and auditors, biologists, auto repair mechanics, university professors, and tailors.

One useful measure of the skill level of these workers is their salaries. Employers tell the Labor Department how much they plan to pay the skilled immigrants they are seeking. Eighty percent of the jobs for foreign workers subject to labor certification pay $50,000 a year or less. Fewer than 3 percent of these jobs pay $80,000 or more.

A small number of employers use this employment-based immigration program to seek out the best and brightest, but it is clearly the exception, not the rule. A large number of working families in Massachusetts and across the United States would be gratified to have an opportunity to earn $50,000 a year working in computer programming. It is vitally important that we make certain that employers use this immigration program only to fill jobs for which qualified U.S. workers are not available.

We must have a labor certification process which actually results in employers successfully recruiting U.S. workers for these skilled jobs. At present, the Department of Labor certifies an employer's application for an immigrant worker based on a complex, labor-intensive, and expensive preadmission screening system. The current system does not and cannot assure that the conditions required for certification are actually achieved when the immigrant worker is employed. The Commission on Immigration Reform estimated that labor certification costs employers $10,000 per immigrant for administrative, paperwork, and legal costs.

To bring in these skilled immigrants, an employer must demonstrate that it was unsuccessful in finding a qualified U.S. worker to do the job, and that the job will pay at least the locally prevailing wage. Any employer who uses this employment-based immigration system will tell you that it takes a long time and an excessive amount of documentation.

The basic problem with this labor certification system is not that it is expensive and time consuming, but that it does not assure that able, available, willing, and qualified U.S. workers get the jobs. In fact, there is very little genuine recruitment.

Consider the case of Tony Rosaci and the members of his local union. Tony is the secretary-treasurer of Iron Workers Local Union No. 455 in New York City. The members of this local union helped build New York. They were the backbone of the effort to rehabilitate the Statue of Liberty. But when well-qualified members of the local union responded to more than 65 help wanted ads placed in New York newspapers by employers seeking permanent immigrant workers, they were rejected each time in favor of foreign workers. There were 65 referrals of qualified U.S. workers, and 65 rejections.

The story of Tony Rosaci's union members is not the exception. The Labor Department inspector general found that in all of the cases where employers complete the labor certification process, their recruitment efforts do not result in a U.S. worker getting the job in 99.98 percent of the cases—99.98 percent. That means a U.S. worker gets hired only 1 in 5,000 times. The system isn't working. It is badly broken.

U.S. workers do not have a fair opportunity to get these jobs because, in the overwhelming majority of cases, there is already a foreign temporary worker in the job who is trying to adjust to permanent status. The image that we all have of foreign workers waiting in their home countries until they are admitted to the United States under the employment-based immigration system is a fallacy.

In 1994, 42 percent of labor certified workers who gained permanent admission came directly from the temporary worker program. Some unknown additional number are either working illegally for their employer, or simply leave the country for a short period of time to expedite their application for permanent admission to the United States.

The Labor Department estimates that as many as 90 percent or more of the foreign workers admitted permanently to the United States have worked for the same employer who is helping the worker adjust to permanent status. Simply put, U.S. workers cannot get these jobs, because foreign temporary workers or illegally employed foreign workers are already in these jobs.

Employers use the labor certification system to make it look as though they are engaging in genuine recruitment. In reality, they intend all along to keep the foreign workers who are already working for them. Employers frequently create position descriptions for which only the incumbent worker can qualify. As a result, referrals of well-qualified U.S. workers in response to advertisements for these jobs—the humiliating experience shared by the members of Tony Rosaci's local union and thousands of other U.S. workers—waste everyone's time and add insult to injury for U.S. workers.

This system is a sham. It must be changed to give U.S. workers the fair opportunity they deserve to get these high-wage, high-skill jobs, and assure the public that the employment-based immigration system serves its stated purpose.

U.S. workers deserve a fair and genuine opportunity to get and keep high-wage, high-skill jobs before they are filled by the foreign temporary workers who will later become permanent immigrant workers. The best opportunity for U.S. workers to get these good jobs is at the front end of employment-based immigration—before foreign temporary workers fill the vacancy.

To achieve this goal, we must reform the temporary worker program—the principal path through which foreign skilled workers are admitted to the United States. We must add a requirement that employers recruit U.S. workers, before the jobs can be filled with foreign temporary workers.

But we must also change the permanent program. Instead of requiring the Department of Labor to conduct meaningless labor certification for every employer, the Department's Employment Service should instead target its enforcement to the employers most likely to present a problem. In this way, employers who play by the rules or who are not in a problem industry would not be subjected to labor certification. Employers who seek to adjust a worker's status from temporary to permanent, and who demonstrate that they engaged in a bona fide but unsuccessful recruitment effort before filling the job with a foreign temporary worker, would not be required to go through labor certification.

These reforms, combined with effective enforcement by the Labor Department, should help give U.S. workers a fairer chance at these jobs, and free employers from participation in a sham labor certification process.

UNDERSTANDING THE TEMPORARY WORKER PROGRAM

In order to fully understand the permanent immigrant program, it is necessary to understand the principal nonimmigrant employment-based program, called the H–1B Program. This program permits U.S. employers to bring into the United States skilled workers with college or higher degrees. The program is capped at 65,000 new visas each year, but employers can keep such workers in the United States for up to 6 years. Thus, there can be almost 400,000 H–1B workers in the United States at one time.

The program was originally conceived as a means to meet employers' temporary needs for unique, highly skilled professionals. But many employers use the program to bring into the United States relatively large numbers of foreign temporary workers with little or no formal training beyond a 4-year college degree. The typical foreign temporary worker is not a one-of-a-kind professor or a Ph.D. engineer as some news stories suggest and the business lobby would have us believe.

For fiscal year 1994, employers' applications for health care therapists—primarily physical therapists and occupational therapists—accounted for one-half—49.9 percent—of all H–1B jobs. Computer-related occupations accounted for almost one-quarter—23.9 percent—of these jobs. As with the permanent program, wage data from H–1B applications indicate that almost two-thirds—65 percent—of H–1B jobs pay $40,000 or less, and almost 3 out of 4—75 percent—jobs pay $50,000 or less.

Under current law, there is no obligation for employers to try to recruit qualified U.S. workers for these jobs. The only thing the employer must do is submit a one-page form. Employers must give the title of the job, the salary they intend to pay, and attest to four facts: First, they will pay the higher of the actual wage paid to similarly employed workers or the prevailing wage; second, they are not the subject of a strike or lockout; third, they have posted the requisite notice for their U.S. workers; and fourth, the working conditions of similarly employed U.S. workers will not be adversely affected.

This form is the only requirement. No other documentation is required of the employer. Current law gives the Labor Department 7 days to review these one-page forms, and prohibits the Department from rejecting the forms unless they are incomplete or have obvious inaccuracies. In simple terms, the H–1B Program is an open door for 65,000 skilled foreign workers to enter the United States each year.

This is one reason why Americans are so cynical about our immigration laws. This system is intended to help U.S. employers remain competitive in the face of technological change and competitive global markets. Instead, the system permits employers to bring in foreign temporary workers regardless of whether qualified U.S. workers are available, or even if U.S. workers are currently holding the jobs into which the foreign temporary workers are going to be placed. We must reform the H–1B Program.

S. 1665 ''REFORMS'' TAKE US IN THE WRONG DIRECTION

Unfortunately, the reforms currently contained in the legal immigration bill are inadequate if our goal is to assure U.S. workers a fair opportunity to get and keep high-wage, high-skill jobs.

Over my objections and those of many other Democratic Members, the Judiciary Committee stripped out many sensible reforms to the employment-based programs. The Judiciary Committee then made changes for foreign temporary professional workers. The changes were touted by their sponsors as providing layoff protection to American workers, and as giving the Department of Labor latitude in investigating companies that rely on temporary foreign workers.

The current bill does neither of these things. In fact, anyone who looks carefully at the current bill will conclude that it does just the opposite.

S. 1665 embraces the agenda of corporate America at the expense of American workers. The changes in the H–1B Program would have the overall effect of further weakening protections for U.S. workers from unfair competition with foreign workers, even though the protections in the existing program are already demonstrably inadequate. Current law does not require U.S. employers to recruit in the domestic labor market first, nor does it prohibit employers from hiring foreign workers to replace laid off U.S. workers in the same job.

To the contrary, S. 1665 provides no protection from employers who fire U.S. workers and hire foreign workers. In fact, S. 1665 is an endorsement of laying off U.S. workers in favor of foreign workers. We must strengthen current law to stop this from happening—not weaken current law and invite it to happen more.

The failure to protect U.S. workers from layoffs is not the only area in which this bill fails to protect U.S. workers. If S. 1665 becomes law existing worker protections would not apply to the large majority of employers who use the H–1B program;

Employers would be subject to lower wage payment requirements for foreign workers; and,

The Labor Department's enforcement ability to protect U.S. workers and foreign workers would be sharply curtailed.

In sum, the bill goes in exactly the wrong direction by making an already troublesome H–1B program even worse.

Instead, we need genuine reform of the H–1B program to protect U.S. workers and give them a fair opportunity to get and keep high-wage, high-skill jobs.

First, as with the program for permanent immigrants, we should make it illegal to lay off qualified American workers and replace them with temporary foreign workers.

Recent case histories have gained wide public attention because they are shocking to all of us. Syntel, Inc., is a Michigan company with more than 80 percent foreign temporary workers, primarily computer analysts from India. In its business operations, Syntel contracts to provide computer personnel and services to other companies. In New Jersey, Syntel contracted

with American International Group, a large insurance company, to provide computer services. Linda Kilcrease worked for AIG.

One day, without notice, AIG fired Linda along with 200 of her co-workers and replaced them with foreign temporary workers from Syntel. Adding insult to injury, Linda and her coworkers were forced to train their replacements during their final weeks on the job.

David Hoff was a database administrator in Arizona with Allied Signal, a defense contractor. David was asked to train two foreign workers to do his job. When he realized the company was about to replace him, he left the job and refused to train his foreign replacements.

Julie Cairns-Rubin worked for Sealand Services, a major shipping and trucking company, writing and maintaining computer software systems for the company's finances. She worked during the day and took night classes for advanced computer skills. Her training, hard work, and dedication were supposed to give her greater job security. Instead, Sealand fired Julie and replaced her with a foreign worker. Now Julie is unemployed.

Julie Cairns-Rubin, David Huff, and Linda Kilcrease should be rewarded for their skills and working hard for their employers. They are supposed to live the American dream. But the H–1B program under current law turns the American dream into the American nightmare, and S. 1665 makes this nightmare even worse.

John Martin owns a high-technology firm in Houston. He has been under pressure from clients to lay off his U.S. workers and bring in cheaper foreign workers at lower wages in order to cut costs. He refused, and has lost contracts to cheaper, H–1B firms as a result. John is an employer trying to play by the rules. But he can't compete with firms bringing in cheaper foreign labor.

Our law permits and encourages this behavior. Public outrage at such widely publicized layoffs are tarnishing our entire immigration system and adding to the growing sense of insecurity felt by U.S. workers. There is no legitimate justification for laying off U.S. workers and replacing them with foreign workers, and our immigration laws should prohibit it.

A second needed reform is to require employers to recruit for U.S. workers first, before being allowed to apply for a temporary foreign worker. Current law does not contain this simple, common sense principle—and it should.

Most employers who use the H–1B program say they are continuously recruiting in the domestic labor market, and would prefer hiring U.S. workers. So this change should not impose any hardship or additional burden on these employers.

This reform is simple and straightforward. Employers applying for a foreign worker under the H–1B program would have to check one additional box on their application form attesting that they have taken and are taking steps to recruit and retain U.S. workers—which employers assure us they are already doing.

The employer would attest that it had recruited in the domestic labor market using industry-wide standard recruitment procedures. Government would not mandate this standard.

If high-technology industries recruit quickly to win business, then that's the industry-wide standard that should be recognized under the immigration laws. This step will not delay firms which need workers quickly. But it will make sure that American workers get first crack at these good jobs.

The employer would also confirm that its recruitment offered the locally prevailing wage or the wage it actually pays similar workers, whichever is higher. Employers hiring foreign workers are already required, under current law, to pay these workers the higher of the actual or locally prevailing wage, so this reform imposes no new wage obligation. The reform would merely establish that the employer recruited U.S. workers by offering the same wages and other compensation that it would be obligated to pay to its foreign workers. That's only fair to U.S. workers.

This reform does not establish any new prevailing wage system. Under current law, employers must ascertain and promise to pay at least the locally prevailing wage. Employers can go to their State employment security agency to get the prevailing wage. Or, under current law, employers can rely on an ''independent authoritative source'' or another ''legitimate source'' for prevailing wage data. They are not required to come to the government to get this information under current law, and nothing I intend to propose would change that.

The employer would also attest that its domestic recruitment was unsuccessful. In other words, the employer need only state that it could not find a qualified U.S. worker for the job. Employers already tell us they face the problem of being unable to find available U.S. workers. It is this failure in the domestic labor market that the H–1B Program is supposed to address.

There are certain circumstances in which we would all agree that an employer should not be required to seek a U.S. worker. Existing law exempts from labor certification—and thereby from any recruitment requirement—foreign workers of extraordinary ability, outstanding professors and researchers, certain multinational executives and managers, and renowned clerics. These are truly the best and the brightest. They are Nobel-level scientists, the tenure-track professors, and top researchers. They should be admitted to the United States because they are unique and because there is no dispute that they will improve our society and increase our competitiveness. If we can get them, we should admit them.

If H–1B workers qualify under the permanent worker program as individuals with ''extraordinary ability'' or an ''outstanding professor or researcher,'' the employer could also hire them and bring them into the United States as H–1B workers, without having to engage in domestic recruitment. This is a reasonable accommodation of the concerns expressed by the business community, without jeopardizing U.S. workers.

In every other case, however, we are short-changing U.S. workers and our own national interests if we don't expect employers to recruit in the U.S. for jobs for which they are seeking foreign workers.

The third and final change I propose to the H–1B Program is to reduce the term of the visa from 6 years to 3 years. This is supposed to be a temporary visa, but most Americans would call it a permanent job. In fact, Americans from 25 to 34 years of age change jobs every 3½ years. Those age 35 to 44 change every 6 years.

Importing needed skills should usually be a short-term response to urgent needs, while adjusting to quickly changing circumstances.

Reducing the terms from 6 years to 3 years will also reduce the maximum number of foreign temporary workers in the country at any one time from about 400,000 to about 200,000. The 3-year period will also assure that these temporary workers are, indeed, temporary.

This change is important not only for U.S. workers who already have the skills for good jobs, but also for those who would like to acquire the necessary skills. The labor market will correct imbalances in the demand and supply of needed skills if it receives the proper signals. Allowing foreign temporary workers to stay in the United States for 6 years sends the wrong signal. The only valid, long-term response to skills shortages is training U.S. workers. A 3-year stay will promote skills training and job opportunities for qualified U.S. workers, and help overcome the wage stagnation affecting so many working families.

GIVING THE LABOR DEPARTMENT THE ENFORCEMENT AUTHORITY IT NEEDS

I have discussed a long list of reforms that are needed in the permanent worker program and the H–1B Temporary Worker Program. These reforms can help assure that employment-based immigration is fair to U.S. workers. It is vital that we enact these reforms. But they will be nothing more than empty words in the United States Code if the Labor Department does not have the enforcement authority to assure widespread compliance.

We must end the current mismatch of enforcement authority. The Department of Labor has the power to respond to complaints, initiate investigations, and conduct audits under the temporary worker program, although S. 1665 would unwisely curb these powers. However, under the permanent program, the authority of the Department

ends once the immigrant arrives on our shores. After the worker is here, there is little the Department can do to ensure that employers pay the prevailing wage and meet other terms and conditions of employment.

We must give the Department essentially the same post-admission enforcement powers for permanent foreign workers that it already has for temporary workers. Often, the temporary workers become permanent workers. The Department of Labor ought to have the same power to assure compliance after the workers convert to permanent resident status as before.

Such enforcement powers are important as a safeguard for workers' rights. They also ensure that the recruitment mechanism functions properly. To ensure that these requirements are met, the Labor Department must have the ability to seek out and identify employers that violate the law, assure that U.S. and foreign workers are protected or made whole, and impose penalties that will deter future violations and promote compliance.

Finally, we should also require payment of additional fees to cover the Labor Department's costs of administering the certification requirements and enforcement activities. Taxpayers should not have to foot the bill for the cost of providing employers with foreign workers.

Immigration has served America well for over two centuries. Its current troubles can be cured. If we fail to act responsibly the calls for Buchananism and Fortress America will only grow louder and more irresponsible. To protect our immigrant heritage, we must stop illegal immigration. We must end the abuses of American workers under our current immigration laws, and enact the many other reforms needed to strengthen this vital aspect of our history and our future.

Mr. President, I yield the floor at this particular time.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. Mr. President, I have a unanimous-consent request.

I ask unanimous consent that a letter from the Congressional Budget Office addressed to me as chairman of the Subcommittee on Immigration, dated April 15, 1996, be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 15, 1996.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: As requested by your staff, CBO has reviewed a possible amendment to S. 1664, the Immigration Control and Financial Responsibility Act of 1996, which was reported by the Senate Committee on the Judiciary on April 10, 1996. The amendment would alter the effective date of provisions in section 118 that would require states to make certain changes in how they issue driver's licenses and identification documents. The amendment would thereby allow states to implement those provisions while adhering to their current renewal schedules.

The amendment contains no intergovernmental mandates as defined in Public Law 104–4 and would impose no direct costs on state, local, or tribal governments. In fact, by delaying the effective date of the provisions in section 118, the amendment would substantially reduce the costs of the mandates in the bill. If the amendment were adopted, CBO estimates that the total costs of all intergovernmental mandates in S. 1664 would no longer exceed the $50 million threshold established by Public Law 104–4.

In our April 12, 1996, cost estimate for S. 1664 (which we identified at the time as S. 269), CBO estimated that section 118, as reported, would cost states between $80 million and $200 million in fiscal year 1998 and less than $2 million a year in subsequent years. These costs would result primarily from an influx of individuals seeking early renewals of their driver's licenses or identification cards. By allowing states to implement the new requirements over an extended period of time, the amendment would likely eliminate this influx and significantly reduce costs. If the amendment were adopted, CBO estimates the direct costs to states from the driver's license and identification document provisions would total between $10 million and $20 million and would be incurred over six years. These costs would be for implementing new data collection procedures and identification card formats.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL,
Director.

Mr. SIMPSON. Mr. President, I ask unanimous consent that a document from the Congressional Budget Office setting forth the estimated budgetary effects of the pending legislation be printed at this point in the RECORD, and I further note that the reference in this letter to S. 269, as reported by the Senate Committee on the Judiciary on April 10, 1996, means that these estimates apply to the legislation pending before the Senate as S. 1664.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 12, 1996.

Hon. ORRIN G. HATCH,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed federal, intergovernmental, and private sector cost estimates for S. 269, the Immigration Control and Financial Responsibility Act of 1996. Because enactment of the bill would affect direct spending and receipts, pay-as-you-go procedures would apply.

The bill would impose both intergovernmental and private sector mandates, as defined in Public Law 104–4. The cost of the mandates would exceed both the $50 million threshold for intergovernmental mandates and the $100 million threshold for private sector mandates specified in that law.

CBO's estimate does not include the potential cost of establishing a program to reimburse state and local governments for the full cost of providing emergency medical care to illegal aliens. As noted in the enclosed estimate, the drafting of this provision leaves many uncertainties about how the program would work and therefore precludes a firm estimate. The potential costs could, however, be significant.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 269.

2. Bill title: Immigration Control and Financial Responsibility Act of 1996.

3. Bill status: As reported by the Senate Committee on the Judiciary on April 10, 1996.

4. Bill purpose: S. 269 would make many changes and additions to Federal laws relating to immigration. Provisions having a potentially significant budgetary impact are highlighted below.

Title I would:

Direct the Attorney General to increase the number of Immigration and Naturalization (INS) border patrol agents by 700 in fiscal year 1996 and by 1,000 in each of the fiscal years 1997 through 2000; in addition, the number of full-time support positions for border patrol agents would be increased by 300 in each of the fiscal years 1996 through 2000;

Authorize appropriations of such sums as may be necessary to increase the number of INS investigator positions by 600 in fiscal year 1996 and by 300 in each of the fiscal years 1997 and 1998, and provide for the necessary support positions;

Direct the Attorney General and the Secretary of the Treasury to increase the number of land border inspectors in fiscal years 1996 and 1997 to assure full staffing during the peak border-crossing hours;

Authorize the Department of Labor (DOL) to increase the number of investigators by 350—plus necessary support staff—in fiscal years 1996 and 1997;

Direct the Attorney General to increase the detention facilities of the INS to at least 9,000 beds by the end of fiscal year 1997;

Authorize a one-time appropriation of $12 million for improvements in barriers along the U.S.-Mexico border;

Authorize the Attorney General to hire for fiscal years 1996 and 1997 such additional Assistant U.S. Attorneys as may be necessary for the prosecution of actions brought under certain provisions of the Immigration and Nationality Act;

Authorize appropriations of such sums as may be necessary to expand the INS fingerprint-based identification system (IDENT) nationwide;

Authorize a one-time appropriation of $10 million for the INS to cover the costs to deport aliens under certain provisions of the Immigration and Nationality Act;

Authorize such sums as may be necessary to the Attorney General to conduct pilot programs related to increasing the efficiency of deportation and exclusion proceedings;

Establish several pilot projects and various studies related to immigration issues, including improving the verification system for aliens seeking employment or public assistance;

Provide for an increase in pay for immigration judges;

Establish new and increased penalties and criminal forfeiture provisions for a number of crimes related to immigration; and

Permit the Attorney General to reemploy up to 100 federal retirees for as long as two years to help reduce a backlog of asylum applications.

Title II would:

Curtail the eligibility of non-legal aliens, including those permanently residing under

color of law (PRUCOL), in the narrow instances where they are now eligible for federal benefits;

Extend the period during which a sponsor's income is presumed or deemed to be available to the alien and require deeming in all federal means-tested programs, not just the ones that currently practice it;

Deny the earned income tax credit to individuals not authorized to be employed in the United States; and

Change federal coverage of emergency medical services for illegal aliens.

5. Estimated cost to the Federal Government: Assuming appropriation of the entire amounts authorized, enacting S. 269 would increase discretionary spending over fiscal years 1996 through 2002 by a total of about $3.2 billion. Several provisions of S. 269, mainly those in Title II affecting benefit programs, would result in changes to mandatory spending and federal revenues. CBO estimates that the changes in mandatory spending would reduce outlays by about $7 billion over the 1996–2002 period, and that revenues would increase by about $80 million over the same period. These figures do not include the potential costs of establishing a program to reimburse state and local governments for the full cost of providing emergency medical care to illegal aliens; these costs could amount to as much as $1.5 billion to $3 billion a year.

The estimated budgetary effects of the legislation are summarized in Table 1. Table 2 shows projected outlays for the affected direct spending programs under current law, the changes that would stem from the bill, and the projected outlays for each program if the bill were enacted. The projections reflect CBO's March 1996 baseline.

TABLE 1.—ESTIMATED BUDGETARY EFFECTS OF S. 269

[By fiscal years, in millions of dollars]

	1996	1997	1998	1999	2000	2001	2002
SPENDING SUBJECT TO APPROPRIATIONS ACTION							
Authorizations:							
Estimated authorization level	0	709	472	580	596	615	633
Estimated outlays	0	286	467	663	580	600	621
MANDATORY SPENDING AND RECEIPTS							
Direct spending:							
Estimated budget authority	0	−450	−927	−1,237	−1,427	−1,409	−1,549
Estimated outlays	0	−450	−927	−1,237	−1,427	−1,409	−1,549
Estimated Revenues	0	14	13	12	13	13	13

Note.—Estimates do not include potential costs of establishing a program to reimburse state and local governments for the full cost of providing emergency medical care to illegal aliens. These costs could amount to as much as $1.5 billion to $3 billion a year.

The costs of this bill fall within budget functions 550, 600, 750, and 950.

TABLE 2.—ESTIMATED EFFECTS OF S. 269 ON DIRECT SPENDING PROGRAMS

[By fiscal years, in millions of dollars]

	1995	1996	1997	1998	1999	2000	2001	2002
PROJECTED SPENDING UNDER CURRENT LAW								
Supplemental Security Income	24,510	24,017	27,904	30,210	32,576	37,995	34,515	40,348
Food Stamps [1]	25,554	26,220	28,094	29,702	31,092	32,476	33,847	35,283
Family Support Payments [2]	18,086	18,371	18,800	19,302	19,930	20,552	21,240	21,932
Child Nutrition	7,465	8,011	8,483	9,033	9,597	10,165	10,751	11,352
Medicaid	89,070	95,737	104,781	115,438	126,366	138,154	151,512	166,444
Earned Income Tax Credit (outlay portion)	15,244	18,440	20,191	20,894	21,691	22,586	23,412	24,157
Receipts of Employer Contributions	−27,961	−27,025	−27,426	−27,978	−28,258	−29,089	−29,949	−31,025
Total	151,968	163,771	180,827	196,601	212,994	232,839	245,328	268,491
PROPOSED CHANGES								
Supplemental Security Income		0	−100	−340	−500	−570	−500	−560
Food Stamps [1]		0	−10	−30	−40	−45	−45	−70
Family Support Payments [2]		0	−10	−15	−15	−20	−20	−25
Child Nutrition		0	0	0	−5	−20	−20	−25
Medicaid [3]		0	−115	−330	−460	−550	−600	−640
Earned Income Tax Credit (outlay portion)		0	−216	−214	−218	−222	−224	−229
Receipts of Employer Contributions		0	1	2	1	0	0	0
Total		0	−450	−927	−1,237	−1,427	−1,409	−1,549
PROJECTED SPENDING UNDER S. 269								
Supplemental Security Income	24,510	24,017	27,804	29,870	32,076	37,425	34,015	39,788
Food Stamps [1]	25,554	26,220	28,084	29,672	31,052	32,431	33,802	35,213
Family Support Payments [2]	18,086	18,371	18,790	19,287	19,915	20,532	21,220	21,907
Child Nutrition	7,465	8,011	8,483	9,033	9,592	10,145	10,731	11,327
Medicaid [3]	89,070	95,737	104,666	115,108	125,906	137,604	150,912	165,804
Earned Income Tax Credit (outlay portion)	15,244	18,440	19,975	20,680	21,473	22,364	23,188	23,928
Receipts of Employer Contributions	−27,961	−27,025	−27,425	−27,976	−28,257	−29,089	−29,949	−31,025
Total	151,968	163,771	180,377	195,674	211,757	231,412	243,919	266,942
Changes to Revenues		0	14	13	12	13	13	13
Net Deficit effect		0	−464	−940	−1,249	−1,440	−1,442	−1,562

[1] Food Stamps includes Nutrition Assistance for Puerto Rico. Spending under current law includes the provisions of the recently-enacted farm bill.

[2] Family Support Payments includes spending on Aid to Families with Dependent Children (AFDC), AFDC-related child care, administrative costs for child support enforcement, net federal savings from child support collections, and the Job Opportunities and Basic Skills Training program (JOBS).

[3] Estimates do not include potential costs of establishing a program to reimburse state and local governments for the full cost of providing emergency medical care to illegal aliens. These costs could amount to as much as $1.5 billion to $3 billion a year.

Notes.—Assumes enactment date of August 1, 1996. Estimates will change with later effective date. Details may not add to totals because of rounding.

6. Basis of estimate: For purposes of this estimate, CBO assumes that S. 269 will be enacted by August 1, 1996.

SPENDING SUBJECT TO APPROPRIATIONS

The following estimates assume that all specific amounts authorized by the bill would be appropriated for each fiscal year. For programs in the bill for which authorizations are not specified, or for programs whose specific authorizations do not provide sufficient funding, CBO estimated the cost based on information from the agencies involved. Estimated outlays, beginning in 1997, are based on historical rates for these or similar activities. (We assumed that none of the bill's programs would affect outlays in 1996.)

The provisions in this bill that affect discretionary spending would increase costs to the federal government by the amounts shown in Table 3, assuming appropriation of the necessary funds. In many cases, the bill authorizes funding for programs already authorized in the Violent Crime Control and Law Enforcement Act of 1994 (the 1994 crime bill) or already funded by fiscal year 1996 appropriations action. For example, the additional border patrol agents and support personnel in title I already were authorized in the 1994 crime bill through fiscal year 1998. For such provisions, the amounts shown in Table 3 reflect only the cost above funding authorized in current law.

In the most recent continuing resolution enacted for fiscal year 1996, appropriations for the Department of Justice total about $14 billion, of which about $1.7 billion is for the INS.

TABLE 3.—SPENDING SUBJECT TO APPROPRIATIONS ACTION

[By fiscal years, in millions of dollars]

	1997	1998	1999	2000	2001	2002
Estimated authorization levels:						
Additional Border Patrol agents	.....	.....	97	97	100	103
Additional investigators	97	152	159	165	171	178
Additional inspectors	24	32	34	35	37	39
Additional DOL employees	27	29	30	31	33	34
Detention facilities	418	187	187	194	198	204
Barrier improvements	20	.....	.....	.....	.....	.....
Additional U.S. Attorneys	23	46	48	49	51	52
IDENT expansion	87	22	22	22	22	22
Deportation costs	10	.....	.....	.....	.....	.....
Pilot programs	2	3	2	2	2	.....
Pay raise for immigration judges	1	1	1	1	1	1
Total	709	472	580	596	615	633
Estimated Outlays	286	467	663	580	600	621

REVENUES AND DIRECT SPENDING

S. 269 would have a variety of effects on direct spending and receipts. The most significant effects would stem from new restrictions on payment of federal benefits to aliens, in Title II of the bill. That title would curtail the eligibility of non-legal aliens, including those permanently residing under color of law (PRUCOL), in the narrow instances where they are now eligible for federal benefits. It would require that all federal means-tested programs weigh sponsors' income (a practice known as deeming) for a minimum of 5 years after entry when gauging an immigrant's eligibility for benefits, and would require an even longer deeming period—lasting 10 years or more after arrival—for future entrants. It would make sponsors' affidavits of support legally enforceable. These provisions would save money in federal benefit programs. Partly offsetting those savings, the bill proposes one major change that could add to federal costs—a provision that is apparently intended to require the federal government to pay the full cost of emergency Medicaid services for illegal aliens. However, ambiguities in the drafting of that provision prevent CBO from estimating its effect. Although the provisions affecting benefit programs dominate the direct spending implications of S. 269, other provisions scattered throughout Titles I and II would have small effects on collections of fines and penalties and on the receipts of federal retirement funds.

Fines. The imposition of new and enhanced civil and criminal fines in S. 269 could cause governmental receipts to increase, but CBO estimates that any such increase would be less than $500,000 annually. Civil fines would be deposited into the general fund of the Treasury. Criminal fines would be deposited in the Crime Victims Fund and would be spent in the following year. Thus, direct spending from the fund would match the increase in revenues with a one-year lag.

Forfeiture. New forfeiture provisions in S. 269 could lead to more assets seized and forfeited to the United States, but CBO estimates that any such increase would be less than $500,000 annually in value. Proceeds from the sale of any such assets would be deposited as revenues into the Assets Forfeiture Fund of the Department of Justice and spent out of that fund in the same year. Thus, direct spending from the Assets Forfeiture Fund would match any increase in revenues.

Supplemental Security Income. The SSI program pays benefits to low-income people with few assets who are aged 65 or older or disabled. According to tabulations by the Congressional Research Service (CRS), the SSI program for the aged is the major benefit program with the sharpest contrast in participation between noncitizens and citizens. CRS reported that nearly one-quarter of aliens over the age of 65 receive SSI, versus about 4 percent of citizens. The Social Security Administration states that about 700,000 legal aliens collect SSI (although some unknown fraction of those ''aliens'' are really naturalized citizens, whose change in status is not reflected in program records). About three-quarters of alien SSI recipients are immigrants legally admitted for permanent residence, who must serve out a waiting period during which their sponsor's income is ''deemed'' to them before they can go on the program. That waiting period was lengthened to 5 years in 1994 but is slated to return to 3 years in October 1996. The other one-quarter of alien recipients of SSI are refugees, asyelees, and PRUCOLs.

S. 269 would prevent the deeming period from returning to 3 years in October 1996. Instead, the deeming period would remain at 5 years (for aliens who entered the country before enactment) and would be lengthened to 10 years or more for aliens who enter after the date of enactment. Specifically, for a future entrant, deeming in all federal means-tested programs would last until the alien had worked for 40 quarters in Social Security-covered employment—a condition that elderly immigrants, in particular, would be unlikely ever to meet. By requiring that all income of the sponsor and spouse be deemed ''notwithstanding any other provision of law,'' S. 269 would also nullify the exemption in current law that waives deeming when the Social Security Administration (SSA) determines that the alien applicant became disabled after he or she entered the United States.

Data from SSA records show very clearly that many aged aliens apply for SSI as soon as their deeming period is over, though such a pattern is much less apparent among younger aliens seeking benefits on the basis of disability. CBO estimates that lengthening the deeming period from 3 years to 5 years (or longer), and striking the exemption from deeming for aliens who became disabled after arrival, would save about $0.1 billion in 1996, and $0.3 billion to $0.4 billion a year in 1997 through 2002. Nearly two-thirds of the savings would come from the aged, and the rest from the disabled.

S. 269 would also eliminate eligibility for SSI benefits of aliens permanently residing under color of law (PRUCOLs). That label covers such disparate groups as parolees, aliens who are granted a stay of deportation, and others with various legal statuses. PRUCOLs currently make up about 5 percent of aliens on the SSI rolls. CBO assumes that some would successfully seek to have their classification changed to another category (such as refugee or asylee) that would protect their SSI benefits. The remainder, though, would be barred from the program, generating savings of about $0.5 billion over 7 years.

Food Stamps. The estimated savings in the Food Stamp program—$0.2 billion over 7 years—are considerably smaller than those in SSI but likewise stem from the deeming provisions of S. 269. The Food Stamp program imposes a 3-year deeming period. Therefore, lengthening the deeming period (to 5 years for aliens already here and longer for future entrants) would save money in food stamps. S. 269 contains a narrow exemption from deeming for aliens judged to be at immediate risk of homelessness or hunger. Because the Food Stamp program already denies benefits to most PRUCOLs, no savings are estimated from that source.

Family Support. The provisions that would generate savings in SSI and food stamps would also lead to small savings in the AFDC program. The AFDC program already deems income from sponsors to aliens for 3 years after the alien's arrival. S. 269 would lengthen that period to at least 5 years (longer for future entrants). The $0.1 billion in total savings over the 1997–2002 period would stem overwhelmingly from the lengthening of the deeming period. Savings from ending the eligibility of PRUCOLs are estimated to be just a few million dollars a year.

Child Nutrition. S. 269 would require that the child nutrition program begin to deem sponsors' income to alien schoolchildren when weighing their eligibility for free or reduced-price lunches. Child nutrition does not employ deeming now. It does, however, take parents' income into account when determining eligibility. CBO therefore assumed that savings in child nutrition would stem mainly from the minority of cases in which a relative other than a parent (say, a grandparent or an aunt) sponsored the child's entry into the United States. CBO assumed that it would take at least two years to craft regulations and implement deeming in school systems nationwide, therefore precluding savings until 1999. Savings of about $20 million a year would result once the deeming provision took full effect.

S. 269 explicitly preserves eligibility for the child nutrition program for illegal alien schoolchildren. CBO assumed, however, that the stepped-up screening that would be required to enforce deeming for legally admitted children would lead some illegal alien children to stop participating in the program, because their parents would fear detection.

Medicaid. S. 269 would erect several barriers to Medicaid eligibility for recent immigrants and future entrants into this country. In most cases, AFDC or SSI eligibility carries Medicaid eligibility along with it. By restricting aliens' access to those two cash programs, S. 269 would thereby generate Medicaid savings. Medicaid now has no deeming requirement at all; that is, program administrators do not consider a sponsor's income when they gauge the alien's eligibility for benefits. Therefore, it is possible for a sponsored alien to qualify for Medicaid even before he or she has satisfied the SSI waiting period. S. 269 would change that by requiring that every means-tested program weigh the income of a sponsor for at least 5 years after entry. Under current law, PRUCOLs are specifically eligible for Medicaid; S. 269 would make them ineligible.

To estimate the savings in Medicaid, CBO first estimated the number of aliens who would be barred from the SSI and AFDC programs by other provisions of S. 269, CBO then added another group—dubbed ''noncash beneficiaries'' in Medicaid parlance because they participate in neither of the two cash programs. The noncash participants who would be affected by S. 269 essentially fall into two groups. One is the group of elderly (and, less importantly, disabled) aliens with financial sponsors who, under current law, seek Medicaid even before they satisfy the 3-year wait for SSI; the second is poor children and pregnant women who could, under current law, qualify for Medicaid even if they do not get AFDC. CBO multiplied the estimated number of aliens affected times an average Medicaid cost appropriate for their group. That average cost is significantly higher for an aged or disabled person than for a younger mother or child. In selecting an average cost, CBO took into account the fact that relatively few aged or disabled aliens receive expensive long-term care in Medicaid-covered institutions, but that on the other hand, few are eligible for Medicare. The resulting estimate of Medicaid savings was then trimmed by 25 percent to reflect the fact that—if the aliens in question were barred from regular Medicaid—the federal government would likely end up paying more in reimbursements for emergency care and for uncompensated care. The resulting savings in Medicaid would

climb from $0.1 billion in 1997 to about $0.6 billion a year in 2000 through 2002, totaling $2.7 billion over the 1996—2002 period.

One of the few benefits for which illegal aliens now qualify is emergency Medicaid, under section 1903(v) of the Social Security Act. Section 212 of S. 269 is apparently intended to make the federal government responsible for the entire cost of emergency medical care for illegal aliens, instead of splitting the cost with states as under the current matching requirements of Medicaid. However, the drafting of the provision leaves several legal and practical issues dangling. S. 269 would not repeal the current provision in section 1903(v). It would apparently establish a separate program to pay for emergency medical care. Although it stipulates that funding must be set in advance in appropriation acts, it also provides that states and localities would therefore have an open-ended right to reimbursement, notwithstanding the ceiling implied in an appropriation act.

S. 269 orders the Secretary of Health and Human Services (HHS), in consultation with the Attorney General, to develop rules for reimbursement. Emergency patients often show up with no insurance and little other identification; therefore, if HHS drafted stringent rules for verification, it is possible that very few providers could collect the reimbursement. On the other hand, if HHS required only minimal identification, providers would have an incentive to classify as many patients as possible in this category because that would maximize their federal reimbursement. S. 269 does not state whether reimbursement would be subject to the usual limits on allowable charges in Medicaid, or whether providers could bill the federal government for their full cost. Nor is it clear whether the program would use the same definition of emergency care as in Medicaid law.

Although the budgetary effects of Section 212 cannot be estimated, some idea of its potential costs can be gained by looking at analogous proposals for the Medicaid program. CBO estimates that modifying Medicaid to reimburse states and localities for the full cost of emergency care for illegal aliens would cost approximately $1.5 billion to $3 billion per year. That estimate assumes that Medicaid would continue to use its current definition of emergency care and its current schedule of charges. It also assumes that states would seek to classify more aliens and more services in this category, in order to collect the greatest reimbursement.

Similarly, section 201 of the bill is meant to qualify certain mothers who are illegal aliens for pre- and post-partum care under the Medicaid program. In general, poor women who are citizens or legal immigrants can now get such care through Medicaid, but illegal aliens cannot. Although the bill would authorize $120 million a year for such care, the new benefit would in fact be open-ended because of the entitlement nature of the Medicaid program. CBO does not have enough information to estimate the provision's cost, which would depend critically on the type of documentation demanded by the Secretary of HHS to prove that the mothers met the requirement of 3 years of continuous residence.

Earned Income Tax Credit. S. 269 would deny eligibility for the Earned Income Tax Credit (EITC) to workers who are not authorized to be employed in the United States. In practice, that provision would work by requiring valid Social Security numbers to be filed for the primary and secondary taxpayers on returns that claim the EITC. A similar provision was contained in President Clinton's 1996 budget proposal and in last fall's reconciliation bill. The Joint Committee on Taxation estimates that the provision would reduce the deficit by approximately $0.2 billion a year.

Other programs. Entitlement or direct spending programs other than those already listed are estimated to incur negligible costs or savings over the 1997–2002 period as a consequence of S. 269. The foster care program does not appear on any list of exemptions in S. 269; but since the program does not employ deeming now, and since it is unclear how deeming could be made to work in that program (for example, whether it would apply to foster care children or parents), CBO estimates no savings. CBO estimates that the bill would not lead to any significant savings in the student loan program. The Title XX social services program, and entitlement program for the states, is funded at a fixed dollar amount set by the Congress; the eligibility or ineligibility of aliens for services would not have any direct effect on those dollar amounts.

S. 269 would have a small effect on the net outlays of Federal retirement programs. Section 196 of the bill would permit certain civilian and military retirees to collect their full pensions in addition to their salary if they are reemployed by the Department of Justice to help tackle a backlog of asylum applications. CBO estimates that about 100 annuitants would be affected, and that net outlays would increase by $1 million to $2 million a year in 1997 through 1999.

CBO judges that S. 269 would not lead to any savings in Social Security, unemployment insurance, or other federal benefits that are based on earning. S. 269 would deny benefits if the alien was not legally authorized to work in the United States. Since 1972, however, the law has ordered the Social Security Administration to issue Social Security numbers (SSNs) only to citizens and to aliens legally authorized to work here. A narrow exception is ''nonwork'' SSNs, granted for purposes such as enabling aliens to file income taxes. Since all work performed by aliens who received SSNs after 1972 is presumed to be legal, and since verifying the work authorization of people who received SSNs before 1972 is an insuperable task, CBO estimates no savings in these earnings-related benefits.

7. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. Because several sections of this bill would affect receipts and direct spending, pay-as-you-go procedures would apply. These effects are summarized in the following table.

[By fiscal years, in millions of dollars]

	1996	1997	1998
Change in outlays	0	−450	−927
Change in receipts	0	14	13

Note.—Estimates do not include potential costs of establishing a program to reimburse state and local governments for the full cost of providing emergency medical care to illegal aliens. These costs could amount to as much as $1.5 billion to $3 billion a year.

8. Estimated impact on State, local, and tribal governments: See the enclosed intergovernmental mandates statement.

9. Estimated impact on the private sector: See the enclosed private sector mandates statement.

10. Previous CBO estimate: On March 4, 1996, CBO provided an estimate of H.R. 2202, an immigration reform bill reported by the House Committee on the Judiciary. (The bill was subsequently passed by the House, with amendments.) That bill had many provisions in common with S. 269. However, the deeming restrictions proposed in H.R. 2202 applied exclusively to future entrants; aliens who entered before the enactment date would not have been affected. Therefore, S. 269—which would apply deeming to aliens who entered in the last 5 years as well as to future entrants—would result in larger savings in many benefit programs. Also, projected discretionary spending under S. 269 would be less than under H.R. 2202.

In 1995, CBO prepared many estimates of welfare reform proposals that would have curtailed the eligibility of legal aliens for public assistance. Examples include the budget reconciliation bill (H.R. 2491) and the welfare reform bill (H.R. 4), both of which were vetoed.

11. Estimate prepared by: Mark Grabowicz, Wayne Boyington, Sheila Dacey, Dorothy Rosenbaum, Robin Rudowitz, Kathy Ruffing, and Stephanie Weiner.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

CONGRESSIONAL BUDGET OFFICE ESTIMATE OF COSTS OF PRIVATE SECTOR MANDATES

1. Bill number: S. 269.

2. Bill title: Immigration Control and Financial Responsibility Act of 1996.

3. Bill status: As reported, by the Senate Committee on the Judiciary on April 10, 1996.

4. Bill purpose: S. 269 would make changes and additions to federal laws relating to immigration.

5. Private sector mandates contained in the bill: Several provisions of the bill would impose new requirements on the private sector. In general, the private sector mandates in S. 269 lie in three areas: (1) provisions that affect the transportation industry, (2) provisions that affect aliens within the borders of the United States, and (3) provisions that affect individuals who sponsor aliens and execute affidavits of support. The estimated impacts of these mandates do not include any costs imposed on individuals not within the borders of the United States.

6. Estimated direct cost to the private sector: CBO estimates that the direct costs of private sector mandates identified in S. 269 would be less than $100 million annually through 1999, but would rise to over $100 million in 2000 and $300 million in 2001. In 2002 and thereafter, the direct costs would exceed $600 million annually. The large majority of those costs would be imposed on sponsors of aliens who execute affidavits of support, such costs are now borne by the federal government and state and local governments for the provision of benefits under public assistance programs. Assuming enactment of S. 260 this summer, CBO expects that the mandates in the bill would be effective beginning in fiscal year 1997.

Basis of estimate

Title I, subtitle A—Law enforcement

Section 151 would impose new mandates on the transportation industry—in particular, those carriers arriving in the U.S. from overseas. Agents that transport stowaways to the U.S., even unknowingly, would be responsible for detaining them and for the costs associated with their removal. This mandate is not expected to impose large costs on the transportation industry. Over the last two years a total of only about 2000 stowaways have been detained.

Section 154 would require aliens who seek to become permanent residents to show documented proof that they have been immunized against a list of diseases classified as ''vaccine-preventable'' by the Advisory Committee on Immunization Practices. That requirement would impose costs on aliens who were not immunized previously or were unable to document that they had been immunized. Some of the costs might be paid for by state and local governments through public clinics. The total cost of the mandate to

aliens residing in the United States would be expected to be less than $40 million a year.

Section 155 would impose two new requirements on aliens in the U.S. who seek to adjust their status to permanent resident for the purpose of working as nonphysician health care workers. First, those aliens would be required to present a certificate from the Commission on Graduates of Foreign Nursing Schools (or an equivalent body) that verifies that the alien's education, training, license, and experience meet standards comparable to those required for domestically trained health care workers employed in the same occupation. Second, those aliens would be required to attain a certain score on a standardized test of oral and written English language proficiency.

The aggregate direct costs of complying with the new requirements imposed on nonphysician health care workers would depend on several factors: the number of aliens that attempt to adjust their status to permanent resident for the purpose of becoming a nonphysician health care worker; the costs of obtaining proof of certification and of taking an English language test; and the cost of conforming to the higher standard for those not initially qualified who would attempt to do so. At this point CBO does not have quantitative information on these factors but we do not believe that the aggregate direct costs of these mandates would be substantial. Nevertheless, for certain individuals the cost of meeting these requirements would be large.

Title II—Financial responsibility

Title II would impose new requirements on citizens and permanent residents who execute affidavits of support for legal immigrants. At present, immigrants who are expected to become public charges must obtain a financial sponsor who signs an affidavit of support. A portion of the sponsor's income is then ''deemed'' to the immigrant for use in the means-test for several federal welfare programs. Affidavits of support, however, are not legally binding documents. S. 269 would make affidavits of support legally binding, expand the responsibilities of financial sponsors, and place an enforceable duty on sponsors to reimburse the federal government or states for benefits provided in certain circumstances.

Supporting aliens to prevent them from becoming public charges would impose considerable costs on sponsors, who are included in the private sector under the Unfunded Mandates Reform Act of 1995. CBO estimates that sponsors of immigrants would face over $20 million in additional costs in 1997. Costs would grow quickly, however. Over the period from 1998 to 2001, assuming that affidavits of support would be enforced, the costs to sponsors of immigrants would exceed $100 million annually and would total about $500 million during the first five years that the mandate would be effective.

Other provisions

Several other provisions in S. 269 would impose new mandates on citizens and aliens but would result in little or no monetary cost. For example, Title II contains a new mandate that would require sponsors to notify the federal and state governments of any change of address. CBO estimates that the direct cost of these provisions would be minimal.

Section 116 of Title I would change the acceptable employment-verification documents and authorize the Attorney General to require individuals to provide their Social Security number on employment forms attesting that the individual is not an unauthorized alien. CBO estimates that the direct costs of complying with that requirement would also be minimal.

Section 181 of Title I would add categories of aliens who would not be permitted to adjust from non-immigrant to immigrant status. Any alien not in a lawful immigrant status would not be allowed to become an employment-based immigrant. Also, aliens who were employed while an unauthorized alien, or who had otherwise violated the terms of a nonimmigrant visa, would not be allowed to become an immigrant. Although these provisions would have significant impacts on certain members of the private sector, there would be no direct costs as defined by P.L. 104–4.

7. Previous CBO estimate: On March 13, 1996, CBO prepared a private sector mandate statement on H.R. 2202, the Immigration in the National Interest Act of 1995, which was ordered reported by the House Committee on the Judiciary on October 24, 1995.

8. Estimate prepared by: Daniel Mont and Matt Eyles.

9. Estimate approved by: Joseph R. Antos, Assistant Director for Health and Human Resources.

CONGRESSIONAL BUDGET OFFICE ESTIMATED COST OF INTERGOVERNMENTAL MANDATES

1. Bill Number: S. 269.

2. Bill title: Immigration Control and Financial Responsibility Act of 1996.

3. Bill Status: As reported by the Senate Committee on the Judiciary on April 10, 1996.

4. Bill purpose: S. 269 would make many changes and additions to federal laws relating to immigration. The bill would also require changes to the administration of state and local transportation, public health, and public assistance programs. Demonstration projects for verifying immigration status and for determining benefit eligibility would be conducted in a number of states, pursuant to agreements between those states and the Attorney General. Section 118 would require state and local governments to adhere to certain standards in the production of birth certificates, driver's licenses, and identification documents. Sections 201 and 203 would limit the eligibility of many aliens for public assistance and other benefits. In addition, Title II would authorize state and local governments to implement measures to minimize or recoup costs associated with providing certain benefits to legal and non-legal aliens.

5. Intergovernmental mandates contained in bill:

State and local governments that issue birth certificates would be required to use safety paper that is tamper- and counterfeit-resistant, comply with new regulations established by the Department of Health and Human Services (HHS), and prominently note on a copy of a birth certificate if the person is known to be deceased.

State agencies issuing driver's licenses or identification documents would be required either to print Social Security numbers on these items or collect and verify the number before issuance. They would also be required to comply with new regulations to be established by the Department of Transportation (DOT).

State employment security agencies would be required to verify employment eligibility and complete attestations to that effect prior to referring an individual to prospective employers.

State and local agencies administering public assistance and regulatory programs would be required to:

Deny eligibility in most state and local means-tested benefit programs to non-legal aliens, including those ''permanently residing under color of law'' (PRUCOL). (PRUCOLS are aliens whose status is usually transitional or involves an indefinite stay of deportation);

Weigh sponsors' income (a practice known as deeming) for 5 years or longer after entry when gauging a legal alien's eligibility for benefits in some large federal means-tested entitlement programs;

Request reimbursement from sponsors via certified mail and in compliance with Social Security Administration regulations if notified that a sponsored alien has received benefits from a means-tested program;

Notify, either individually or publicly, all ineligible aliens who are receiving benefits or assistance that their eligibility is to be terminated; and

Deny non-legal aliens and PRUCOLs the right to receive grants, enter into contracts or loan agreements, or receive or renew professional or commercial licenses.

State and local governments would be prohibited from imposing any restrictions on the exchange of information between governmental entities or officials and the Immigration and Naturalization Service (INS) regarding the immigration status of individuals.

6. Estimated direct cost of mandates on State, local, and tribal governments:

(a) *Is the $50 Million Threshold Exceeded?* Yes.

(b) *Total Direct Costs of Mandates:* CBO estimates that these mandates would impose direct cost on state, local, and tribal governments totaling between $80 million and $200 million in fiscal year 1998. In the four subsequent years, mandate costs would total less than $2 million annually. State, local, and tribal governments could face additional costs associated with the deeming requirements in each of the 5 years following enactment of the bill; however, CBO cannot quantify such costs at this time.

S. 269 also includes a number of provisions that, while not mandates, would result in significant net savings to state, local, and tribal governments. CBO estimates these savings could total several billion dollars over the next five years.

(c) *Estimate of Necessary Budget Authority:* Not applicable.

7. Basis of estimate: Of the mandates listed above, the requirements governing birth certificates and driver's licenses would impose the most significant direct costs. The bill would require issuers of birth certificates to use a certain quality safety paper when providing copies to individuals if those copies are to be acceptable for use at any federal office or state agency that issues driver licenses or identification documents. While many state issuers are adequate quality safety paper, many local clerk and registrar offices do not. The bill also requires states either to collect Social Security numbers from driver's license applicants or to print the number on the driver's license card. While a significant number of states currently use Social Security numbers as the driver's license number, the most populous states neither print the number on the card nor collect if for reference purposes.

For the purposes of preparing this estimate, CBO contacted state and local governments, public interest groups representing these governments, and a number of officials from professional associations. Because of the variation in the way state and local governments issue birth certificates, we contacted clerks and registrars in eleven states in an effort to assess the impact of the birth certificate provisions. To estimate the cost of the driver's license requirements, we contacted over twenty state government transportation officials. Most state and local governments charge fees for issuing driver's licenses and copies of birth certificates. Those governments may choose to use revenues from these fees to pay for the expenses associated with the mandates. Under Public Law

104–4, however, these revenues are considered a means of financing and as such cannot be counted against the mandate costs of S.269.

Mandates with significant costs

Birth Certificates. Based on information from state registrars of vital statistics, CBO estimates that 60 percent of the approximately 18 million certified copies of birth certificates issued each year in the United States are printed on plain bond paper or low quality safety paper. CBO assumed that state and local issuing agencies needing to upgrade the quality of the paper would spend, on average, about $0.10 per certificate. In addition, CBO expects the bill would induce some individuals holding copies of birth certificates that do not conform to the required standards to request new birth certificates when they would not have otherwise done so. CBO estimated that issuing agencies across the country would experience a 20 percent increase in requests for copies of birth certificates for at least five years. On this basis, CBO estimates that the birth certificate provisions in the bill would impose direct printing and personnel costs on state and local governments totaling at least $2 million per year in each of the five years following the effective date of the provision. In addition, some state and local governments would have to replace or modify equipment in order to respond to the new requirements. CBO estimates these one-time costs would not exceed $5 million.

Driver's Licenses. Less than half of the states include Social Security numbers on all driver's licenses or perform some type of verification with the Social Security Administration. In fact, the states with the highest populations tend to be the states that do not have these requirements, and some state laws prohibit the collection of Social Security numbers for identification and driver's license purposes. CBO estimates that of the 185 million driver's licenses and identification cards in circulation, less than 40 percent would be in compliance with the requirements of S. 269. Any driver's license or identification card that does not comply with those requirements would be invalid for any evidentiary purpose.

Given the common use of these documents as legal identifiers, CBO assumed that at least half of those individuals who currently have driver's licenses or identification cards that do not meet the requirements of S. 269 would seek early renewals. CBO assumed that states would face additional printing costs of between $0.75 and $1.20 per document, increased administrative costs resulting from the influx of renewals, and, for some states, one time system conversion costs. We estimate that direct costs, assuming a limited number of additional renewal requests, would total $80 million in the first year. If more people sought early renewals, total costs could easily approach $200 million in the first year.

The driver's license provisions in the bill would be effective immediately upon enactment. Because of the significant processing and administrative changes that states would face under these requirements, CBO has assumed that states would establish procedures for compliance in the year following enactment. Consequently, the additional expenditures resulting from reissuing licenses and identification cards would occur in 1998.

Provision of Public Assistance to Aliens. It is possible that the administrative costs associated with applying deeming requirements to some federal means-tested entitlement programs would be considered mandate costs as defined in Public Law 104–4. In entitlement programs larger than $500 million per year, an increase in the stringency of federal conditions is considered a mandate only if states or localities lack the authority to modify their programs to accommodate the new requirements and still provide required services. In some programs—such as Aid to Families with Dependent Children (AFDC) and Food Stamps—some states may lack such authority and any new requirements would thus constitute a mandate. Given the scope and complexity of the affected programs, however, CBO has not been able to estimate either the likelihood or magnitude of such costs at this time. These costs could be significant, depending on how strictly the deeming requirements are enforced by the federal government. Any additional costs, however, would be offset at least partially by reduced caseloads in some programs.

Mandates with no significant costs

Many of the mandates in S. 269 would not result in measurable budgetary impacts on state, local, or tribal governments. In some cases—eligibility restrictions based on non-legal status and death notations on birth certificates—the bill's requirements simply restate current law or practice for many of the jurisdictions with large populations and would thus result in little costs or savings. In others—sponsor reimbursement requests and preemption of laws restricting the flow of information to and from the INS—the provisions would result in minor administrative costs for some state and local governments, but even in aggregate, CBO estimates these amounts would be insignificant.

The provision requiring agencies to notify certain aliens that their eligibility for benefits has been terminated would impose direct costs on state and local governments. CBO estimates such costs would be offset by savings from caseload reduction resulting from the notifications. Another provision—state job service verification of employment eligibility—may result in significant administrative costs; however, those costs are funded through federal appropriations.

8. Appropriation or other Federal financial assistance provided in bill to cover mandate costs: None.

9. Other impacts on State, local, and tribal governments: S. 269 contains many additional provisions that, while not mandates or changes to existing mandates, could have significant impacts on the budgets of state and local governments. On balance, CBO expects that the provisions discussed in this section would result in an overall net savings to state and local governments.

Means-tested Federal programs

S. 269 would result in significant savings to state and local governments by reducing the number of legal aliens receiving means-tested benefits through federal programs, including Medicaid, AFDC, and Supplemental Security Income (SSI). These federal programs are administered by state or local governments and have matching requirements for participation. Thus, reductions in caseloads would reduce state and local, as well as federal, outlays in these programs. CBO estimates that the savings to state and local governments would exceed $2 billion over the next five years. These are significant and real savings, but in general, the state and local impacts of these federal programs are not defined as mandates under Public Law 104–4.

S. 269 would reduce caseloads in means-tested federal programs primarily by placing stricter eligibility requirements on both recent and future legal entrants. The bill would lengthen the time sponsored aliens must wait before they can go on AFDC or SSI, and, most notably, apply such a waiting period to the Medicaid program. S. 269 would also deny many means-tested benefits to PRUCOLs. Illegal aliens are currently ineligible for most federal assistance programs and would remain so under the proposed law.

Means-tested State and local programs

It is likely that some aliens displaced from federal assistance programs would turn to assistance programs funded by state and local governments, thereby increasing the costs of these programs. While several provisions in the bill could mitigate these costs—strengthening affidavits of support by sponsors, allowing the recovery of costs from sponsors, and authorizing agencies to deem in state and local means-tested programs—CBO expects that such tools would be used only in limited circumstances in the near future. At some point, state and, particularly, local governments become the providers of last resort, and as such, we anticipate that they would face added financial pressures on their public assistance programs that would at least partially offset the savings they realize from the federal programs. Because these state and local programs are voluntary activities of those governments, increases in the costs of these programs are not mandate costs.

Medicaid

Emergency Medical Services. Section 212 of S. 269 is apparently intended to offer state and local governments full reimbursement for the costs of providing emergency medical services to non-legal aliens and PRUCOLs on the condition that they follow verification procedures to be established by the Secretary of Health and Human Services, after consultation with the Attorney General and state and local officials. Existing law requires that state and local governments provide these services and, under current matching requirements, pay approximately half of the costs. Ambiguities in the drafting of the provision prevent CBO from estimating its effect.

While no reliable totals are available of the amounts currently spent to provide the services, areas with large alien populations claim that this requirement results in a substantial drain on their budgets. For example, California, with almost half the country's illegal alien population, estimates it spends over $350 million each year on these federally mandated services. Although CBO cannot estimate the effects of Section 212 on state and local governments, some idea of its potential effects can be gained by looking at analogous proposals for the Medicaid program. CBO estimates that modifying Medicaid to reimburse states and localities for the full cost of emergency care for illegal aliens would increase federal Medicaid payments to states by $1.5 billion to $3 billion per year.

Pre- and Post—Partum Care. The bill would allow certain mothers who are non-legal aliens to qualify for pre- and post-partum care under the Medicaid program. CBO does not have enough information to estimate the potential budget impacts to state and local governments of this provision. Such impacts would depend critically on the type of documentation demanded by the Secretary of HHS to prove that the mothers met the requirement of 3 years of continuous residence in the United States.

10. Previous CBO estimate: On March 13, 1996, CBO prepared an intergovernmental mandates statement on H.R. 2202, an immigration reform bill reported by the House Committee on the Judiciary. (The bill was subsequently passed by the House, with amendments.) That bill had many provisions in common with S. 269. H.R. 2202 did not, however, include any of the requirements relating to driver's licenses, identification documents, or birth certificates that appear in S. 269. In addition, the deeming restrictions in H.R. 2202 applied exclusively to future entrants; aliens who entered before the enactment date would not have been affected. Therefore, S. 269—which would apply deeming to aliens who entered in the last five

years as well as to future entrants—would produce larger net savings in many benefit programs.

11. Estimate prepared by: Leo Lex and Karen McVey.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

Mr. SIMPSON. Mr. President, I yield to the Senator from Ohio.

Mr. DEWINE. Mr. President, let me first state that I want to congratulate my colleague from Wyoming, as well as my colleague from Massachusetts, for not just the work they have done on this bill, but, frankly, for the work they have done over the years on this very tough, very contentious, very difficult, but very important issue of immigration.

I have heard my colleague from Wyoming say on several occasions, as we have debated this bill in committee, that this is not really a bill or an issue that anyone gets a lot out of politically, and certainly not someone from the State of Wyoming. I certainly concur in that and understand that. I want to congratulate him for really doing the tough work of the U.S. Senate—work that began in the 1980's with the previous bill and continues on today. It is work that is many times not rewarded politically, certainly not appreciated many times, and is many times very controversial. I congratulate him for that.

This has been a contentious bill. We have had contentious debate in committee. The Senator from Wyoming and I have agreed on some issues and disagreed on other issues. I imagine that agreement and disagreement is probably going to continue on the floor today, tomorrow, and maybe for the rest of the week. Let me state that I do appreciate very much his tremendous work, as well as the work of Senator KENNEDY and, frankly, the work of all of the members of the subcommittee, some of whom have been involved in this task now for well over a decade.

Mr. President, we are here on the floor today to discuss a fundamental issue, a fundamental issue affecting the future of our country. Unlike most bills that come before Congress, this immigration bill really gets to the question of our national identity. Unlike most bills, this bill really speaks to who we are as a people, who we are as a nation. Quite frankly, also unlike most bills we deal with, the impact of this bill is going to be felt in 2 years, 5 years, 10 years, 20 years, and 30 years, because when you make a determination of who comes into this country and who does not come into this country, the consequences are profound, they are everlasting, and we have seen that, frankly, throughout the long history of our country.

Mr. President, in the darkest days of the cold war, back when Brezhnev was still ruling what was then known as the Soviet Union, Ronald Reagan gave a historic address to the British Parliament. It was in that famous speech in June 1982 that President Reagan predicted, ''The march of freedom and democracy will leave Marxism and Leninism on the ash heap of history.'' Many of us remember how controversial that statement was at the time. Some in this country considered it unnecessarily provocative, and thought that it would inflame our enemies for really no good purpose. Mr. President, it may have been provocative, but it was absolutely, beyond a shadow of a doubt, prophetic. It was true. In that speech, Ronald Reagan was trying to unify the West. He wanted to unify the forces of freedom for what he knew, as others did not, would be the climactic days of the struggle against communism.

In the last resort, what President Reagan appealed to in that speech was really our sense of identity, who we were, who we are. This is what he said:

> Let us ask ourselves: What kind of a people do we think we are? And let us answer: Free people, worthy of freedom and determined not only to remain so, but to help others gain their freedom, as well.

Ronald Reagan expressed, better than any political leader of my lifetime, a sense of what America really is—''the city on a hill, the land, the country of the future.'' When Ronald Reagan was a boy growing up in Illinois, he could still find Civil War veterans to talk to. In our time, over a century after the death of Abraham Lincoln, Ronald Reagan reminded us that America was still the last best hope of Earth. We must never, never forget this, Mr. President.

To turn our backs on this legacy—this legacy of hope, optimism, openness to the future—would be more than a mistake in policy. It would, I believe, Mr. President, truly be a diminution of who we are as a people. That is what I believe this immigration debate is all about. It is the same question Ronald Reagan asked to the British Parliament: ''What kind of people do we think we are?''

Mr. President, America's immigration policy defines who we are. It defines who gets into this country and who does not get in. In the process, it says a lot about our national values. Mr. President, we have been working on this bill in the Senate Judiciary Committee for a number of weeks. I believe we made some progress in revising the bill to reflect what I believe are the basic American values. First, the committee split the portions of the bill dealing with illegal immigration. An amendment was offered by Senator ABRAHAM, myself, Senator KENNEDY, Senator FEINGOLD, and others, to split the bill. The committee did, in fact, split the bill. It divided the bill into those sections dealing with the treatment of persons who are in the United States illegally from those provisions that cover legal immigration. I support this split because I believe that the problem of illegal immigration is substantially different from the issues raised by our legal immigration policy. And, therefore, these two issues, in my opinion, should be treated separately. They are distinct. I intend later on to say more about this important issue.

Mr. President, in considering the illegal immigration bill, I voted for tough penalties for those who violate our immigration laws, and I voted to expedite the deportation of those violators. I am also proud to say that I sponsored an amendment to block the imposition of unreasonable time limits on persons seeking asylum from repressive and often life-threatening foreign regimes. Our amendment sought to restore the status quo.

Today, immigration authorities cannot enter farm property without a search warrant. The bill before the committee would have changed that and would have allowed them to enter property—to enter a farm—without that search warrant. I sponsored an amendment to make sure they did not get that evasive new power.

Further, Mr. President, I cosponsored an amendment with Senators ABRAHAM and FEINGOLD that would have removed from the bill a provision that establishes a national employment verification system and a national standards for birth certificates and driver's licenses. I believe that these provisions are unduly intrusive. And, quite frankly, I believe they are unworkable. I further believe they would cost taxpayers millions and millions and millions of dollars. Again, Mr. President, I intend to say a great deal more about this later on.

Let me turn to the legal immigration bill. On the legal immigration bill, with Senators ABRAHAM and KENNEDY, I cosponsored an amendment to allow legal immigrants to bring their families to join them here in the United States. The bill, as originally written, tried to change the law allowing U.S. citizens to bring their families to America. The bill would have permitted, as written, U.S. citizens to bring in only their spouses, minor children, and in rare cases their parents. Under that provision, as the bill was written before the amendment—I bring this up because I am sure this issue is going to come back again—a U.S. citizen under that provision of the bill as written would have been permitted to bring some children in but not others. I believe that is bad national policy. It undermines the family structure. And, frankly, in the history of civilization there has never been a stronger support structure than the family.

I also supported amendments that would continue to allow universities and businesses to bring in the best and the brightest to enrich our country. I intend to return to that issue as well later.

Mr. President, in all of our deliberations in the Judiciary Committee, I have stressed one key fact about America—the fact that throughout our national history, throughout our history, the effect of immigration on this country has been positive. Immigration has helped form the basis for our prosperity and our national strength. It has

made our country and the world a better place.

I tried to approach these difficult issues keeping in mind that a fair, controlled but open immigration policy is in our national interest. I believe we have made the first significant steps in this bill in the committee, in the amendment process, toward that goal.

Mr. President, even though we managed to improve the bill in a number of ways, I still have some problems with the present bill. In the name of protecting our borders, this bill would impose serious burdens on law-abiding American citizens, and it would move America away from its extremely valuable centuries-old tradition of openness to new people and new ideas.

Let me now go through the bill and lay out some of the particular concerns I have about the bill as it is currently before us today.

First, let me start with the very contentious issue of verification—the verification of employment. To begin with, the bill would create a massive time-consuming and error-prone bureaucracy. As originally written, the bill called for a process under which every employer would have to contact the Immigration and Naturalization Service and Social Security Administration to verify the citizenship of every prospective employee. My colleague from Ohio, Congressman STEVE CHABOT, called this 1–800–BIG-BROTHER. I think he is right. We did succeed in taking that provision out of the bill, or at least taking part of it out of the bill. But the long-term plan remains the same. In fact, the bill now contains a provision calling for numerous entitlement programs to do the very same thing.

I have had some experience in dealing with this kind of extremely large computerized database. My experience is from my time as Lieutenant Governor in Ohio when we were dealing with the criminal record system database. I contend that what I have learned from trying to improve, correct, and refine the criminal database is very applicable and very relevant to this whole discussion about our attempt to create a database for employees and employers.

When I was Lieutenant Governor, I was responsible for improving Ohio's criminal database so that the police could have ready access to a suspect's full criminal record history. When I started on this project, I was shocked to discover that in the State of Ohio—these figures are true in most States—only about 5 percent of the files, 5 percent of the computer information you got in a printout when you talked about a suspect, it put a suspect's name in and only about 5 percent of the information was accurate in regard to important facts—5 percent.

In criminal records, we are dealing with a database that we all know is important, that the people know is important, that we take a great deal of care in maintaining, and that is limited to the relatively small number of citizens who are actually criminals. In fact, when we deal with the criminal record system, we know that literally life and death decisions are being made based on the accuracy of that criminal record system, and we have spent hundreds of millions of dollars to bring it up to date, to make it more accurate, and yet we still know that it is highly error prone. We still know the accuracy level is very, very low.

Mr. President, I shudder to think what the inaccuracy rate will be in a database big enough to include every single citizen and noncitizen residing in this country. I shudder to think of what the accuracy or the inaccuracy level will be when we are dealing with a database where life and death decisions are not actually being made but, rather, where employment decisions are being made. The database will be unreliable. It would be time consuming, and it would be expensive.

In fact, the only way to make a database more reliable is frankly to make it more intrusive, and that clearly is what will happen. Once the pilot projects are running and we determine how inaccurate that information is, once the complaints start coming in from prospective employees and from employers who are dialing the 1–800 number, or putting the information in and we find out how inaccurate that is, there will be pressure to change it. And the pressure will be to make it, frankly, more intrusive—more information, more accurate. I believe that it would clearly lay the groundwork for a national system within 3 years.

Let me turn, if I can, Mr. President, to my second concern about this bill. That concerns the national standards for birth certificates and drivers' licenses. Yes, you have heard me correctly. In this Congress where we have talked about returning power to the States, returning authority to the States, this bill calls for national, federally imposed and federally enforced standards for birth certificates and drivers' licenses. Here is what the bill says as written, as it is on the floor today.

Section 118. Improvements in Identification-Related Documents.

(a) Birth certificates.

1. Limitation on Acceptance. (A) No Federal agency, including but not limited to the Social Security Administration and the Department of State—

Listen to this:

and no State agency that issues driver's licenses or identification documents, may accept for any official purpose a copy of a birth certificate, as defined in subparagraph (5), unless it is issued by a State or local government registrar and it conforms to standards described in subparagraph (B).

Continuing the quote:

(B) The standards described in this subparagraph are those set forth in regulations promulgated by the Secretary of Health and Human Services, after consultation with the Association of Public Health Statistics and Information Systems, and shall include but not be limited to.

(i) certification by the agency issuing the birth certificate, and.

(ii) use of safety paper, the seal of the issuing agency, and other features designed to limit tampering, counterfeiting, and use by impostors.

Mr. President, I am going to talk about this later, but I think it is important to pause for a moment and look at what this section does because it does in fact tell each State in the country, each local jurisdiction what it has to do in regard to issuing birth certificates. It in essence says for the 270 million people in this country the birth certificate you have is valid; you just cannot use it for anything. It is valid, it is OK, but if you want to take a trip and you want to get a passport, you have to go back to wherever you were born and have them issue a new birth certificate that complies with these national standards.

Think about it. Think about what impact this is going to have on the local communities, the cost it is going to have. Think about the inconvenience this is going to bring up for every American who uses a birth certificate to do practically anything—getting a driver's license, for example. And look at the language again. Not just no Federal agency may accept for any official purpose a copy of a birth certificate unless it fits this requirement but then the language goes on further and says no State agency.

So here we have the Federal Government saying to 50 States, no State agency shall be allowed to accept a birth certificate unless it fits the standards as prescribed by a bureaucrat in Washington, DC. Tenth amendment? Unbelievable, absolutely unbelievable. There are clear constitutional law problems in regard to this. Senator THOMPSON, who is on the committee, raised these issues in the committee and it is clear that this section has some very major constitutional law problems.

Here is in essence what this means. The Federal Government will tell every citizen that his or her birth certificate is no longer good enough for any of the major purposes for which it is used—not good enough for traveling, not good enough for getting married, not good enough for going to school, not good enough for getting a driver's license. How about constituent problems? We are all going to have to hire more caseworkers back in our home States when this goes into effect just to answer the phone and listen to people complain about this. How many people every year turn 16 and get their driver's license? How many people every year want to travel overseas, want to get a passport? Try telling them that birth certificate you got stuck in the drawer back home you used 5 years ago for something else, ''Yes, it is still OK, you cannot use it, you have to go get a new one.'' Absolutely unbelievable.

(Mr. CRAIG assumed the chair.)

Mr. DEWINE. This bill would require every local county to redo its entire

birth certificate system in a new federally mandated format. The Federal Government will be telling Greene County, OH, everything to do with the certificate right down to what kind of paper to use. And the bill goes even further. Not only does it deal with birth certificates, it also deals with driver's licenses, and here is what the bill says. Let me quote.

Each State's driver's license and identification document shall be in a form consistent with requirements set forth in regulations promulgated by the Secretary of Transportation.

It continues.

Neither the Social Security Administration nor the passport office or any other Federal agency or any State or local government agency may accept for any evidentiary purpose a State driver's license or identification document in a form other than the form described in paragraph (3).

That means every State will have to issue federally mandated driver's licenses. It is my opinion this whole section of the bill, section 118, should be deleted.

Now, I understand what my friend from Wyoming is trying to accomplish here. And it is a laudable goal. I understand what other proponents are trying to accomplish. Most States would have no problem I think with an attempt to improve their driver's license. In fact, in my home State of Ohio we have come up in the last several years with a process that was put in place when I was Lieutenant Governor, with a brand new driver's license system, so when your license comes up for its normal renewal you have what we believe at least is a tamperproof driver's license. I understand, and I think most States want to move in that direction, most States are in fact moving in that direction, but to mandate this from Washington with the tremendous costs, and not just the costs but the unbelievable disruption and inconvenience I think is just a serious mistake. There is some great irony that this Congress, which has very legitimately and correctly been so concerned about turning power back to the States, should in this case be saying not only are we not turning power back to the States, we are taking power; we are taking a basic ministerial function of government, issuing a birth certificate, a basic function of State government and county government, local government, and saying, ''We are going to tell you how to do it, and if you don't do it our way, you can't use that document even for State purposes.'' To me that is just wrong. It is taking us in the wrong direction.

Mr. President, this Congress has revived this great tradition, American tradition of State and local and individual freedom as enshrined in the 10th amendment.

To impose this huge new burden on individuals and on local communities will surely violate that principle. In fact, if we can think back that far, 15, 16 months ago, one of the first bills passed by this Congress was legislation to try to limit unfunded mandates. If this provision is not an unfunded mandate, I do not know what is. It is going to cost the States a lot of money to comply. And it is going to cost taxpayers, both through what it has cost the States, but also through what it is going to cost them in getting new birth certificates, new drivers' licenses.

According to the Congressional Budget Office, these mandates would impose direct costs on States, direct costs on States and local communities of between $80 million to $200 million. Those of us who used to work at State and local government know that $80 to $200 million is an awful lot of money. It is real money.

Finally, leaving decisions regarding what features these documents should contain to Federal bureaucrats—and that is what this bill does, not to Congress but to Federal bureaucrats—I believe is unwise and potentially dangerous. Under the current language of this bill, as we consider it today, the Department of Health and Human Services and the Department of Transportation could develop standards even more intrusive and even more costly than those spelled out in the original legislation, because, really, the way the bill is written today, they have more freedom, more flexibility—the bureaucrats do.

I do not believe the setting of standards like these should be left to the Federal bureaucracy with nothing more than a requirement that they consult with outside groups. The bill does not provide for any congressional review of the standards, nor does it impose any limit on what HHS and DOT can mandate. The provision is ill-conceived and contrary to any reasonable concern for our liberties. I will urge it be deleted.

Let me turn now to another area of concern. That has to do with the issue of asylum. The bill, as written, says something to people who want to apply for asylum in America, and says it, really, for the first time in our history. I want to emphasize this. For the first time in our history, this is what we will be saying to people who apply for asylum: You must now apply for asylum within a set period of time.

That may sound reasonable. First of all, it is contrary to what we have done previously in the long history of this country. And, I think, on closer examination, as we go through this, it will become clear why this seemingly innocent provision will inevitably lead to some very, very great hardships for some of the most abused people in the world. It says that an asylum seeker must apply within 1 year of arriving in this country or else get a special exception from some bureaucrat for ''good cause.'' You get an exception for good cause. What constitutes good cause for an exception is, again, up to the Federal bureaucracy to define.

I think this is a terrible solution. It is a solution for a problem that does not exist. I will talk about this in a moment. But, if we had been on the floor a few years ago, no one could say there was not a problem with the processing of asylums, with the number of applications for asylum, because there was. But, frankly, changes have been made in the system, changes which have corrected the problem. There is not a massive influx of asylum seekers into America and there is already a reasonable judicial process to determine which applicants are worthy of admission. Only about 20 percent of asylum seekers get in, one of five gets in anyway, through this normal, regular process. The system, frankly, is not broken, and trying to fix it could and would, in my opinion, do serious harm to people who are trying to escape oppression, torture, and even death in their native lands.

If you talk, as I have, to people in the asylum community, people who deal with these issues and who deal with these people every day, they will tell you that some of the most heart-wrenching cases involve people who are so emotionally scarred by torture that it takes them more than a year to come forward and seek asylum. Under the original bill, aliens seeking asylum would have been required to file for such asylum within 30 days of arriving in the United States. Along with Senators KENNEDY, FEINGOLD, ABRAHAM and others, I worked to defeat this provision during our work in the committee. We were able to do that and to change it and to extend it to 1 year. This 1-year provision still causes problems. Let me talk about that.

First, since the Immigration and Naturalization Service imposed new asylum application regulations in late 1994, the flagrant abuses of the asylum process have been substantially reduced already.

Second, it turns out that it is the people most deserving of asylum status, those under threat of retaliation, those suffering physical or mental disability, especially when abused resulting from torture, who would most be hurt by the imposition of any filing deadline.

The committee did make the change. It made the change to strike the 30-day provision by a vote of 16 to 1. But I believe we do need to go further and we need to restore the bill and the law to the status quo. The committee passed an amendment by the distinguished Senator from Colorado [Mr. BROWN]. Senator BROWN's language is currently in the bill, and I believe, as I said, it is far better than the original 30-day limit. But I do remain convinced the arguments that were so simple and compelling against the 30-day time limit are equally compelling against the provision as it stands now. Let me talk about that.

First, because the asylum system works, and works pretty well—I do not think there is any dispute about that—we simply do not need a time limit for

asylum seekers. As I stated, we acknowledged several years ago the asylum system was in fact broken and there were serious problems. Under the old system, people could get a work authorization simply by applying for asylum. That is what they did, and that was the hole.

This opportunity became a magnet, even for those who had absolutely no realistic claim for asylum. But the INS changed this. When the INS changed its rules in late 1994, it stopped automatically awarding work permits for those filing for asylum, and it got rid of a great deal of the problem. The INS then began to require an adjudication of the asylum claim before it awarded work authorizations. It also, at the same time, began resolving asylum claims within 180 days.

The results are significant. According to the INS, in 1994, before the new rules were put in place, 123,000 people claimed asylum. In 1995, after the new rules were established, only 53,000 people even applied for asylum. Instantly you went from 123,000 who applied one year, the next year down to 53,000; that is a 57 percent decline in just 1 year.

Also, the INS reports it is now completing 84 percent of the new cases within 60 days of filing and 98 percent, virtually all new cases, within 180 days of filing. Maybe that is why the administration, the INS, opposed any time limit on filing. The new system works. It is not broken. It does not need to be fixed.

The new system works, and the new deadlines would—and here I quote the INS Commissioner. Here is what she says. The new proposal would ''divert resources from adjudicating the merits of asylum applications to adjudication of the timeliness of filing.'' So what the INS is saying is that we fixed this problem, it is working, do not give us another mandate. Do not shift us over here, so we have to have separate adjudications about the timeliness and then go over and adjudicate the merits. Let us proceed the way we are doing today. It is working.

Point No. 2, why we really should not have this time limit. This, to me, is the most compelling, because the facts are the most worthy cases for asylum would be excluded if we impose a deadline.

Among those excluded would be cases of victims of politically motivated torture and rape, the very people who need more time to apply, the very people who deadlines would hurt the most. These are the people who have suffered a great trauma that prevents them from coming forward. These are the people who fear that coming forward for asylum would threaten their families and friends in their home countries. These are the two types of people, Mr. President, for whom time is important.

Time can cure the personal trauma and culture shock that prevents them from seeking asylum. Time can allow conditions to change back home. A time limit—any time limit—will place these people at risk.

Let us talk now about some real people.

One man, whose name is Gabriel, had a father who was chairman of a social democratic party in Nigeria. His father was arrested many times. His halfbrother was executed for opposing the military regime. Gabriel participated in a student demonstration. He was arrested and imprisoned back home for 8 months. He was tortured by guards who carved the initials of the ruling general into his stomach and then sprayed pepper on the wounds. They whipped him, and they forced him to drink his own urine.

Gabriel fled to the United States and, understandably, he was terrified that if he applied for asylum, he would be sent back to Nigeria where he could be murdered. He only applied for asylum after he was arrested by the INS, 5 years after coming to America.

Let me give another example—and the list goes on. Another man was a member of his country's government in exile, elected in a democratic election that was later annulled. When the military took over his country, many of the members of the government were tortured and imprisoned. This particular man fled his country and came to the United States where he sought the United Nations' help in restoring democracy at home. He sought residence in other countries, and he was concerned that application for asylum in this country would be used for propaganda purposes by the military at his home country.

Fifteen months after arriving in the United States, he did seek asylum. Although he was highly educated, although he was proficient in the English language, it took this man over 2 months to file that application. He was finally granted asylum in the United States, but to this day, he has asked that his name, that his home country and the fact that he sought asylum be held in the strictest confidence. He is still fearful.

A third example. Another man was a political dissident against the regime in Zaire. He published an article about the slaughter of students who had demonstrated against the regime, and that was one of the political offenses that ultimately landed this man in jail. In prison, the guards beat him, the guards raped him. When he came to the United States, he was simply unable to talk about his story. His Christian beliefs did not permit him to use the words necessary to describe the terrible tortures he had undergone. It was only after many meetings with legal representatives that he was finally able to tell his story. He finally applied for asylum over a year after entering the United States.

Those are just three examples, Mr. President. There really is practically no end to these examples, practically no end to worthy cases that would be foreclosed should we decide to apply deadlines. I know proponents of a time limit will argue that the bill does contain an escape clause, and it does on paper, the good-cause provision. But I think it is significant to point out that under this good-cause provision, the burden is on the applicant to show good cause. And the question of what constitutes good cause is really another problem with the bill.

In the report language, it says good cause ''could include''—note that, Mr. President, not ''must'' or ''should'' but ''could'' include—''circumstances that changed after the applicant entered the United States''—I am quoting now—''or physical or mental disability, or threats of retribution against the applicant's relatives or other extenuating circumstances.''

The report, as written, would allow the issuance of Federal regulations that might exclude the very type of applicants that the committee specifically intended to include. I believe that we should reject the time limit outright. We are not really talking about mere legalisms here. I think what is at stake is a fundamental reassertion of a truly basic, bedrock value of America: the opportunity to apply for asylum, the opportunity to use this country as a refuge.

I think it is important to note, as I did a moment ago, that there is not a problem. The INS has already taken care of this problem. What this bill does is create a problem—not for us, but what it will do is create a problem for people who are among the most abused, who have suffered the most and who seek freedom in this country.

I am reminded in this context of another story that President Reagan used to tell. He said, ''Some years ago, two friends of mine were talking with a Cuban refugee who had escaped from Castro. In the midst of the tale of horrible experiences, one friend turned to the other and said, 'We don't know how lucky we are.' One Cuban stopped and said, 'How lucky you are? How lucky you are? I have someplace to escape to.' ''

At this point, as he told the story, President Reagan looked out at America and drew his conclusion, and this is what he said: ''Let's keep it that way.''

Mr. President, let us keep it that way. Let us keep the light on over the door of America for some people who very desperately need that light, who need that hope.

Let me turn to another issue, and that is amendments that we may see on the floor concerning family. I want to turn now to some other provisions in the original bill that we managed to alter and change in committee but that may come up on the floor as amendments.

One of the most important of these issues had to do with the meaning of family. The original bill fundamentally changed the definition of a nuclear family. The original bill said to U.S. citizens that they could continue to bring their children to America but

only—this is to U.S. citizens now, said to U.S. citizens—they could continue to bring their children to America but only if the children are under 21, and they could only bring their parents to America if the parents are over 65 and the majority of their children live in America.

The original bill even went so far as to say that if a child was a minor but that child was married, that child could not come to this country either. You could not bring that minor child to the country if he or she decided to get married.

Mr. President, in a time when everyone agrees that the fundamental problem in America is a family breakdown—I do not think anyone on the floor disagrees with that—I think it is senseless to change the law to help break up families.

In the committee I kind of related this to my own life and my own experience and pretended for a moment with my family situation, if I was a new citizen in this country, if I had come from another country and was a naturalized citizen. Frankly, Mr. President, in my situation I have trouble saying that my 4-year-old daughter Anna—or Anna who is going to in 2 days become 4 years old—is a central part of my nuclear family, but my 28-year-old son Patrick is not; he is now part of my extended family; my 27-year-old daughter, Jill, she is not part of my nuclear family anymore, she is part of my extended family. That is what the bill had originally said.

Finally, the bill also originally said—I cannot understand this either—that MIKE DEWINE, as an only child I could bring my parents into the country if they are over 65, but my wife Frances DeWine could not bring her parents into the country because she is one of six. She, as one of six, she could not bring her parents into the country—only if a majority of her siblings actually lived in the United States and were citizens in the United States. Again, it does not make any sense. I think we are going to end up revisiting this issue. I think it is going to come back up.

Mr. President, at a time when Congress has acted to rein in public assistance programs, I do not believe we should deprive people the most basic support structure there is, their immediate family. It just does not make sense. Mr. President, we took these family limitation provisions out of the bill in committee. I hope that we will be able to sustain this on the floor and we will not change this.

Let me turn finally to one more issue, that has to do with the linkage of this bill. I believe it was a mistake in the original bill to combine the issues of legal and illegal immigration. For my colleagues watching on TV or on the floor who are not on the committee, we separated this in committee. What you have before you are two separate, distinct bills. I think it should stay that way because the issue of illegal immigration is decidedly distinct from the issue of legal immigration.

I think that the biggest mistake of the original bill was to combine the issues of legal and illegal immigration. Illegal immigrants are lawbreakers. That is the fact. Frankly, Mr. President, no society can exist that allows disrespect for the law.

On the other hand, legal immigrants are people who follow the law. They are an ambitious and gutsy group. They are people who have defined themselves by the fact they have been willing to come here, play by the rules, build a future, and take chances. To lump them in, Mr. President, legal immigrants, with people who violate the law is wrong. We simply should not do it. Historically Congress has treated legal immigration and illegal immigration separately. Father Hesburgh in his 1981 report indicated that Congress should control illegal immigration, while leaving the door open to legal immigration.

Congress has in fact done this over the years and kept the issue separate. In 1986 Congress dealt with illegal immigration. In 1990 Congress dealt with legal immigration. In fact, Mr. President, the very immigration bill that is before us today started its legislative career as a piece of legislation separate from the bill covering legal immigration. It was only late in the subcommittee markup that the bills became joined.

These issues, Mr. President, have been treated separately for many years. They have been treated separately for one simple reason—they present different issues. They are different. To treat them together is to invite repetition of numerous totally false stereotypes. The combining of the bills leads, I think, to the merging of the thought process into a great deal of confusion.

Let me give an example. Say, for example, that aliens are more likely than native-born Americans to be on welfare and food stamps or Medicaid. But the fact is, Mr. President, this generalization is not true about legal immigrants. The statement I just made is wrong in regard to legal immigrants. If you separate out the legal immigrants, you find when you are talking about legal immigrants that they are no more likely than native-born Americans to be applicants of social welfare services. In fact, legal immigrants who become naturalized citizens are less likely—let me repeat—less likely to go on public assistance than native-born Americans. That is what the facts are.

Now, a recent study, Mr. President, points to the same fact. It found that foreign-born individuals were 10 to 20 percent more likely than native-born Americans to need social services. That is an alarming statistic, if you just stop there. But if you go further, and if you exclude refugees from the total, the foreign-born individuals are considerably less likely to do so than native-born citizens. Again, the point I made a moment ago.

Let us turn, Mr. President, to another dangerous stereotype frequently asserted. That is, that one-half of our illegal immigration problem stems from people who first came here legally. Let me repeat it. Let me repeat this. The statement is made that one-half of our illegal immigration problem stems from people who first came here legally. Well, that is true.

That is a true statement. But it is only true as far as it goes. In fact, Mr. President, it is a very misleading statement. What the people who say this are talking about is not legal immigrants who stay here and somehow become illegal; they are talking instead about students and tourists who had the right to visit America legally. They never were legal immigrants in the classic sense. They had the legal right to be here, but they were not legal immigrants. These are students, tourists who come here legally, and then who stay and do not leave when they are supposed to leave. That is a huge problem in this country. But it is not a problem of legal immigrants.

These people who are creating this problem were never legal immigrants. By definition, Mr. President, legal immigrants are people who are allowed to stay. Legal immigrants by definition are here legally. They are not the problem.

Mr. President, this is also an important source of confusion on the question of whether immigration is rising rapidly. Some people claim, for example, that legal immigration is skyrocketing. They base their contention on INS numbers that include as legal immigrants illegal immigrants who are made legal by the 1986 Immigration Reform and Control Act.

Mr. President, if you take the total number of legal immigrants and subtract those that were illegal before the 1986 act, you find that legal immigration has been holding at fairly constant levels. That is what the facts are.

Let me just give an example, Mr. President. In the 1990's, we have had about 2.8 immigrants for every 1,000 Americans. Is that a lot? Well, we could judge for ourselves. The first two decades of the century, to make a comparison, the rates were 10.4 per 1,000 and 5.7 per 1,000.

Mr. President, I do not think knowing what we know now, that it would have been wise to say in 1910 that there were too many immigrants coming into America. It was precisely that generation of immigrants at the turn of the century that coincided with America's transition from the periphery of world events to the status of a global superpower.

Mr. President, let me stop. I have almost concluded, but let me stop at this point to yield to my friend, Senator SIMPSON from Wyoming.

Mr. SIMPSON. Mr. President, I appreciated very much my friend, the Senator from Ohio, yielding. I certainly would yield additional time. But

we have a time constraint with the ranking member and would like to, at the direction of the majority leader, present some amendments for disposition tomorrow. So, with that explanation, let me proceed.

AMENDMENT NO. 3669

(Purpose: To prohibit foreign students on F–1 visas from obtaining free public elementary or secondary education)

Mr. SIMPSON. Mr. President, I submit to the desk Simpson amendment No. 1 and ask that it be stated.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read as follows:

The Senator from Wyoming, [Mr. SIMPSON], proposes amendment numbered 3669.

Mr. SIMPSON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(1) After sec. 213 of the bill, add the following new section:

"SEC. 214. USE OF PUBLIC SCHOOLS BY NON-IMMIGRANT FOREIGN STUDENTS.

''(a) PERSONS ELIGIBLE FOR STUDENT VISAS.—Section 101(a)(15)(F) (8 U.S.C. 1101(a)(15)(F)) is amended—

''(1) in clause (i) by striking 'academic high school, elementary school, or other academic institution or in a language training program' and inserting in lieu thereof 'public elementary or public secondary school (if the alien shows to the satisfaction of the consular officer at the time of application for a visa, or of the Attorney General at the time of application for admission or adjustment of status, that (I) the alien will in fact reimburse such public elementary or public secondary school for the full, unsubsidized per-capita cost of providing education at such school to an individual pursuing such a course of study, or (II) the school waives such reimbursement), private elementary or private secondary school, or postsecondary academic institution, or in a language-training program'; and

''(2) by inserting before the semicolon at the end of clause (ii) the following: ': *Provided*, That nothing in this paragraph shall be construed to prevent a child who is present in the United States in a nonimmigrant status other than that conferred by paragraph (B), (C), (F)(i), or (M)(i), from seeking admission to a public elementary school or public secondary school for which such child may otherwise be qualified.';

''(b) EXCLUSION OF STUDENT VISA ABUSERS.—Section 212(a) (8 U.S.C. 1182(a)) is amended by adding at the end the following new paragraph:

'(9) STUDENT VISA ABUSERS.—Any alien described in section 101(a)(15)(F) who is admitted as a student for study at a private elementary school or private secondary school and who does not remain enrolled, throughout the duration of his or her elementary or secondary school education in the United States, at either (A) such a private school, or (B) a public elementary or public secondary school (if (I) the alien is in fact reimbursing such public elementary or public secondary school for the full, unsubsidized per-capita cost of providing education at such school to an individual pursuing such a course of study, or (II) the school waives such reimbursement), is excludable.'; and

''(c) DEPORTATION OF STUDENT VISA ABUSERS.—Section 241(a) (8 U.S.C. 1251(a)) is amended by adding at the end the following new paragraph:

'(6) STUDENT VISA ABUSERS.—Any alien described in section 101(a)(15)(F) who is admitted as a student for study at a private elementary school or private secondary school and who does not remain enrolled, throughout the duration of his or her elementary or secondary school education in the United States, at either (A) such a private school, or (B) a public elementary or public secondary school (if (I) the alien is in fact reimbursing such public elementary or public secondary school for the full, unsubsidized per-capita cost of providing education at such school to an individual pursuing such a course of study, or (II) the school waives such reimbursement), is deportable.'.''.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside.

The Dorgan amendment is set aside.

Mr. SIMPSON. Mr. President, let me describe the amendment briefly. It is intended to prevent foreign students coming to the United States to obtain a free taxpayer-financed education at a public elementary or secondary school. This is a growing problem. Children are coming to the United States and staying with friends or relatives or even strangers to whom they pay a fee and attending public schools as residents of the school district.

The amendment prohibits counselor offices issuing visas for attendance at such public schools or the INS approving such cases unless the foreign student can demonstrate they will reimburse the school, public elementary or secondary school, ''for the full, unsubsidized per capita cost'' of providing such education, or unless the school waives reimbursement.

The amendment also provides for the exclusion and deportation of students who are admitted to attend private elementary or secondary schools but who do not remain enrolled at such private schools for the duration of their elementary or secondary study in the United States. This provision is designed to prevent students from obtaining admission to a private school and then switching to a taxpayer-funded public school soon after arrival in the United States.

It would not prevent those children who are validly in the United States as dependents of persons lawfully residing here from applying for admission to public schools, nor would it prevent public schools from hosting foreign exchange students who would continue to be admitted as exchange visitors on ''J'' visas.

The amendment is designed, however, to deal with the problem of the ''parachute kids'' which Senator FEINSTEIN dealt with previously—which has received rather thorough attention—those who come here to receive a U.S. education at taxpayer expense.

Mr. KENNEDY. Mr. President, as the Senator has pointed out, this was in the initially proposed legislation. It is, I think, a justified and wise amendment.

And I understand that the Senator will also be offering shortly a pilot program for ensuring that foreign students here on student visas are actually enrolled and attending our schools. It is obviously an important opportunity for students to be able to come to the universities here in the United States. They should be welcomed. They should have an opportunity to be in compliance with the university rules.

This is really, first, a pilot program and, second, an attempt to find out what happens to these students when they are here and also what happens to them afterward. We do not have that kind of information. There are reports that individuals just get the permission to come here, maybe take one course, and effectively are ''gaming'' the system to circumvent other provisions of the legislation. That clearly was never the intention.

It seems to me this is a worthwhile program. It is targeted. It is limited. There is an important need to understand exactly what is happening with many of these students. I support the program.

I just wondered if I could ask the Senator a question. In the amendment, it says that students must be making ''normal progress'' toward a degree in order to keep the visa. Do you agree with letting the universities themselves make a decision about whether the student is in good academic standing or make a reasonable attempt to define that in a reasonable way?

Mr. SIMPSON. In connection with that amendment, that is correct.

Mr. KENNEDY. I thank the Senator. I hope that we will pass this.

Mr. President, I understand the amendment is going to be one of the amendments that will be offered, and now the one we have before the Senate prohibits kids on the student visas from attending public schools—our elementary and secondary schools—at the taxpayers' expense unless it is part of an exchange program. That is a wise amendment.

As I pointed out, if one games—a student is to attend a private school and then circumstances change. They should not undermine the basic reason that they were able to get here, and that was to attend the private school and pay the normal tuition, and to change to a public school at the public's expense. I think that is certainly consistent with fairness to taxpayers in that local community. I think it makes sense. I intend to support that amendment.

Mr. SIMPSON. Mr. President, I ask that amendment be submitted tomorrow. I ask for the yeas and nays and that the vote be held at a time convenient to the majority and minority leaders.

I withhold that request, Mr. President.

Mr. KENNEDY. As I understood, it is the intention in terms of expediting the consideration of the legislation on these three amendments—there may be those who are returning to the Senate who may want to have an observation about it so as to protect their interests—that the Senator was going to

ask unanimous consent that the time for the votes on these measures be set by agreement by the majority and minority leaders, that the schedule for the particular votes on all three would be set by the majority and minority leaders at an appropriate time for the leadership. That seemed to be a reasonable request. These are amendments that are related to the legislation and which the committee had some opportunity to review before. It is just an attempt to move this process along that we are trying to devise a path so we could begin to consider the legislation.

We temporarily set aside the Dorgan amendment. That can always be called back at any time. What now is being asked is that these three amendments would appear, one amendment after another, temporarily setting it aside, and it would be the intention of the Senator from Wyoming to ask for the yeas and nays on all three and to have the votes stacked in the order which the majority and minority leaders care to have.

Mr. SIMPSON. Mr. President, to expedite the process, let me withhold further action on amendment No. 1 and submit amendment No. 2 and amendment No. 3, speak on all three of them together, the purpose being that the majority leader had requested our assistance in bringing appropriate amendments before the body tomorrow, stacking those amendments. These are three amendments that are submitted. There may be controversy that is not expressed today. If that is so, set a time limit tomorrow to do that.

The purpose is to submit these three amendments, move them forward with the yeas and nays, let the majority leader and minority leader define in the context and the time limit as to what they wish to do with them tomorrow. That is the purpose.

AMENDMENT NO. 3670

(Purpose: To establish a pilot program to collect information relating to nonimmigrant foreign students)

Mr. SIMPSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. SIMPSON] proposes an amendment numbered 3670.

Mr. SIMPSON. Mr. President, I ask unanimous consent further reading be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following new section:

SEC. . PILOT PROGRAM TO COLLECT INFORMATION RELATING TO NONIMMIGRANT FOREIGN STUDENTS.

(a) IN GENERAL.—(1) The Attorney General and the Secretary of State shall jointly develop and conduct a pilot program to collect electronically from approved colleges and universities in the United States the information described in subsection (c) with respect to aliens who—

(A) have the status, or are applying for the status, of nonimmigrants under section 101(a)(15)(F), (J), or (M) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F), (J), or (M)); and

(B) are nationals of the countries designated under subsection (b).

(2) The pilot program shall commence not later than January 1, 1998.

(b) COVERED COUNTRIES.—The Attorney General and the Secretary of State shall jointly designate countries for purposes of subsection (a)(1)(B). The Attorney General and the Secretary shall initially designate not lees than five countries and may designate additional countries at any time while the pilot program is being conducted.

(c) INFORMATION TO BE COLLECTED.

(1) IN GENERAL.—The information for collection under subsection (a) consists of—

(A) the identity and current address in the United States of the alien;

(B) the nonimmigrant classification of the alien and the date on which a visa under the classification was issued or extended or the date on which a change to such classification was approved by the Attorney General; and

(C) the academic standing of the alien, including any disciplinary action taken by the college or university against the alien as a result of the alien's being convicted of a crime.

(2) FERPA.—The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) shall not apply to aliens described in subsection (a) to the extent that the Attorney General and the Secretary of State determine necessary to carry out the pilot program.

(d) PARTICIPATION BY COLLEGES AND UNIVERSITIES.—(1) The information specified in subsection (c) shall be provided by approved colleges and universities as a condition of—

(A) the continued approval of the colleges and universities under section 101(a)(15)(F) or (M) of the Immigration and Nationality Act, or

(B) the issuance of visas to aliens for purposes of studying, or otherwise participating, at such colleges and universities in a program under section 101(a)(15)(J) of such Act.

(2) If an approved college or university fails to provide the specified information, such approvals and such issuance of visas shall be revoked or denied.

(e) FUNDING.—(1) The Attorney General and the Secretary shall use funds collected under section 281(b) of the Immigration and Nationality Act, as added by this subsection, to pay for the costs of carrying out this section.

(2) Section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) is amended—

(A) by inserting ''(a)'' after ''SEC. 281.''; and

(B) by adding at the end the following:

''(b)(1) In addition to fees that are prescribed under subsection (a), the Secretary of State shall impose and collect a fee on all visas issued under the provisions of section 101(a)(15)(F), (J), or (M) of the Immigration and Nationality Act. With respect to visas issued under the provisions of section 101(a)(15)(J), this subsection shall not apply to those ''J'' visa holders whose presence in the United States is sponsored by the United States government.''

''(2) The Attorney General shall impose and collect a fee on all changes of nonimmigrant status under section 248 to such classifications. This subsection shall not apply to those ''J'' visa holders whose presence in the United States is sponsored by the United States government.''

''(3) Except as provided in section 205(g)(2) of the Immigration Reform Act of 1996, the amount of the fees imposed and collected under paragraphs (1) and (2) shall be the amount which the Attorney General and the Secretary jointly determine is necessary to recover the costs of conducting the information-collection program described in subsection (a), but may not exceed $100.

''(4) Funds collected under paragraph (1) shall be available to the Attorney General and the Secretary, without regard to appropriation Acts and without fiscal year limitation, to supplement funds otherwise available to the Department of Justice and the department of State, respectively.''

(3) The amendments made by paragraphs (1) and (2) shall become effective April 1, 1997.

(f) JOINT REPORT.—Not later than five years after the commencement of the pilot program established under subsection (a), the Attorney General and the Secretary of State shall jointly submit to the Committees on the Judiciary of the United States Senate and House of Representatives on the operations of the pilot program and the feasibility of expanding the program to cover the nationals of all countries.

(g) WORLDWIDE APPLICABILITY OF THE PROGRAM.—(1)(A) Not later than six months after the submission of the report required by subsection (f), the Secretary of State and the Attorney General shall jointly commence expansion of the pilot program to cover the nationals of all countries.

(B) Such expansion shall be completed not later than one year after the date of the submission of the report referred to in subsection (f).

(2) After the program has been expanded, as provided in paragraph (1), the Attorney General and the Secretary of State may, on a periodic basis, jointly revise the amount of the fee imposed and collected under section 281(b) of the Immigration and Nationality Act in order to take into account changes in the cost of carrying out the program.

(h) DEFINITION.—As used in this section, the phrase ''approved colleges and universities'' means colleges and universities approved by the Attorney General, in consultation with the Secretary of Education, under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

Mr. SIMPSON. Mr. President, this is the amendment, amendment No. 1 and No. 2, that Senator KENNEDY addressed, to enable the INS to keep track of foreign students studying in the country. The amendment provides a source of funding for INS to establish a very basic system for keeping track of foreign students. It is a measure supported by the FBI Director, who expressed concerns at our ability to track such students in a 1994 memorandum regarding possible tariffs. It is not an intrusive provision. I answered a question of Senator KENNEDY to indicate that.

Colleges and universities are already required to provide this sort of information to the INS. The problem in the past has been that the INS has not devoted such resources to this activity to create a body of reliable information. The amendment's aim is to provide the funding so the INS can implement a system to keep track of foreign students studying here, and it seems reasonable such funding should come from the students themselves and not from the taxpayers.

A student who is willing to pay $10,000 or $20,000 in this country, or $80,000 to $100,000 through the entire

curriculum, is not likely to be seriously concerned about paying the additional fee of $50 or $100 for the issuance of the student visa in accordance with this amendment.

I ask unanimous consent that the amendment be laid aside.

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

AMENDMENT NO. 3671

(Purpose: To create new ground of exclusion and of deportation for falsely claiming U.S. citizenship)

Mr. SIMPSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. SIMPSON] proposes an amendment numbered 3671.

Mr. SIMPSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

After section 115 of the bill, add the following new section:

"SEC. 115A. FALSE CLAIMS OF U.S. CITIZENSHIP.

''(a) EXCLUSION OF ALIENS WHO HAVE FALSELY CLAIMED U.S. CITIZENSHIP.—Section 212(a)(9) (8 U.S.C. 1182(a)(9)) is amended by adding at the end the following new subparagraph:

'(D) FALSELY CLAIMING CITIZENSHIP.—Any alien who falsely represents, or has falsely represented, himself to be a citizen of the United States is excludable.'; and

''(b) DEPORTATION OF ALIENS WHO HAVE FALSELY CLAIMED U.S. CITIZENSHIP.—Section 241(a) (8 U.S.C. 1251(a)) is amended by adding at the end the following new paragraph:

'(6) FALSELY CLAIMING CITIZENSHIP.—Any alien who falsely represents, or has falsely represented, himself to be a citizen of the United States is deportable.'.''.

Mr. SIMPSON. Mr. President, this amendment would add a new section to the bill. The section would create a new ground of exclusion of deportation for falsely representing oneself as a U.S. citizen.

This amendment is a complement to another that I will be proposing. The other amendment would modify the bill section which applies and provides for pilot project systems to verify work authorization and eligibility to apply for public assistance. One of the requirements of that other amendment is that the Attorney General conduct certain specific pilot projects, including one under which employers would be required to verify the immigration status of aliens, but not persons claiming to be citizens. Such citizens would be required only to attest as being citizens. That was discussed in committee. If you are a U.S. citizen, why should you have to go through these procedures? Well, obviously, I concur with that.

The major weakness in such a system is the potential for false claims of citizenship. That is why I offered the present amendment which will create a new major disincentive for falsely claiming U.S. citizenship. Lawful permanent aliens, or residents who falsely claim citizenship, risk deportation and being permanently barred from entering the United States. Since they are work-authorized, they would have little reason to make a false claim of citizenship.

Illegal aliens, on the other hand, would know that they could not be verified if they admitted to being aliens and the verification process were conducted. Yet, they would also know, if they falsely claim to be citizens and were caught and apprehended, they would be deported and permanently barred. Thus, the risk involved in making the false claims would be high for them indeed. If the present amendment were enacted into law, that would be the case. If the amendment were enacted and the project involving citizen attestation were conducted, a significant number even of illegal aliens may well be deterred from seeking jobs in the United States. That is the basis of the third and final amendment, which I submit this evening.

Mr. KENNEDY. Mr. President, I think this is a good amendment. It is instructive to put it in at this time because I think this might be able to add a dimension in being more effective in terms of protecting Americans in job situations. I think, first, as the Senator pointed out, if the person represents that they are a citizen and they are not and they get the job, they are undermining the ability of the American to have the job.

Second, if they do it in terms of the welfare provisions, they are basically undermining the American taxpayers and doing it for fraudulent reasons. The penalty would be deportation or exclusion, as I understand the amendment. So it seems to me to make a good deal of sense from any point of view. I hope tomorrow we will accept the amendment.

Mr. SIMPSON. Mr. President, I ask unanimous consent that amendments numbered 3669, 3670, and 3671 be temporarily laid aside in the order in which they were offered and that they be made the pending business at the request of the majority leader after notification of the Democratic leader.

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

Mr. SIMPSON. I further ask that it be in order for me to ask for the yeas and nays on the three amendments, with one showing of seconds.

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

Mr. SIMPSON. I now ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3667

Mr. SIMPSON. Mr. President, I now ask unanimous consent that the Dorgan amendment recur as the pending amendment.

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

AMENDMENT NO. 3672 TO AMENDMENT NO. 3667

Mr. SIMPSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. SIMPSON] proposes an amendment numbered 3672 to Amendment No. 3667.

Mr. SIMPSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike all after the word ''Sec.'' and insert the following:

(1) social security is supported by taxes deducted from workers' earnings and matching deductions from their employers that are deposited into independent trust funds;

(2) over 42,000,000 Americans, including over 3,000,000 children and 5,000,000 disabled workers and their families, receive social security benefits;

(3) social security is the only pension program for 60 percent of older Americans;

(4) almost 60 percent of older beneficiaries depend on social security for at least half of their income and 25 percent depend on social security for at least 90 percent of their income;

(5) 138,000,000 American workers pay taxes into the social security system;

(6) social security is currently a self-financed program that is not contributing to the Federal budget deficit; in fact, the social security trust funds now have over $400,000,000,000 in reserves and that surplus will increase during fiscal year 1995 alone by an additional $70,000,000,000;

(7) these current reserves will be necessary to pay monthly benefits for current and future beneficiaries when the annual surpluses turn to deficits after 2018;

(8) recognizing that social security is currently a self-financed program, Congress in 1990 established a ''firewall'' to prevent a raid on the social security trust funds;

(9) raiding the social security trust funds would further undermine confidence in the system among younger workers;

(10) the American people overwhelmingly reject arbitrary cuts in social security benefits; and

(11) social security beneficiaries throughout the nation deserve to be reassured that their benefits will not be subject to cuts and their social security payroll taxes will not be increased as a result of legislation to implement a balanced budget amendment to the United States Constitution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any legislation required to implement a balanced budget amendment to the United States Constitution shall specifically prevent social security benefits from being reduced or social security taxes from being increased to meet the balanced budget requirement.

Mr. KENNEDY. Mr. President, I was reading that it be made the pending business at the request of the majority leader after notification of the Democratic leader. I am sure that will all be done in good faith. But I understand that notification of the Democratic leader includes that if a Member of our party would like to speak and address those amendments, I assume that would be respected. I make that assumption.

Mr. SIMPSON. Mr. President, I certainly make that assumption. I understand it to be notification and agreement by the Democratic leader.

Mr. KENNEDY. I thank the Chair. As far as the discussion then on that measure, I know there are other Members that want to address the Senate on other matters. I see the Senator from South Carolina, who wanted to speak, as well, on the issue of Senator DORGAN's amendment.

Mr. SIMPSON. If I may, I believe Senator DEWINE had not concluded his remarks when I requested the floor. I appreciate very much his willingness to do that so we could get those amendments before the body. How much more time does Senator DEWINE need?

Mr. DEWINE. I probably have 6, 7, or 8 minutes.

Mr. SIMPSON. I appreciate that. Then we will yield to Senator HOLLINGS for a discussion on the Dorgan amendment and temporarily go off of this measure. I thank the Senator from Ohio very much for his courtesies in enabling us to go forward with an agenda for tomorrow.

Mr. DEWINE. Mr. President, let me conclude my general comments about this bill today. I think America's greatness has been created, generation after generation, by driven self-selected individuals who came here as legal immigrants. We can think of names such as Albert Einstein, from Ohio, someone like George Olah who came here from Budapest in 1957 and taught at Case-Western Reserve, and won the Nobel Prize for chemistry in 1994. The original bills as introduced actually said to people like Einstein and Olah, ''Get lost, you can come to the U.S., but only if you jump through a whole bunch of bureaucratic hoops from the State Department and the Labor Department.''

A lot of these provisions were, in fact, changed in committee. Mr. President, I think we really do not need to be making it any harder for these talented, energetic people to come and help us build our great country. In fact, Mr. President, we became the richest, most powerful nation in the history of the world by doing exactly the opposite—by encouraging them to come.

No, Mr. President, America's immigration problem is not the high-quality researchers and professors wading the Rio Grande in the dead of night or scrambling over a fence to avoid the Border Patrol.

We should and can crack down on illegal immigration. That is a law enforcement issue. We should not allow that effort to serve as a Trojan horse for other measures—measures that would hurt America's future by rejecting the very finest and most noble traditions of America's past.

To reverse course on immigration, as some might recommend, is to say that America from now on will define itself as a country that is fearful of change, afraid of competition, and convinced that her best days are past. That is not the attitude that made America the greatest country the world has ever seen. An America that thinks itself as weak and threatened is not the America that I see. It is not the America that we Americans believe in. It is not the America that a dirt poor Irishman named Dennis DeWine saw—saw in his dream as he left County Galway 150 years ago to escape the potato famine in Ireland. We do not know a lot about my great-great-grandfather. All we know for sure is that he came over to America from Galway. It is pretty clear, though, that Dennis DeWine came here with guts and with ambition, but probably with very little else. He took a chance on America, and America took a chance on him because America back then thought big thoughts about itself and what great riches lay in the ambition—in the ambition of people who are willing to take risks. That is the kind of America we need to be, not a closed America that views itself as a finished product but an America that is open to new people, new ideas, and open to the future.

Mr. President, I began this speech by talking about how Ronald Reagan expressed better than any other political figure of our era the truest sense of what America stands for. I think it would be appropriate for me to conclude these remarks about America's immigration policy and about America's identity with another great story, one that President Reagan recounted more than once in his Presidency. In fact, he found it so moving that he even included it in his farewell address 9 days before he left the White House. Here is the way Ronald Reagan told the story.

> I have been reflecting on what the past 8 years have meant, and mean, and the image that comes to mind, like a refrain, is a nautical one—a small story about a big ship and a refugee and a sailor. It was back in the early 1980's at the height of the boat people, and a sailor was hard at work on the Carrier *Midway* which was then patrolling the South China Sea. The sailor, like most American servicemen, was young, smart, and fiercely observant. The crew spied on the horizon a leaky little boat, and crammed inside were refugees from Indochina hoping—hoping to get to America. The *Midway* sent a small launch out to bring them to the ship and to safety. And as the refugees made their way through the choppy seas, one of them spied the sailor on deck. He stood up and called out to him. He yelled, ''Hello, American sailor. Hello, freedom man''—a small moment with a big meaning, a moment a sailor could not get out of his mind. Neither could I, because that is what it is to be an American.

Mr. President, as we debate this bill, I think we will need to remind ourselves that that still is what it means to be an American. It always was, and let us pray that it always will be. Even at the very beginning of our history, back when we were a very small country, we were always a country with a very big meaning, a country whose future was unlimited, a country that believed in people and believed in their capacity to make the world a better place. What a legacy, what an awesome responsibility, a responsibility for our generation and for every generation.

I, along with some of my other colleagues, will be working to make sure that our immigration reform bill remains true to this legacy and true to the values that made America a beacon for all humanity.

Mr. President, I will conclude these remarks at this point, and again thank my colleague from Wyoming for his courtesy and for his work not only on this bill, but on this issue now for well over a decade.

Mr. SIMPSON. Mr. President, I thank the Senator from Ohio. He has been very involved, very articulate, and I appreciate the participation very much.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, let me thank the distinguished chairman of our committee, the Senator from Wyoming.

I say a word about immigration in that we opened up a school this morning for some 525 additional Immigration and Naturalization agents—the plan and plot as we work in the appropriations side of this particular problem. And I serve on the what we call the State, Justice, Commerce Subcommittee of Appropriations. For the past 25 years we have been trying to keep up with the problem as we have seen it. We work with the leadership of the Senator from Wyoming, the Senator from Massachusetts, Senator KENNEDY. And this morning, as I say, we opened up that school for some 525 agents at the old Navy yard facility in Charleston that we closed a couple of years ago.

A word should be said about our distinguished Commissioner of Immigration and Naturalization, Doris Meissner. She could not be with us, of course, because of the loss of her husband in that fatal crash going into Dubrovnik last week. Chuck Meissner, the Assistant Secretary of Commerce in charge of International Trade, was on that plane, that tragic loss. I talked to Commissioner Meissner and said that I know we have the scheduled opening of the school, but we ought to call that off. She said, ''No, it is really an emergency situation. While I cannot be there, I will be represented by Ms. Sale, Chris Sale, the Deputy Commissioner, and the other authorities, and we are ready to go, and we want to make sure that we have at least these agents trained and ready to go to work by August.'' Chris Sale was there, and we opened the school in the most adequate fashion.

The American public and the U.S. Senate should understand that this problem is much like trying to drink water out of a fire hydrant. Go down to San Ysidro, CA, down there by San Diego where 46 million automobiles and 9 million pedestrians were stuck

and inspected by the Immigration and Naturalization Service last year. We are totally understaffed for the problems of the illegal immigrants coming into the Nation and making their demands upon State and Federal spending.

So it is not a casual commendation that I give to the leadership of the Senator from Wyoming because I worked with him on the Simpson-Mazzoli bill years back. He has been in the trenches working for years trying to bring the National Government ahead and on to the problem, so that it would not increase into this emergency, more or less, at this particular time.

Having said that, Mr. President, let me say a word about an underlying amendment of Senator DORGAN from North Dakota, myself, and others relative to spending Social Security trust funds. I can go into detail which I will to make the record here, but let me bring it right up to the spending habits of the National Government with respect to trust fund amounts. When we passed in 1983 the increase in Social Security taxes, we could not have possibly voted that tax increase save and excepting to maintain the integrity of the Social Security trust fund. In fact, the intent was not only to maintain its integrity but to maintain a surplus. We talked openly, and you refer back to the record, of the Greenspan commission report, that if these increases in taxes were carried out, we would have a surplus that would easily take care of the baby boom generation into the year 2050.

But otherwise has occurred. What we have been doing, in a shameless fashion, is spending the Social Security trust moneys on the deficit. We have been obscuring the size of the deficit by the use of those trust funds. It was $63 billion last year, if I remember correctly. Last year the CBO report was a $481 billion surplus. So if you add the $63 billion I guess it would be in the terms of a $544 billion surplus, over one-half trillion surplus funds in the Social Security trust. But, ah, now we have today's, or last week I should say but it is dated April 15, Time magazine, and I wish to quote because here is what really happens to the so-called trust funds. It is on page 27 of April 15, 1996, Time magazine, entitled ''Odyssey of a Mad Genius.'' I refer to the article on page 27, ''Beltway Robbery.'' This has to do with highway trust funds, not Social Security, but the similarity is so stark in its reality that it must be brought to the attention of my fellow Senators here this afternoon. I quote:

In a Washington out to cut Federal spending, 12-term Congressman Bud Shuster is an unrepentant pork barrel spender. Now it appears the Chairman of the House Transportation and Infrastructure Committee has converts. More than half his colleagues including a heavy majority of those reform-minded GOP freshmen, are backing a bill that would lift constraints on highway and airport projects. If the trust and budgeting act is passed by the House next week, it would give Shuster's committee great latitude to tap some $33 billion in transportation trust funds. The measure has mobilized a formidable lobbying coalition, uniting organized labor and big and small business, State and local governments, and such an esoteric trade association as the Precast-Prestressed Concrete Institute. Their goal is not only to pass it but also a vetoproof 289 votes. Supporters argue rightly that the money would go where it was intended—building roads and upgrading the airports. But the supposedly untapped funds are actually an accounting figment. Using them would increase the deficit or force greater cuts in other programs. Budget Committee Chairman John Kasich and Appropriations Chairman Bob Livingston are vehemently opposed. Attempts by Newt Gingrich to reconcile them and Shuster have come to naught. Meanwhile, Federal Chairman Alan Greenspan broke with his custom of staying neutral to advise against passage.

Now, is that not a remarkable report? One line in there, and I quote it again:

But the supposedly untapped funds are actually an accounting figment.

This is exactly what Senator Heinz and I were fighting against when we had enacted section 13301 of the Budget Enforcement Act on November 5, 1990, signed into law by President George Bush, voted by a vote of 98 to 2 in this Senate. We did not want Social Security trust funds to become an ''accounting figment.'' That is what they do when they continue to use funds.

When we try to debate it in the Chamber, it does not matter; we have the money there, but it has to be used by the Government somewhere so we will just borrow the moneys there and everything else of that kind and tell the youth of America do not worry—well, do worry, it is going broke—when it is not going broke and when we got the moneys there and run around about going broke because in their mind it has become an accounting figment.

Now, let me mention a book by James Fowler. It is called ''Breaking The News.''

This is the problem in Government today. Years back, none other than Thomas Jefferson as between a free Government and a free press, he would choose the latter, and why? Because he said and reasoned that you could have a free Government but would not remain free long unless you had a free press to keep us politicians honest.

What has happened is that the free press no longer keeps the politicians honest. They in turn have joined into the dishonesty. Here it is. I read again. One sentence:

But the supposedly untapped funds are actually an accounting figment.

Thirty-three billion in the highway trust funds. The article quotes it. It is not an accounting figment. And instead of keeping the trust for highways, who comes out against spending highway moneys for highways? The chairman of the Budget Committee, the chairman of the Appropriations Committee, and of all people, the head of the Federal Reserve because he is part and parcel of the conspiracy for a so-called unified budget.

Now, let's go to unified. Wall Street and Alan Greenspan love unified budgets so long as the Government is not coming in to the bond market with its sharp elbows borrowing. Then they can make more money on stock sales. Bond sales, their interest rates stay down so borrow from yourself.

Well, that is pretty good for the irresponsible business leadership but for the public servant down here in Washington that has to do his job, he is going to meet himself coming around the corner and today we have met ourselves coming around the corner.

But the supposedly untapped funds are actually an accounting figment.

That is the charade and fraud that has been going on. I more or less dedicated myself to paying the bill. Earlier today when we were opening up this school, I said when we handled this Justice Department budget back in 1987, 1988, it was only about $4.2 billion. Now, this year, it is $16.7 billion. It has gone up, up and away, and we do not pay for it.

I cited an editorial in my own hometown newspaper about April 15, here we were, the day to pay taxes, and up, up and away was the national debt to $5 trillion. And they said: You know the reason for this was entitlement funds. They said that it was the military retirement, the Social Security, the Medicare.

Wait a minute, Mr. President. Let us go to these so-called entitlement funds. As I mentioned a moment ago, Social Security is over one-half trillion dollars in the black. Medicare, everybody agrees, is in the black. They are talking about going broke in 7 years, but many adjustments can be made and should be made and will be made. We will keep Medicare solvent. We do not have to cut it to get a tax cut to buy the vote for November. I have opposed that.

Similarly, with the military and civil service retirement fund, it is in the black. It is not these entitlements, it is paying for the immigration border patrol, the immigration inspectors, all the other things; the Justice Department, FBI, for the defense, for all these things for 15 years. We have not been paying for general government. Oh, this cry over entitlements started in the Appropriations Committee when my friend Dick Darman came in there, talking about ''entitlements, entitlements, entitlements.'' And you have that same Concord Coalition, ''entitlements, entitlements, entitlements,'' and my friend Pete Peterson up there in New York, ''entitlements, entitlements, entitlements.''

Let us talk about general government. I was a member of the Grace Commission against waste, fraud, and abuse. And we have constituted the biggest waste, the biggest fraud, the biggest abuse in the last 15 years by spending $250 billion more each and every year, on an average, without paying for it. That is why the debt has

gone to $5 trillion. That is why the interest cost has gone to over $350 billion. We will get a CBO estimate here on Wednesday. Today is Monday. But let me tell you what the estimate was earlier in the year. I will ask unanimous consent later that this be printed in the RECORD. The estimated 1996 interest cost on the national debt, gross interest paid is $350 billion.

Interest has gone up since then, so it is going to be over $1 billion a day. When President Reagan took over, the gross interest cost was exactly $74.8 billion. Get into a little arithmetic. Subtract 75, in round figures, $75 billion from $350 billion and you get $275 billion. Mr. President, 275 billion extra dollars spending for nothing, for nothing.

I remember President Reagan. I will show the talks, if you want me to put it in the RECORD. He was going to balance the budget in 1 year. Then he came to town and said, ''Oops, 3 years.'' Then we had the Gramm–Rudman-Hollings Act, 5 years. Now they have proposed 7 years. If they get past the November election, the next crowd will say 10 years. As long as they can continue the charade, as long as the press fails to keep us honest and fails to engage the public in the truth, it continues the charade, calling it truth in budgeting.

Mr. President, the actual cost of domestic discretionary spending at this minute is $267 billion. But the increase in spending for interest on the debt has been $275 since President Reagan took office. Point: We have doubled domestic discretionary spending without getting a double Government. We could have two Presidents, two Senates, two Houses of Representatives, two Departments of Justice, Agriculture, Commerce, Interior. Domestic discretionary—we could have two for the money we are spending. But we are not getting it.

Talk about increased spending? ''I am against increased spending.'' They are all running around in this Congress saying, ''I am against increased spending.'' Well they have increased spending $1 billion today, on account of this fraud, this charade. Or, like taxes, for April 15 they have sent their minions all around the land, talking about tax day, ''Let us have a special bill over in the House.'' It is all theater. And we will have that, ''You have to have a two-thirds vote in order to increase taxes.'' Increase taxes? You cannot avoid death. You cannot avoid taxes. And you cannot avoid interest costs on the national debt. Interest is like taxes. You have already increased taxes today of $1 billion and you will increase taxes tomorrow, and on Saturday, and on Sunday and on Christmas Day, every day this year—not on increased program spending, but on interest on the debt. The crowd that says they are against increasing taxes is increasing taxes and not wanting to do a thing about this central problem.

I tried and I am going to continue. They are not going to get rid of me. I came here with a AAA credit rating for my State. I increased taxes to get it. I knew as a young Governor I could not go to those industry leaders in New York and ask them to come down and invest in Podunk. I had to have a solvent operation. So we did balance the budget and we put in a little device, which later, in the Federal Government, was called Gramm-Rudman-Hollings. It was cuts across the board.

I went to the distinguished Senator from Texas. I said, ''This device that you have that cuts Social Security, it will not get to first base.'' I said, ''Speaker O'Neill and Congressman Claude Pepper will run us off the Capitol steps. We have not got a chance. Forget it. Let us talk sense.'' I helped write Gramm-Rudman-Hollings sensibly, and we enacted automatic cuts across the board.

Then, when, as they say, the rubber hit the road in 1990, we abolished the cuts across the board. On October 19, at 12:41 a.m., I raised the point of order, and my distinguished colleague from Texas voted to abolish the cuts across the board of Gramm-Rudman-Hollings.

Do you know what they did? They went for spending caps. Well, this place has a ceiling, but the spending caps have not. Spending has gone up, up and away and that is why poor President Bush lost his reelection. There is no kidding around.

I mean, we were up to $400 billion deficits at that particular time. The exact figure, according to the schedule here of the real deficit was $403.6 billion. So they said we will try this little Governor from Arkansas. He has balanced the budget for 10 years. Give him a try.

I voted for a balanced budget under Lyndon Johnson. Under Lyndon Baines Johnson, the interest costs on the national debt in his last year, when we voted that balanced budget, was $16.6 billion. Now it is over $350 billion, over $1 billion a day. That is the biggest waste consciously caused by us.

I have been a party to it. Yes, I tried to enact a freeze. Then I tried Gramm-Rudman-Hollings. Then, even in the Budget Committee I had a value-added tax. It was bipartisan. I had the distinguished Senator from Missouri join me. The distinguished Senator from Minnesota joined. We had eight votes for a value-added tax of 5 percent allocated to ridding us of the deficit and debt so we would not have this increased spending on automatic pilot.

But, somehow, somewhere along the line, we have gotten into a contract of nothing but procedural nonsense. We have gotten into term limits, when the Constitution already says I have to run for every 6 years. Incidentally, I have been elected to the U.S. Senate six times.

We have procedural talk about unfunded mandates, line-item vetoes, anything except enacting a balanced budget. We are not providing; the size of the Federal work force is smaller now than it was 10 years ago. We are spending more and getting less. No wonder the body politic is disillusioned with their Government in Washington. Somehow, both Republican and Democrat, keep on spending more and more while we get less and less. And they all give us this same pollster pap of, ''I am against taxes and for the family. I am against crime and for jobs.'' You know, get the hot button items and try to fool the people. And that is why the distinguished Senator from North Dakota has offered this amendment, which states:

> It is the sense of the Senate that because section 13301 of the Budget Enforcement Act prohibits the use of the Social Security trust fund surplus to offset the budget deficit, any proposal for a constitutional amendment to balance the budget should contain a provision creating a firewall between the receipts and outlays of the Social Security trust funds and the rest of the federal budget, and that the constitutional amendment should explicitly forbid using Social Security trust funds to balance the federal budget.

Mr. President, if acted on that idea, we would have passed the balanced budget amendment to the Constitution by at least 5 votes in March of last year—March of last year.

Again, about 6 weeks ago, I tried to bring it up, and they raised a technicality that it was not relevant. Five Senators wrote a letter to Majority Leader DOLE. We went on record in favor of the balanced budget amendment to the Constitution as long as it did not repeal section 13301. But they want that unified budget. Keep spending the billions and billions and billions from the Social Security trust fund and then come around at the end of the day when my children and the distinguished Presiding Officer's children and grandchildren come for their particular retirement, and they are going to say the untapped funds are actually an accounting figment.

Who in the year 2002 is going to raise a trillion dollars in taxes to make good on the IOU's in the Social Security draw? Nobody, nobody, and they do not have any idea of doing it. But ''I'm against taxes,'' they say. Oh, it is a wonderful luxury to run around and fool the American people, and who allows it? The American free press. Read ''Breaking the News'' by James Fallows, an authoritative writer. He has been up here. He has watched the operation. I can tell you, time and time again, it has been a very, very difficult fight.

Let me give credit to the late Senator from Pennsylvania, John Heinz. John Heinz and I worked on taking the Social Security trust fund off budget. It was bipartisan. It was called the Heinz-Hollings amendment—we wanted him to lead it at the time because the Republicans were in control—and we called it the Heinz-Hollings-Moynihan amendment.

Our distinguished Senator MOYNIHAN had been the ranking member on the Finance Committee and, admittedly, is still the authority on Social Security in this body.

But on October 18, 1990, Senator John Heinz said:

Mr. President, in all the great jambalaya of frauds surrounding the budget, surely the most reprehensible is the systematic and total ransacking of the Social Security trust fund in order to mask the true size of the deficit.

Another quote on October 18, 1990 by Senator John Heinz:

Since 1983, when we may have saved the Social Security goose, we have systematically proceeded to melt down and pawn the golden egg. It does not take a financial wizard to tell us that spending these reserves on today's bills does not bode well for tomorrow's retirees.

I make these quotes to the body this afternoon for the simple reason that it is bipartisan, and I am appealing to the Senators on the other side of the aisle, the Republican colleagues, because I know the chairman of our Budget Committee, the distinguished Senator from New Mexico, does not believe in busting the budget. He got caught off base last November when he held up the good housekeeping award and said, ''Here's a balanced budget certified by the Director of the CBO.''

Then 2 days later, ''CBO said, as you were, ''we have a deficit of $105 billion.'' It was not balanced at all. Let us not go through that charade again. We can pass a balanced budget amendment to the Constitution.

Senator DOLE is put under tremendous pressures with the goofy right that he has to respond to in order to get the nomination. But now that he has it, he should revert to the old DOLE, as he was as chairman of the Finance Committee when he joined in the sentiment of George Bush who called Reaganomics voodoo, and former Republican majority leader, Senator Baker, who said it was a riverboat gamble.

I know Senator DOLE. I have tremendous respect for him, and I know he is solid on paying bills. But he has a crowd that runs rampant saying, ''We don't want to pay the bill.''

Remember what happened to Fritz Mondale? He was honest enough to come out and say we are going to have to have an increase in taxes in order to pay the bills, but he did not add ''in order to pay the bills.'' He said, ''Yes, it looks like we are going to have to increase taxes.'' He had ahead of time said, ''By the way, I'm a Democrat in the image of Hubert Humphrey.'' When he said he was a Democrat in the image of my friend Senator Humphrey from Minnesota, everybody took it to mean we really were going to start some spending.

I understand the call that has been put out to call the Democrats tax-and-spend, tax-and-spend.

Let me enter something in the RECORD now for President Clinton. In all of these 15 years, the only time the deficit has been decreased is under President Clinton. He came to town and cut spending $500 billion. He came to town and with a $500 billion deficit reduction plan—equally split between spending cuts and taxes. I voted for it in order to try and get on top of these interest costs, this waste.

He came to town and cut $57 billion out of Medicare and had proposed another $124 billion. But there was no $250 billion for a tax cut. So he was acting responsibly until the Post and you folks just pulled him off base, and then he came for a tax cut, too, which nobody can afford.

That is one grand fraud on the American people. We do not have any taxes to cut. We have been cutting the spending. Eliminate the domestic discretionary spending. Eliminate welfare, eliminate foreign aid and the entire domestic discretionary spending and not cut it, and you still have a deficit. That is the serious problem.

The ox is in the ditch, and we have to sober up in this Government of ours and quit talking pollster politics games which the press joins in: who is up and who is down and who is silly enough.

I recommended a value-added tax in the Finance Committee. I want to pay for new immigration inspectors. I want to pay for 5,000 new border patrol. I want to pay for the extra FBI, the crime bill. I want to pay for the commitment in Bosnia. But this crowd comes up here and gets away with the worst I have ever seen.

I hope that we can salve the conscience, if there is one left amongst us, where we adopt the amendment of the distinguished Senator from North Dakota, the sense of the Senate that we not use Social Security trust funds to balance the Federal budget.

That was not the intent when we adopted those taxes, but you can see from the way they are treating highway trust funds—I would like to do it for the highway trust funds. I would like to do it for airport and airway trust funds. Out there in Colorado, we need some new airports, but we have not been spending the money on airports, we have been spending them instead on masking the size of the deficit, sacrificing future investment for present consumption.

I would like to spend these moneys for their intended purpose. I would like to pay the bill so that we will not saddle the next generation with our excesses. Where all they can do in Washington and is to pay for a little bit of defense, a little bit of domestic discretionary, cannot promote technology, cannot promote any competitiveness, cannot have any research and health care, and everything else that Government is supposed to do.

I believe in Government. I do not think Government is the problem. I think this charade is a problem. I think they know it is a problem. But they go along with this silly contract and its procedural nonsense, guaranteed every day to put on a show here. ''Here is April 15. Here is tax day. Let's remind them about a tax cut that they could have gotten.'' So they automatically call it a President Clinton tax cut that you did not get, and all those kinds of things, when they could not give it to save their souls.

They do not have taxes to cut. In fact, their solution is Reaganomics and growth—please do not come back here with that growth. Senator Mathias on the Republican side and I were 2 of 11 votes against Reaganomics and that mantra of growth, growth, growth. The only thing that has grown is the deficit and spending, spending on automatic pilot of $1 billion a day—$1 billion a day. And nobody wants to talk about it. They want to talk about tax cuts. It's like saying, ''I want to buy your vote.''

Campaign financing. The biggest fraudulent campaign financing occurs on the floor of the U.S. Congress, because we mislead the American people that their Government is being paid for. We act like all we need to do is cut back a little on welfare and on foreign aid eliminate the Commerce Department.

Yes. Since I have the time—I talked the week before last with former Secretary Ron Brown. He and I were trying to work votes, in all candor, over on the Republican side. We were having a difficult time. We did not know whether or not the administration was going to veto the bill, should it pass. I take it now that the distinguished President would not hesitate in vetoing it because the Commerce Department is not a grab bag.

I have been through over a dozen Secretaries of Commerce, and I am laying it on the line. Ron Brown was the one Secretary of Commerce that did the work. Maurice Stans up to Mosbacher, all they did was collect money.

But here was a fellow out hustling business rather than funds for the campaign, actually doing an outstanding job. When I heard of the recent tragedy, I had just with the distinguished Senator from Maine, Senator COHEN. We were in Beijing at the time of the plane crash. They did not ask about the President because he has never been to the largest and perhaps one of the most important countries in the entire world. In fact, the Secretary of State, he has been 34 times to the Mideast but only one visit to Beijing. They did not ask about the Secretary of State.

They asked about Ron Brown. He made a wonderful, favorable impression. I really believe, Mr. President, that we can really bring about more human rights through capitalism and market forces than we can through sanctions.

I have learned the hard way, as we did back in the old days at the beginning of the war and the artillery. There was a saying then that no matter how well the gun was aimed, if the recoil was going to kill the gun crew, you did not fire the gun. The recoil of sanctions has killed the gun crew. It is killing off our business.

Just recently, France picked up a $1.2 billion Airbus contract rather than the

United States of America. Well, we all believe that the Government should take a stand. But the way we have taken it is in a general loud-mouth fashion without any result. We should have targeted sanctions, clearly understood in the first instance. Let our businesspeople go and prosper and bring about more capitalism over communism. That is how we really defeated it in Eastern Europe and the Soviet Union, with capitalism itself.

What we are doing is taking the largest, most important nation in the Pacific—I can see that front cover of another magazine, ''Friend or Enemy?'' We are making them an enemy. There is not any question about it. They like America. They like our technology. They have 100,000 Chinese students. They know we stand for freedom and everything else.

I was on an aircraft carrier in the Gulf of Tonkin in 1966, the *Kitty Hawk*. We could not control 20 million North Vietnamese. I do not know how an aircraft carrier running around the Straits of Taiwan is going to control 1.2 billion Chinese. We need to sober up.

Government—the art of the possible, not responding to these pollster pap things. ''Are you against Red China?'' or ''Are you against communism?'' and all those things. You have to live in the real world. You have to get the best results you can. I am absolutely persuaded you are going to do it through capitalism and not through running around confronting on every turn and letting that other crowd pick up the marbles.

If you could do it unilaterally, fine business. But you cannot. So the French go in and the Germans go in or the Japanese, and they pick up our marbles and we are left behind.

If I put myself in control—if I had to control 1.2 billion, the one concern I guess I would have to have would be Taiwan. They are moving toward democracy. They have, after 48 years, a free election for a President for the first time. But having had it, the more they talk about democracy and independence, coming to Cornell and asking for diplomatic recognition. But we need to be honest, Mr. President, about what that means in China. Any strong movement toward democracy right is a sensitive subject because if the Taiwan get democracy, then some crowd down in Guangzhou, will want democracy and everything else. Give me one man one vote today in Beijing and I have chaos.

But the politician here in the National Government does not stop looking, listening, or thinking about it. I do not believe that the rulers in Beijing have any idea of continuing so-called Communistic government.

Some call it Market-Leninism rather than Marxist-Leninism. I do not know what it is, but I do know, having been there in 1976 and 1986 and now in 1996, that they have brought about 180 million into the middle class.

I would daresay, if I were Nick the Greek and had to bet, that I would bet that 10 to 20 years from now you are going to find more hungry fed in China than you are going to find in democratic India. I think that is a mistake in Russia, and that is why the President is going to be there the day after tomorrow.

Why? Because they gave political rights before they gave economic rights.

We in the U.S. Senate ought to stop looking and listening to those pollsters who have never served a day in government. They are wonderful. I have the best. I trust their polls and predictions, and they have been on target, but they still really do not know government. They never have thought about doing things in the long term. They are only thinking bam, bam towards the next election. I could fault us all. We are all looking to November. Nothing will happen in this body this year. Why? On account of November. Each day we are trying to find out who is on top in the 7 o'clock news.

Irrespective of who is on top, I ask unanimous consent to have printed in the RECORD these tables, since President Truman, 1945 to 1996, of the U.S. budget outlays in billions, the trust funds, the real deficit, the gross Federal deficit, and the gross interest.

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

President and year	U.S. budget (outlays in billions)	Trust funds	Real deficit	Gross Federal debt (billions)	Gross interest
Truman:					
1945	92.7	5.4	.....	260.1	(1)
1946	55.2	3.9	−10.9	271.0	(1)
1947	34.5	3.4	+13.9	257.1	(1)
1948	29.8	3.0	+5.1	252.0	(1)
1949	38.8	2.4	−0.6	252.6	(1)
1950	42.6	−0.1	−4.3	256.9	(1)
1951	45.5	3.7	+1.6	255.3	(1)
1952	67.7	3.5	−3.8	259.1	(1)
1953	76.1	3.4	−6.9	266.0	(1)
Eisenhower:					
1954	70.9	2.0	−4.8	270.8	(1)
1955	68.4	1.2	−3.6	274.4	(1)
1956	70.6	2.6	+1.7	272.7	(1)
1957	76.6	1.8	+0.4	272.3	(1)
1958	82.4	0.2	−7.4	279.7	(1)
1959	92.1	−1.6	−7.8	287.5	(1)
1960	92.2	−0.5	−3.0	290.5	(1)
1961	97.7	0.9	−2.1	292.6	(1)
Kennedy:					
1962	106.8	−0.3	−10.3	302.9	9.1
1963	111.3	1.9	−7.4	310.3	9.9
Johnson:					
1964	118.5	2.7	−5.8	316.1	10.7
1965	118.2	2.5	−6.2	322.3	11.3
1966	134.5	1.5	−6.2	328.5	12.0
1967	157.5	7.1	−11.9	340.4	13.4
1968	178.1	3.1	−28.3	368.7	14.6
1969	183.6	−0.3	+2.9	365.8	16.6
Nixon:					
1970	195.6	12.3	−15.1	380.9	19.3
1971	210.2	4.3	−27.3	408.2	21.0
1972	230.7	4.3	−27.7	435.9	21.8
1973	245.7	15.5	−30.4	466.3	24.2
1974	269.4	11.5	−17.6	483.9	29.3
Ford:					
1975	332.3	4.8	−58.0	541.9	32.7
1976	371.8	13.4	−87.1	629.0	37.1
Carter:					
1977	409.2	23.7	−77.4	706.4	41.9
1978	458.7	11.0	−70.2	776.6	48.7
1979	503.5	12.2	−52.9	829.5	59.9
1980	590.9	5.8	−79.6	909.1	74.8
Reagan:					
1981	678.2	6.7	−85.7	994.8	95.5
1982	745.8	14.5	−142.5	1,137.3	117.2
1983	808.4	26.6	−234.4	1,371.7	128.7
1984	851.8	7.6	−193.0	1,564.7	153.9
1985	946.4	40.6	−252.9	1,817.6	178.9
1986	990.3	81.8	−303.0	2,120.6	190.3
1987	1,003.9	75.7	−225.5	2,346.1	195.3
1988	1,064.1	100.0	−255.2	2,601.3	214.1
Bush:					
1989	1,143.2	114.2	−266.7	2,868.0	240.9
1990	1,252.7	117.2	−338.6	3,206.6	264.7
1991	1,323.8	122.7	−391.9	3,598.5	285.5
1992	1,380.9	113.2	−403.6	4,002.1	292.3
Clinton:					
1993	1,408.2	94.2	−349.3	4,351.4	292.5
1994	1,460.6	89.1	−292.3	4,643.7	296.3
1995	1,514.4	113.5	−277.3	4,921.0	332.4
Est. 1996	1,595.0	105.8	−277.8	5,198.8	350.0

[1] Budget tables: Senator Hollings.

Note: Historical Tables, Budget of the U.S. Government FY 1996; Beginning in 1962 CBO's 1995 Economic and Budget Outlook.

Mr. HOLLINGS. Mr. President, I also ask unanimous consent to have printed in the RECORD Public Law 13301, status of the Social Security trust funds.

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

Subtitle C—Social Security

SEC. 13301. OFF-BUDGET STATUS OF OASDI TRUST FUNDS.

(a) EXCLUSION OF SOCIAL SECURITY FROM ALL BUDGETS.—Notwithstanding any other provision of law, the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President,

(2) the congressional budget, or

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) EXCLUSION OF SOCIAL SECURITY FROM CONGRESSIONAL BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following: ''The concurrent resolution shall not include the outlays and revenue totals of the old age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any other surplus or deficit totals required by this title.''.

SEC. 13302. PROTECTION OF OASDI TRUST FUNDS IN THE HOUSE OF REPRESENTATIVES.

(a) IN GENERAL.—It shall not be in order in the House of Representatives to consider any bill or joint resolution, as reported, or any amendment thereto or conference report thereon, if, upon enactment—

(1)(A) such legislation under consideration would provide for a net increase in OASDI benefits of at least 0.02 percent of the present value of future taxable payroll for the 75-year period utilized in the most recent annual report of the Board of Trustees provided pursuant to section 201(c)(2) of the Social Security Act, and (B) such legislation under consideration does not provide at least a net increase, for such 75-year period, in OASDI taxes of the amount by which the net increase in such benefits exceeds 0.02 percent of the present value of future taxable payroll for such 75-year period.

(2)(A) such legislation under consideration would provide for a net increase in OASDI benefits (for the 5-year estimating period for such legislation under consideration), (B) such net increase, * * *.

Mr. HOLLINGS. Mr. President, I also ask unanimous consent that the Hollings-Heinz amendment Social Security trust funds budget deficit vote of October 18, 1990, be printed in the RECORD.

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

SENATE VOTING RECORD—NO. 283

YEAS (98)

Democrats (55 or 100 percent): Adams, Akaka, Baucus, Bentsen, Biden, Bingaman, Boren, Bradley, Breaux, Bryan, Bumpers, Burdick, Byrd, Conrad, Cranston, Daschle, DeConcini, Dixon, Dodd, Exon, Ford, Fowler, Glenn, Gore, Graham, Harkin, Heflin,

Hollings, Inouye, Johnston, Kennedy, Kerrey, Kerry, Kohl, Lautenberg, Leahy, Levin, Lieberman, Metzenbaum, Mikulski, Mitchell, Moynihan, Nunn, Pell, Pryor, Reid, Riegle, Robb, Rockefeller, Sanford, Sarbanes, Sasser, Shelby, Simon, and Wirth.

Republicans (43 or 96 percent): Bond, Boschwitz, Burns, Chafee, Coats, Cochran, Cohen, D'Amato, Danforth, Dole, Domenici, Durenberger, Garn, Gorton, Gramm, Grassley, Hatch, Hatfield, Heinz, Helms, Humphrey,

Jeffords, Kassebaum, Kasten, Lott, Lugar, Mack, McCain, McClure, McConnell, Murkowski, Nickles, Packwood, Pressler, Roth, Rudman, Simpson, Specter, Stevens, Symms, Thurmond, Warner, and Wilson.

NAYS (2)

Republicans (2 or 4 percent): Armstrong and Wallop.

Mr. HOLLINGS. I will have other things to be printed in the RECORD tomorrow when we debate this. This is not a casual thing. This is not a political thing. I will vote for Senator DOLE's Senate Resolution No. 1, if he will not repeal, just do not repeal the present law.

At least we have it into law. But the media disregards the law. The media quotes a unified budget, but sometimes the media does show some sense—instead of unified, saying the money is all in the Federal Government, they say, and I finally close in the sentence here on April 15, 1996, Time magazine, ''But the supposedly untapped funds are actually an accounting figment.''

Tell that to the media. From now on, that is what they call it, an accounting figment. We ought to have truth in budgeting. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Mr. President, I ask unanimous consent to speak as in morning business for 15 minutes.

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

TERM LIMITS

Mr. ASHCROFT. Mr. President, I rise today to speak about an important project. In the next couple of weeks, the Senate will vote for the very first time in history on a proposed constitutional amendment to limit the terms of individuals in the U.S. Congress. This is, indeed, historic. While people are familiar with term limits, because they have applied to the President since the 1950's, and while 40-some States have term limits as it relates to other public officials, the U.S. Congress has never been term limited.

It is an exciting opportunity to know that the Judiciary Committee of this Senate for the first time in history has sent to the floor of the Senate, with bipartisan support, a proposed amendment to the Constitution of the United States that would provide the States with the chance to add to the Constitution, limits on Members' terms in the U.S. House and Senate.

People might say, why is that important? I think it is important from a number of points of view. I think that the biggest perk of all in Government is the perk of incumbency. The No. 1 campaign reform ought to be to level the playing field every couple of terms for Members of the Senate and every several terms for Members of the House and let new people have an opportunity to bring their fresh approach and their recent experience into Government from the private sector.

Steven Moore of the CATO Institute eloquently phrased the results of his study. He indicated clearly that if we were to have had term limits we already would have passed a balanced budget amendment to the Constitution of the United States. It would have passed the House and Senate in the years 1990, 1992, and in the year 1994. We would have had at a much earlier date the therapeutic value of the line-item veto, major reforms that encounter the resistance of career congressional individuals who have been passed long ago.

It is interesting to note that this study also indicated that there are several things that did pass which would not have passed, had there been term limits. Moore, of the CATO Institute, indicates that the last two pay increases for Congress would not have passed had we had term limits, and the last two tax increases on the people of this great country would not have passed, had we had term limits.

It is time for this body, along with the House of Representatives, to vote to allow the American people, through their States, to embrace term limits for the Congress if they choose to. The U.S. Senate and the U.S. House cannot enact term limits. But we can offer the opportunity to the States through a proposed constitutional amendment. We should do that and do it now. It is a way of inviting the people into the process of Government. For too long the Congress has slammed shut the door of self-government in the face of the American people. It is time to welcome them back.

In conjunction with the vote later this month on term limits, I am pleased to announce an exciting experiment in online democracy. It is the first ever congressional online petition. This is a way for the people of the United States of America to register their views on term limits with the U.S. Senate, and to do so at a place through electronic mail. I refer Members to the chart entitled ''Term limits'' at ''jashcroft.senate.gov.'' which is the address for term limits on e-mail.

In addition to the e-mail address, you can also register your feelings on term limits by going to any number of home pages which will refer you to the term limits home page here in the Senate. For instance, the CNN home page, the C–SPAN home page, the America online home page, the netscape home page, the politics USA home page will all allow individuals to click to the term limits petition, where individuals can express themselves to the U.S. Congress.

This is an unusual petition made possible by the technology. I quote one of our first signers of the petition, Matthew Lovelace, who says, ''Your project puts power in the hands of the people, power that bureaucracy and big Government have taken away.'' He is one of about thousands upon thousands of individuals that have already signed the term limits petition that is online and available to people all across the United States of America. It is not a petition for registration. It will not cause any specific election to happen. It is a petition of communication to send a message from the American people to the Members of this Congress. It began last Wednesday and it is fully underway now.

The new technology has the potential to help us redefine the way citizens and communities participate in our democracy. Normally, a petition is an event that you sign and say, ''So long.'' You never see it again. You are not part of it in any sense, other than your name. The term limits petition, however, is one electronically that can allow you to see on a regular basis how many people have signed up, where Members of the Senate are in terms of the petition, and get views of public officials and others who have stated their views and written about term limits as a concept. Further, there can be updates through e-mail to individuals who request updates on the term limit petition.

The U.S. News reports that there are close to 300,000 Worldwide Web sites, and to have a term limits Worldwide Web site is just a way of providing the access to American people and people around the world to a concept whose time has come.

I do not think there is any better issue that could demonstrate the new technology than term limits. The new technology is designed to give people greater access and term limits will give people greater access to Government. If interactive technology at its core is about the increased deliberation, so, too, is term limitation.

Term limits also help to ensure accountability, and that new people and new ideas find their way into Government, and that we have competitive elections.

In 1994, 91 percent of all Congressmen who stood for reelection were returned to Washington. Term limits would eliminate the single biggest perk in the electoral system—the perk of incumbency. It is time that we simply say to individuals, yes, you are valuable, yes, you have served well, but there are thousands of people across America

with the capacity to serve well and to have an opportunity to bring their creativity to Washington, DC.

Dennis Holland of Connecticut suggested, when he contacted my office this weekend, that the Internet and Worldwide Web are the natural place for the free flow of individuals' ideas. I believe they are. That is why we have opened this link of communication for the American people. I will be a part of this free flow of ideas when I appear on America Online chat tonight from 9 p.m. to 10 p.m. We will continue to update the Senate on this exciting experiment. I encourage other Members of the Senate to sign the petition to express themselves for or against term limits. That will be made available to individuals across America who participate in this new process of communicating about an opportunity for America, an opportunity for communication and for reform.

I was Governor of the State of Missouri for two terms. The constitution of Missouri providently provides and wisely includes a provision that we would limit Governors to two terms. Members of the house and senate in Missouri are limited, as are other members of the State executive. The President is limited in the terms that he can serve. It is a way or an avenue of opening up Government to the people, which we should explore.

The House and Senate of the United States, in a couple of weeks, will have an opportunity to send to the people in their States a proposed amendment to the Constitution of the United States to allow them to embrace term limits as a national concept for the Congress. It is one which I hope they will embrace, and I hope we will give them the opportunity to do so.

I look forward to making further appearances as we approach the time for this body to act on term limits. I look forward to seeing the people of America tonight when we are on the America Online program regarding term limits between 9 and 10 p.m. eastern daylight time.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SIMPSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The Senate continued with the consideration of the bill.

Mr. SIMPSON. Mr. President, I appreciate the cooperation of my colleagues as we proceed with the immigration and reform legislation, both illegal and legal immigration reform. We have much to do, but we have presented to our colleagues three amendments for disposition tomorrow, and we will begin to process the amendments from this side of the aisle and the other side of the aisle. I think that will be most appropriate. There is much to do, obviously, in the spirit of cooperation on a very tough bill, which is tough for every single one of us, and some much more than others.

MORNING BUSINESS

Mr. SIMPSON. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak therein for up to 5 minutes each.

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

JANE BERGEN'S SILVER ANNIVERSARY

Mr. HOLLINGS. Mr. President, I would like to express my thanks and congratulations to a member of my staff, Ms. Jane Bergen. As we all know, here on Capitol Hill, we have a lot of very bright people who join our staffs and work tirelessly for our constituents. However, it is truly rare to have someone as gifted, dedicated, and loyal as Jane. Yesterday was Jane's 25th anniversary with my office, and I am honored to have had her with me for all this time.

One of the many benefits of being a seasoned Senator is the opportunity to form strong relationships with one's staff. My office is, in many ways, a family, and Jane has done a great deal toward making it that way. In addition to being intelligent and capable, she is one of the most good-natured people I've ever met. Jane gets along with everyone, and I know that every member of my staff would do anything for her.

Over the course of 25 years, Jane has come to know just about all there is to know about the workings of the Senate. She has trained more legislative assistants in my office than I can count, and she has become an invaluable resource in the process. These days, the word ''dependable'' has become a somewhat banal adjective. Well, I would like to redefine that word and apply it to Jane Bergen. She is uniquely trustworthy, and my staff and I have come to rely on her knowledge, judgement, and goodwill on a daily basis.

As much as Jane participates in the family life of the office, she has just as full and successful life outside of it. She and her husband, Les, are the parents of two great children, Leah and Joel, who are the priority in their lives. Jane and Les are community leaders who have been active in local politics, the PTA and their synagogue.

Although Jane has attended college, married, raised children, and pursued a career here in Washington, she is a native of my hometown, Charleston, the daughter of dear friends, Rita and Dr. Leon Banov. And she still retains the best of the traits of southerners: a strong sense of family and community, a perpetually friendly disposition, and loyalty. On behalf of Peatsy and all the staff through the years, I thank Jane for her many and excellent contributions to our office. I look forward to working with her for years to come.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 4, 1995, the Secretary of the Senate, on April 2, 1996, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore [Mr. EMERSON] has signed the following enrolled bills:

H.R. 956. An act to establish legal standards and procedures for product liability litigation, and for other purposes.

H.R. 1561. An act to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

H.R. 1833. An act to amend title 18, United States Code, to ban partial-birth abortions.

H.R. 2854. An act to modify the operation of certain agricultural programs.

Under the authority of the order of the Senate of January 4, 1995, the enrolled bills were signed subsequently, during the adjournment of the Senate, by the President pro tempore [Mr. THURMOND].

MESSAGES FROM THE HOUSE

At 1 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 956) to establish legal standards and procedures for product liability litigation, and for other purposes.

The message also announced that the House agrees to the following concurrent resolution, without amendment:

S. Con. Res. 49. Concurrent resolution providing for certain corrections to be made in

the enrollment of the bill (H.R. 2854) to modify the operation of certain agriculture programs.

The message further announced that pursuant to the provisions of section 168(b) of Public Law 102–138, the Speaker appoints the following Members on the part of the House to the British American Interparliamentary Group: Mr. CLINGER of Pennsylvania, vice chair, Mr. BROWNBACK of Kansas, Ms. MOLINARI of New York, Mr. PETRI of Wisconsin, and Ms. PRYCE of Ohio.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2202. An act to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes.

H.R. 3103. An act to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term care services and coverage, to simplify the administration of health insurance, and for other purposes.

MEASURE PLACED ON THE CALENDAR

The following measure was read the first and second times by unanimous consent and placed on the calendar:

H.R. 2202. An act to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures by improving the verification system for eligibility for employment, and through other measures, to reform legal immigration system and facilitate legal entries into the United States, and for other purposes.

MEASURE READ THE FIRST TIME

The following bill was read the first time:

H.R. 3103. An act to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term-care services and coverage, to simplify the administration of health insurance, and for other purposes.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of March 29, 1996, the following reports of committees were submitted on April 10, 1996:

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 1664: An original bill to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes (Rept. No. 104–249).

S. 1665: An original bill to amend the Immigration and Nationality Act to reform the standards and procedures for the lawful admission of immigrants and nonimmigrants into the United States (Rept. No. 104–250).

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1239: A bill to amend title 49, United States Code, with respect to the regulation of interstate transportation by common carriers engaged in civil aviation, and for other purposes (Rept. No. 104–251).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 1666. A bill to authorize the Federal district court for the Central Division of Utah to hold court in Provo and St. George; to the Committee on the Judiciary.

By Mr. GREGG:

S. 1667. A bill to change the date on which individual Federal income tax returns must be filed to the nation's Tax Freedom Day, or the day on which the country's citizens no longer work to pay taxes, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY:

S. 1668. A bill to improve the job and income security and retirement security of the American worker, and for other purposes; to the Committee on Finance.

By Mr. LOTT (for himself and Mr. COCHRAN):

S. 1669. A bill to name the Department of Veterans Affairs medical center in Jackson, Mississippi, as the ''G.V. (Sonny) Montgomery Department of Veterans Affairs Medical Center''; to the Committee on Veterans Affairs.

By Mr. HARKIN:

S. 1670. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for postsecondary education expenses, to make permanent the exclusion for employer-provided education, and for other purposes; to the Committee on Finance.

S. 1671. A bill to provide for cockpit voice recorders and flight data recorders on noncombat aircraft of the Armed Forces; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for Mr. DOLE (for himself, Mr. DASCHLE, Mr. LOTT, Mr. FORD, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BRADLEY, Mr. BREAUX, Mr. BROWN, Mr. BRYAN, Mr. BUMPERS, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. COATS, Mr. COCHRAN, Mr. COHEN, Mr. CONRAD, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. EXON, Mr. FAIRCLOTH, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRIST, Mr. GLENN, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HARKIN, Mr. HATCH, Mr. HATFIELD, Mr. HEFLIN, Mr. HELMS, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KEMPTHORNE, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. KYL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. NUNN, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SHELBY, Mr. SIMON, Mr. SIMPSON, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN)):

S. Res. 241. A resolution in tribute to Secretary of Commerce Ronald H. Brown and other Americans who lost their lives on April 3, 1996, while in service to their country on a mission to Bosnia; submitted and read.

By Mr. WARNER:

S. Res. 242. A resolution to provide for the approval of final regulations that are applicable to the Senate and the employees of the Senate, and that were issued by the Office of Compliance on January 22, 1996, and for other purposes; considered and agreed to.

S. Con. Res. 51. A concurrent resolution to provide for the approval of final regulations that are applicable to employing offices that are not employing offices of the House of Representatives or the Senate, and to covered employees who are not employees of the House of Representatives or the Senate, and that were issued by the Office of Compliance on January 22, 1996, and for other purposes; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH:

S. 1666. A bill to authorize the Federal District Court for the Central Division of Utah to hold court in Provo and St. George; to the Committee on the Judiciary.

THE CENTRAL DIVISION OF UTAH FEDERAL DISTRICT COURT AUTHORIZATION ACT OF 1996

Mr. HATCH. Mr. President, today I introduce a bill that would permit the Federal District Court of the Central Division of Utah to hold court in Provo and St. George. Under the relevant statutory provision, title 28, United States Code, section 125, District Court for the Northern Division of Utah may be held only in Ogden, and District Court for the Central Division of Utah may be held only in Salt Lake City.

The central division of Utah, however, is quite expansive: it encompasses 23 counties and spreads from the Salt Lake region down to Utah's southern

border. Due to the division's size, those involved in district court proceedings, whether as litigants, jurors, or lawyers, must travel to Salt Lake City for district court. The district judges and others in Utah have become concerned about inconveniences that have arisen due to the statutory constraints on the places of holding court in Utah.

On January 9, 1996, the district judges for the District of Utah voted to approve an amendment to title 28, United States Code, section 125 that would permit district court for the central division of Utah to be held not only in Salt Lake City, but also in Provo and St. George. The bill I introduce today embodies those changes. The Utah State Bar supports the bill.

This bill will help Utahns by facilitating the administration of justice in Utah, and by permitting easier access to the district courts to citizens and litigants throughout Utah, who have often had to travel to Salt Lake City to have their cases and concerns heard.

Provo itself is a significant city with a population of 86,835. The neighboring city of Orem, UT, adds a population of 67,561 to Provo's immediate region. St. George, while a smaller city, is located in the southwest corner of Utah, and would provide a convenient location for citizens of southern Utah.

The minor modifications embodied in the bill will place Utah in a similar position to many other States in which district court may be held at numerous statutorily designated locations. The vast majority of States enjoy far more than two places in which district court can be held. Just to cite a few examples, 13 cities in Alabama are designated as cities in which district court may sit, 11 cities in Arkansas are so designated, 17 cities in Georgia are named, 12 cities in Iowa are included, and 23 cities in Oklahoma are listed.

Under current law, only Delaware, Hawaii, Maine, New Hampshire, and Rhode Island stand with Utah in having two or fewer locations in which district court may be held. Utah is the largest of those States. Even with the change, a mere four cities in Utah will be designated as places for holding district court.

I note for my colleagues that the bill does not require any additional appropriations or any courthouse construction. It simply permits court to be held in two additional locations.

I ask unanimous consent that the entire text of the bill be printed in the RECORD.

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

S. 1666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. HOLDING OF DISTRICT COURT IN PROVO AND ST. GEORGE, UTAH.

Section 125(2) of title 28, United States Code, is amended by inserting '', Provo, and St. George'' after ''Salt Lake City''.

By Mr. KENNEDY:

S. 1668. A bill to improve the job and income security and retirement security of the American worker, and for other purposes; to the Committee on Finance.

THE AMERICAN WORKERS ECONOMIC SECURITY ACT

Mr. KENNEDY. Mr. President, throughout the decades of the cold war, the paramount national concern was national security. Now with the end of the cold war, concern is growing rapidly over another type of security. This type of security has four aspects: job security, financial security, health security, and retirement security. For millions of individuals and families, the proper word in each of these aspects of their lives is ''insecurity,'' not ''security.'' No political party deserves to prevail if it fails to address these concerns and propose a plausible strategy to end them.

The heart of the current crisis of economic insecurity is the growing realization that growth and prosperity no longer benefit all families fairly. The quarter century after World War II was a golden era. Hard work paid off as the economy grew and income rose for all. But no more.

Superficial signs of prosperity abound. The stock market has soared. Inflation is consistently low and unemployment is down. But the prosperity is less than it seems. Americans are working harder and earning less. Their standard of living is stagnant or sinking. They are worried about losing their jobs, losing their health insurance, affording their children's education, caring for their elderly parents, and somehow still saving for their own retirement.

The rich are still getting richer but more and more families are left out and left behind. The rising tide that once lifted all the boats is now lifting only the yachts.

Mr. President, these two charts reflect, I think, in a dramatic way what has effectively been happening in the U.S. economy over the period of the recent years. From 1947 to 1979, virtually 30 years, we found that in each of the groups, the bottom 20 percent, second bottom 20 percent, the middle 20 percent, the top 20 percent, the second top 20 percent, and even the top 5 percent of Americans for almost 30 years—30 years—effectively grew together, the real family income group. All Americans moved along and moved along together during periods of time when we had both recessions and inflation. Cumulatively over this period of time all Americans went along together.

But from 1979 to 1993, in the most recent period of time, taken collectively, we will find out that those again at the bottom level, the next to the bottom level, and even in the middle have been virtually losing ground; that is, the bottom 60 percent, while the top 40 percent have been moving well, and the top 5 percent has seen great growth, and the top 1 percent the largest growth. That reflects almost two-thirds of the American families over this period of time from 1979 to 1993 have been, in most instances, working harder, struggling longer hours, and have been gradually falling behind in terms of the real family income growth during this period, while those at the top end have seen this extraordinary growth.

Mr. President, once now profitable companies are even laying off good workers at unseemly rates for even fatter profits, even higher stock prices, and even more astronomical salaries and benefits for CEO's. And to add insult to injury, the fears on Main Street are met by cheers on Wall Street.

We saw that in recent times when we saw the dramatic increase in the total number of jobs just a short while ago, 600,000 or 700,000 new jobs, and the stock market going down over 100 points. And we saw it conversely when we saw bank mergers that were taking place just several weeks ago, a couple months ago, that saw the announcement of the loss of some 20,000 jobs, and the stocks as a result of the mergers going right up through the roof.

Mr. President, the Republican Contract With America is now largely defunct because it would have made these problems worse. Its massive cuts in Medicare, education, and other priorities would have exacerbated the security of most families, and the lavish tax breaks for the wealthy would have worsened the income gap. Clearly, the Republican strategy is to comfort the comfortable and afflict the afflicted.

The Republican strategy is designed to exploit the income gap—but do nothing to solve it. In fact, half of all the spending cuts in the vetoed Republican budget came from programs benefiting the neediest 20 percent of families. Less than a tenth came from the top 20 percent, while two-thirds of the Republicans' proposed tax breaks would flow to the top 20 percent, while the bottom 20 percent actually faced a tax increase.

So we found even in the last proposal more was being demanded from the working families, less from the wealthiest individuals, and yet those families were going to be the ones who were going to benefit the greatest amount from those proposed cuts and benefits from the Tax Code. Practical steps, not demagoguery, are needed to deal with each of the four economic insecurities facing individuals and families.

In other times, Congresses have enacted restraints on runaway free enterprise to end abuses and bolster the public interest. The most obvious precedents are the antitrust laws, civil rights laws, the child labor laws, minimum wage, Social Security, Medicare, Medicaid, and Federal aid to education.

Today is April 15—tax day. Ordinary Americans across the country are filing their income taxes and wondering about their job security, their stagnant wages, their health care, their retirement, their ability to educate their

children, while our Republican colleagues are proposing tax breaks for the wealthiest individuals and corporations in America.

Let us work together to increase economic security for all families. We can find ways to align the interest of individuals and industries and allow them to grow together so that corporations and shareholders can still reap profits, but not at the expense of the wages and standards of living of their employees.

We should provide incentives to make it more profitable for employers to create jobs than eliminate them, share gains with employees rather than channel them solely to the CEO's and shareholders, and provide reasonable job training, health, and retirement benefits. We can pay for all those incentives by closing perverse incentives in the Tax Code that encourage firms to move jobs overseas and treat workers as disposable.

Action on several fronts is already underway. The Kassebaum-Kennedy bill to guarantee health insurance for workers has bipartisan support and will be taken up this week in the Senate. It will deal with two flagrant problems in health insurance today—the excessive use of exclusions, the preexisting conditions, and the loss of insurance coverage when employees lose their job or change their job.

The lesson of the health reform debate of 1994 is that a sharply divided Congress cannot make far-reaching changes in election years. Instead of repeating that mistake, we should enact the reforms that have broad bipartisan support and that are achievable this year, if both sides in the ongoing health reform debate refrain from piling on controversial additional provisions.

Second, it is time to raise the minimum wage, which will soon reach its lowest level in 40 years. April 1 marked the fifth anniversary of the last increase in the minimum wage. Raising it from $4.25 an hour to $5.15 an hour, in two steps this year and next year, as President Clinton has proposed, will increase the wages of 13 million Americans. It will be interesting to see whether Senator DOLE and other Republicans are prepared to join us as the debate goes on.

Third, Congress should reform the immigration laws to end antiworker abuses. Republicans and Democrats speak with one voice in urging the strongest possible crackdown on illegal immigration. But reforms and legal immigration are needed, too, in order to give American workers the protection they need and deserve.

We should make it illegal for U.S. firms to lay off American workers and replace them with cheap imported foreign labor. Before U.S. firms hire foreign workers they should make a good-faith effort to hire qualified American workers. If we refuse to enact reasonable restrictions to protect U.S. jobs, we will fuel the drive for extreme restrictions that will slam the door unfairly against all immigrants.

Other steps are also needed to assist the American workers. Today, I am introducing a bill to create a two-tier tax rate for companies and encourage firms to act more responsibly toward their employees. If a company invests in education and training for its workers, provides adequate health care and retirement benefits, shares its profits with its workers, increases the wages of its work force at or above the Consumer Price Index, and makes child care available for all workers, it will receive a 25-percent reduction in the income tax rate it pays on profits distributed as dividends to shareholders on this portion of its income.

The corporate tax rate will be reduced to 26 percent for corporations now taxed at 35 percent, and corporate reductions will be available to corporations now taxed at other rates. Under this plan, CEO's who resist measures to treat workers fairly will feel the wrath of shareholders, whose dividends will be lower because the corporations fail to act responsibly.

This is a two-tier tax rate for most-favored companies. I will show the difference between company A and a most-favored company, using this chart. What we find out is that if they have the profits, they retain the profits—in this case, they distribute them. They pay the $35. It will amount to $70 in this illustration if it is a most-favored company. If they retained $100, but distributed to shareholders the $100 distribution, this would be a $25 tax reduction on the shares distributed to the shareholders, which would mean there would be $26 on this segment, meaning there would be $61 rather than the $70.

So, the drive for this kind of reduction will be the shareholders that will be involved in this decision. This will rely on their interest, their involvement, their pressure, rather than a governmental institution or a State institution to be able to move this process forward. They will see, with the distribution, that their taxes on that distribution will be reduced.

We reward other countries with tariff benefits if they qualify as most favored nations. We should create a category of most-favored companies and reward them when they treat their employees as assets.

In addition, the bill I am introducing today provides that the Federal Government, with its billions of dollars in Government procurement and contracting, will give preference to these companies that treat their employees well and qualify for the tax benefits—about $85 billion, $85 to $100 billion in various contracts. Those most-favored companies would have the preference when competing with a nonfavorite for a particular contract. That would be true, as well as extended loan provisions that come through the various loaning agencies of the Federal Government. That is a smaller figure, about $20 billion, but it is still very, very important, particularly for smaller companies, and smaller companies would be very much encouraged to participate.

The bill also places new restraints on corporate mergers and acquisitions, which are causing enormous job insecurity for workers and substantial layoffs and serious dislocations for entire communities. This provision strengthens the antitrust laws by requiring a review of the impact of these mergers on workers.

The Federal Trade Commission, the Justice Department, the Labor Department, and the Securities and Exchange Commission will give greater scrutiny to the corporate transactions likely to result in the closing or downsizing of company, facilities, or plants that are part of the lifeblood of local communities.

Now, Mr. President, what we are talking about are the mergers and acquisitions, the amendments to the antitrust law. These two companies want to merge, so they go through a review. Then there is a judgment that is made that they will be able to go through and the merger will take place. As part of the remedy process, the commissions will consider not just competition considered at the present time but also consider the impact on workers and communities. They will consider both of those.

We are not assigning percentages to each of them but we are taking note that we believe that if we have established the antitrust laws to consider competition between the various companies, that we also ought to encourage them to take a look at what the impact is going to be on working families. Not to say that has to override, but just that it has to be considered as they are making the remedies, to go forward with any of the new mergers or with any of the divestitures. That is the place this will go on through. We see the total number of mergers—2,800 last year. They have been escalating dramatically. About 20 percent of those are reviewed carefully by the Federal Trade Commission and DOJ. Only a small amount of them ever get into this kind of a process, but that is an extremely important item and can make a very, very important difference.

Mr. President, in addition, the bill eliminates the tax deductions that encourage mergers and acquisitions and leveraged buyouts that cost American jobs and line the pockets of the financiers of the deals. Another major section protects retirement security by encouraging companies to provide greater pension coverage for employees.

Last Thursday, President Clinton proposed a series of needed reforms in the current laws applicable to workers who now participate in pension plans. These reforms will encourage new pension plans for small businesses, expands IRA eligibility, increases pension portability and prevents pension raiding.

In addition, I am proposing several other reforms to facilitate coverage for employees who do not have access to pension plans through their current employment plan. The bill establishes an individual pension plan mechanism for all individuals without access to employer-based plans. Workers will no longer be dependent upon their employer for retirement planning and savings. The bill will provide portability to all these workers who could never before gain access to a pension plan. They will be able to take these plans with them from job to job. The employer's sole responsibility is the payroll deduction of the employees' savings.

Less than 50 percent of the private work force is now covered by private pension plans. More than 68 million Americans have no pension coverage. Ironically, most of them work in smaller businesses, which are the driving force of the future economy. Yet their retirement needs are neglected. These are the workers who are the backbone of the economy during their working lives. They constitute more than half of the work force. We cannot ignore their retirement needs. Like health care, good pension coverage should be accessible, affordable, and portable.

This chart demonstrates the alternative pension plan which is employer based. Here we have the IRA's. The proposal that I am introducing today, the individual pension plan which is the more acceptable, what this does, it says the employer will permit the contribution by the employee into a pension system, that that pension system is going to have to live up to fiduciary and ERISA standards, which will give greater protections for the individual pension plans and the advantage of portability over the IRA's. Individuals will be able to take, though, their portable pension plans with them.

As we all know, most of the new jobs in the country are produced by the small businesses. Pension plans will serve the retirement needs of millions of existing and future small business workers with no pension options.

Finally, the bill I am introducing expands educational opportunities for workers by offering them the tax benefits for employers and families. This is an issue that is familiar to most Members of this body. What we find out once again, to learn what is the level of income from those that both do not finish high school compared to those that complete various segments of their education. This chart is the average annual earnings by level of education. We see that those that do not finish high school and are employed earn $12,800; those that have professional degrees, earn $74,000. We know the stories of World War II. Every dollar invested was returned eight times to the Federal Treasury. The more incentives that we can provide to increase opportunities for education, the better off our economy and our ability to compete. We have incentives for both the training programs as well as tuition of programs spelled out.

The bill pays for these provisions with revenues generated from the repeal of the incentives in the current tax law that encourage companies to close U.S. plants, uproot jobs in the United States, and transfer them to foreign countries abroad.

We can save $40 billion or more over the next 7 years by repealing tax breaks for profits earned in foreign countries, tax exemptions for companies that transfer title to goods on the high seas to avoid U.S. taxes; price rigging by multinational corporations that minimize U.S. income and maximize income in foreign tax havens; sham corporations that generate huge tax deductions for moving plants and jobs overseas, and loopholes that allow billionaires to thumb their noses at Uncle Sam and renounce their American citizenship and move to a foreign tax haven to evade taxes on the massive wealth they have accumulated in America.

The Members are familiar with this list because many of these have been offered by other Members of the Chamber at different times. We have already voted on the billionaires' tax loophole, which benefits a handful of Americans who have made substantial amounts of money—in some instances, billionaires. By renouncing their citizenship and moving overseas, they effectively escape all of the taxes on that money that was earned in the United States, and they avoid paying any of their tax obligations by just escaping and renouncing American citizenship. This is called the ''Benedict Arnold tax loophole.'' It is an appropriate name for it. The others are matters which raise some $40 billion, and this is not even a complete list.

We are, obviously, open to other recommendations, suggestions, or add-ons for this. But it does indicate that we do have an opportunity to reduce these kinds of incentives that, today, are impacting working families. We will hear that we should not use the Tax Code to achieve social outcomes. The fact of the matter is that these tax provisions, which exist in the Internal Revenue Code today, are all impacting and affecting adversely working families. We are saying, let us stop that. We cover the revenues here and provide the incentives for the American workers.

The ''quiet depression'' facing American workers is the central economic, social, and political issue of 1996. When the economy is wrong, nothing else is right. Progress and opportunity for all is a fundamental American value. We know the problem. We know its urgency. The only thing that is unacceptable is to do nothing.

By Mr. HARKIN:

S. 1670. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for postsecondary education expenses, to make permanent the exclusion for employer-provided education, and for other purposes; to the Committee on Finance.

THE COMMONSENSE MIDDLE-CLASS TAX RELIEF ACT

• Mr. HARKIN. Mr. President, I introduce the Commonsense Middle-Class Tax Relief Act.

Today, middle-class Americans are working longer hours for smaller paychecks. American families deserve a raise. And that's just what my legislation provides—a raise in incomes, a raise in education and skills, and a raise in living standards.

The Commonsense Middle-Class Tax Relief Act is based on a fundamental premise: a higher education means higher income.

The bill would provide a $10,000 tax deduction for a person or their parents for the costs of tuition and fees at a college or for a vocational education. The full deduction would be available for families with an adjusted gross income of $80,000 and would be reduced as the income exceeded that level, being completely phased out when the taxpayer's income exceeded $100,000 for joint filing taxpayers.

For individuals the full credit would be available for those with adjusted incomes of up to $60,000 phasing out completely at $80,000. For the current year, half of the $10,000 deduction would be available. The full $10,000 deduction would be available starting in 1997 and thereafter. This provision is similar to one proposed by President Clinton.

Under existing law, post-secondary expenses can only be deducted under very narrow circumstances: if it is for the improvement of one's skills in a job a person holds above the skills needed to acquire that position, but to acquire additional skills required by the government or the employer to stay in the position.

My measure also would restore the exclusion of employer-paid payments of post-secondary college and vocational education costs for improvement of an employee's job related skills that were allowed prior to January 1, 1995. It would make the exclusion permanent.

The Commonsense Middle-Class Tax Relief Act will cut taxes on hard-working families trying to get ahead, raise incomes, and prepare Americans for the 21st century. It will mean higher incomes, higher education, and higher quality jobs for hard-working Americans.

Mr. President, education is key to both the raising of incomes of average Americans and to increasing the competitiveness of America in an increasingly global economy. I ask unanimous consent that a recent article in the Washington Post by Lester Thurow on this topic be included in the RECORD.

Mr. President, I urge my colleagues to join me in support of this commonsense proposal. We should be able to agree on a bipartisan basis that this type of important middle-class tax relief is needed and will mean better opportunities and better incomes for millions of Americans.

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

[From the Washington Post, Apr. 7, 1996]

PREPARING STUDENTS FOR THE COMING CENTURY

(By Lester C. Thurow)

Consider an alphabetical list of the 12 largest companies in America at the turn of the 20th century; the American Cotton Oil Company, American Steel, American Sugar Refining Company, Continental Tobacco, Federal Steel, General Electric, National Lead, Pacific Mail, People's Gas, Tennessee Coal and Iron, U.S. Leather and U.S. Rubber. Ten of the 12 were natural resource companies. The economy then was a natural resource economy, and wherever the most highly needed resources were to be found, employment opportunities would follow.

In contrast consider the list made 90 years later by the Japanese Ministry of international Trade and Industry, enumerating what it projected to be the most rapidly growing industries of the 1990s: microelectronics, biotech, the new material-science industries, telecommunications, civilian aircraft manufacturing, machine tools and robots, and computers (hardware and software). All are brainpower industries that could be located anywhere on the face of the earth. Where they will take root and flourish depends upon who organizes the brainpower to capture them. And who organizes the power most efficiently will depend on who educates toward that objective best.

But back to the industries for the moment: Think of the video camera and recorder (invented by Americans), the fax (invented by Americans), and the CD player (invented by the Dutch). When it comes to sales, employment and profits, all have become Japanese products despite the fact that the Japanese did not invent any of them. Product invention, if one is also not the world's low-cost producer, gives a country very little economic advantage. Being the low-cost producer is partly a matter of wages, but to a much greater extent it is a matter of having the skills necessary to put new things together.

Wages don't depend on an individuals's skill and productivity alone. To a great extent they reflect team skills and team productivies. The value of any single person's knowledge depends upon the smartness with which that knowledge is used in the overall economic system—the abilities of buyers and suppliers to absorb that individual's skills.

In an era of brainpower industries, however, the picture is even more complicated: The economy is a dynamic economy always in transition—the companies that do best are those able to move from product to product within technological families so quickly that they can always keep one generation ahead. Keeping one jump ahead in software, for instance, Bill Gates's Microsoft had a net income running at 24 percent of sales in 1995.

If a country wants to stay at the leading edge of technology and continue to generate high wages and profits, it must be a participant in the evolutionary progress of brainpower industries so that it is in a position to take advantage of the technical and economic revolutions that occasionally arise. Knowledge has become the only source of long-run sustainable competitive advantage. Recent studies show that rates of return for industries that invest in knowledge and skill are more than twice those of industries that concentrate on plant and equipment. In the past, First World citizens with Third World skills could earn premium wages simply because they lived in the First World. They had more equipment, better technology and more skilled co-workers than those who lived in the Third World. But that premium is gone Today's transportation and communications technologies have become so sophisticated that high-wage skilled workers in the First World can work together effectively with low-wage unskilled workers in the Third World. America's unskilled now get paid based on their own abilities and not on those of their better-trained co-workers.

Industrial components that require highly skilled manufacturers can be made in the First World and then shipped to the Third World to be assembled with ''low skill'' components. Research and design skills can be electronically brought in from the First World. Sales results can be quickly communicated to the Third World factory, and retailers know that the speed of delivery won't be significantly affected by where production occurs. Instant communications and rapid transportation allow markets to be served effectively from production points on the other side of the globe.

Multinational companies are central in this process: Where they develop and keep technological leadership will determine where most of the high-level jobs will be located. If these firms decide to locate their top-wage leadership skills in the United States, it will not be because they happen to be American firms but because America offers them the lowest cost of developing these skills. The decisions will be purely economic. If America is not competitive in this regard, the market will move on. The countries that offer companies the lowest costs of developing technological leadership will be the countries that invest the most in research and development, education and infrastructure (telecommunications systems, etc.).

If the person on a loading dock runs a computerized inventory-control system in which he logs delivered materials right into his hand-held computer and the computer instantly prints out a check that is given to the truck driver to be taken back to his firm (eliminating the need for large white-collar accounting offices that process purchases), the person on the loading dock ceases to be someone who just moves boxes. He or she has to have a very different skill set.

Factory operatives and laborers used to be high school graduates or even high school dropouts. Today 16 percent of them have some college education and 5 percent have graduated from college. Among precision production and craft workers, 32 percent have been to or graduated from college. Among new hires those percentages are much higher. In the last two decades, the linkage between math abilities and wages has tripled for men and doubled for women.

The skill sets required in the economy of the future will be radically different from those required in the past. And the people who acquire those skill sets may not be the unskilled workers who currently live in the first world. With the ability to make anything anywhere in the world and sell it anywhere else in the world, business firms can ''cherry pick'' the skilled or those easy (i.e., cheap) to teach wherever they live. American firms don't have to hire an American high school graduate if that graduate is not world-class. His or her educational defects are not their problem. Investing to give the necessary market skills to a well-educated Chinese high school graduate may well end up being a much more attractive (i.e., less costly) investment than having to retrain an American high school dropout or a poorly trained high school graduate.

Take Korea for example. In a global economy, what economists know as ''the theory of factor price equalization'' holds that an American worker will have to work for wages commensurate with a Korean's wages unless he works with more natural resources than a Korean (and no American can, since there is now a world market for raw material to which everyone has equal access); unless he has access to more capital than a Korean (and no American can since there is a global capital market where everyone borrows in New York, London and Tokyo); unless he has more skilled co-workers than a Korean (and no American can claim to since multinational companies can send needed knowledge and skills anywhere in the world); and unless he has access to better technology than a Korean (and few Americans have, since reverse engineering—tearing a product apart to learn how it is made—has become an international art form; highly refined in Korea). Adjusted for skills, Korean wages will rise and American wages will fall until they equal each other. At that point, factor price equalization will have occurred.

The implications for the future are simple. If America wants to generate a high standard of living for all of its citizens, skill and knowledge development are central. New brainpower industries have to be invented and captured. Organizing brainpower means not just building a research and development system that will put us on the leading edge of technology, but organizing a top-to-bottom work force that has the brainpower necessary to make us masters of the new production and distribution technologies that will allow us to be the world's low-cost producers.

To do this will require a very different American educational system. And building such a system is the new American challenge.

Progress has to start by ratcheting up the intensity of the American high school. The performance of the average American high school graduate simply lags far behind that found in the rest of the industrial world. Those Americans who complete a college course of study end up catching up (the rest of the industrial world doesn't work very hard in the first couple of years of university education), but three-quarters of the American work force doesn't ever catch up.

The skill gap doesn't end there. Non-college-bound high school graduates elsewhere in the industrial world go on to some form of post-secondary skill training. Germany has its famous apprenticeship system; in France every business firm by law has to spend one percent of its sales revenue on training its work force; and with lifetime employment as a fact of life, Japanese companies invest heavily in the work force's skills since they know that it is impossible to hire skilled workers from the outside. In America, government-funded programs are very limited in nature, and, with high labor-force turnover rates, American companies quite rationally don't want to make skill investments in people who will leave and take their skills elsewhere. The net result is a compounded skill gap for those Americans who do not graduate from college. Closing this gap and giving the country a competitive edge should be America's number one educational priority.●

By Mr. HARKIN:

S. 1671. A bill to provide for cockpit voice recorders and flight data recorders on noncombat aircraft of the Armed Forces; to the Committee on Armed Services.

DEPARTMENT OF DEFENSE NONCOMBAT AIRCRAFT LEGISLATION

● Mr. HARKIN. Mr. President, I am introducing a bill that requires all Department of Defense noncombat aircraft to have both cockpit voice recorders and flight data recorders. I was shocked to learn that the airplane that crashed in Bosnia with tragic loss of 35

lives including Ron Brown, the Secretary of Commerce was not equipped with those important devices.

We need to thoroughly understand why any plane crash occurs. With that knowledge, was can better protect other planes of a similar type. In this case, the Department of Defense plane used was very similar to civilian aircraft. In other cases that may not be true. But, in all cases, we need to fully understand crashes and near crashes to better improve our safety record.

The bill provides that the Department of Defense should establish rules to require that noncombat aircraft contain those devices within 120 days of enactment and that the devices be in place within 1 year. The legislation provides that the requirements for the Department be as similar as possible to those used by the FAA.

On April 9, I wrote to Secretary Perry about this issue and asked how many DOD noncombat planes do not have these devices and what would be the cost of placing those devices into those aircraft. It is possible that there may be some narrow category of noncombat aircraft where these devices would not be appropriate because of the specialized nature of the aircraft or extreme cost. If that is the case, I look forward to learning about the specific situations involved. There may be a need for some exceptions. But, I believe that the Congress should move forward to require that these devices be on DOD aircraft as quickly as possible. I hope that we will act to pass this legislation, perhaps with some modification, very quickly.●

ADDITIONAL COSPONSORS

S. 358

At the request of Mr. HEFLIN, the name of the Senator from Nebraska [Mr. KERREY] was added as a cosponsor of S. 358, a bill to amend the Internal Revenue Code of 1986 to provide for an excise tax exemption for certain emergency medical transportation by air ambulance.

S. 605

At the request of Mr. DOLE, the name of the Senator from North Carolina [Mr. HELMS] was added as a cosponsor of S. 605, a bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment.

S. 743

At the request of Mrs. HUTCHISON, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 743, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for investment necessary to revitalize communities within the United States, and for other purposes.

S. 773

At the request of Mrs. KASSEBAUM, the names of the Senator from Michigan [Mr. ABRAHAM] and the Senator from South Dakota [Mr. DASCHLE] were added as cosponsors of S. 773, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for improvements in the process of approving and using animal drugs, and for other purposes.

S. 912

At the request of Mr. KOHL, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 912, a bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage revenue bond financing, and for other purposes.

S. 969

At the request of Mr. BRADLEY, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 969, a bill to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child, and for other purposes.

S. 984

At the request of Mr. GRASSLEY, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 984, a bill to protect the fundamental right of a parent to direct the upbringing of a child, and for other purposes.

S. 1027

At the request of Mr. BROWN, the name of the Senator from Pennsylvania [Mr. SANTORUM] was added as a cosponsor of S. 1027, a bill to eliminate the quota and price support programs for peanuts, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Maryland [Mr. SARBANES] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

S. 1043

At the request of Mr. STEVENS, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 1043, a bill to amend the Earthquake Hazards Reduction Act of 1977 to provide for an expanded Federal program of hazard mitigation, relief, and insurance against the risk of catastrophic natural disasters, such as hurricanes, earthquakes, and volcanic eruptions, and for other purposes.

S. 1183

At the request of Mr. HATFIELD, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1183, a bill to amend the act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the act, and for other purposes.

S. 1232

At the request of Mr. D'AMATO, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1232, a bill to amend the Internal Revenue Code of 1986 to exclude length of service awards to volunteers performing fire fighting or prevention services, emergency medical services, or ambulance services from the limitations applicable to certain deferred compensation plans, and for other purposes.

S. 1344

At the request of Mr. HEFLIN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1344, a bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, and for other purposes.

S. 1400

At the request of Mrs. KASSEBAUM, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 1400, a bill to require the Secretary of Labor to issue guidance as to the application of the Employee Retirement Income Security Act of 1974 to insurance company general accounts.

S. 1483

At the request of Mr. KYL, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 1483, a bill to control crime, and for other purposes.

S. 1505

At the request of Mr. LOTT, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 1505, a bill to reduce risk to public safety and the environment associated with pipeline transportation of natural gas and hazardous liquids, and for other purposes.

S. 1551

At the request of Mr. DORGAN, the names of the Senator from Illinois [Mr. SIMON] and the Senator from Minnesota [Mr. WELLSTONE] were added as a cosponsors of S. 1551, a bill to restore the broadcast ownership rules under the Communications Act of 1934 to the status quo ante the enactment of the Telecommunications Act of 1996.

S. 1574

At the request of Mr. BOND, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 1574, a bill to provide Federal contracting opportunities for small business concerns located in historically underutilized business zones, and for other purposes.

S. 1578

At the request of Mr. FRIST, the names of the Senator from Montana [Mr. BURNS] and the Senator from Alaska [Mr. STEVENS] were added as cosponsors of S. 1578, a bill to amend the Individuals With Disabilities Education Act of authorize appropriations for fiscal years 1997 through 2002, and for other purposes.

S. 1595

At the request of Mr. BRADLEY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1595, a bill to repeal the emergency salvage timber sale program, and for other purposes.

S. 1623

At the request of Mr. WARNER, the names of the Senator from Hawaii [Mr. AKAKA] the Senator from Illinois [Ms. MOSELEY-BRAUN], the Senator from California [Mrs. FEINSTEIN], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of S. 1623, a bill to establish a National Tourism Board and a National Tourism Organization, and for other purposes.

S. 1639

At the request of Mr. DOLE, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1639, a bill to require the Secretary of Defense and the Secretary of Health and Human Services to carry out a demonstration project to provide the Department of Defense with reimbursement from the medicare program for health care services provided to medicare-eligible beneficiaries under TRICARE.

S. 1646

At the request of Mr. DOMENICI, the names of the Senator from Arizona [Mr. KYL] the Senator from Georgia [Mr. COVERDELL], and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 1646, a bill to authorize and facilitate a program to enhance safety, training, research and development, and safety education in the propane gas industry for the benefit of propane consumers and the public, and for other purposes.

S. 1650

At the request of Mr. HARKIN, the names of the Senator from California [Mrs. BOXER] and the Senator from Rhode Island [Mr. PELL] were added as cosponsors of S. 1650, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. JOINT RESOLUTION 49

At the request of Mr. KYL, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of Senate Joint Resolution 49, a joint resolution proposing an amendment to the Constitution of the United States to require two-thirds majorities for bills increasing taxes.

SENATE RESOLUTION 152

At the request of Mr. ABRAHAM, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of Senate Resolution 152, a resolution to amend the Standing Rules of the Senate to require a clause in each bill and resolution to specify the constitutional authority of the Congress for enactment, and for other purposes.

SENATE RESOLUTION 226

At the request of Mr. DOMENICI, the names of the Senator from Maine [Mr. COHEN], the Senator from Hawaii [Mr. AKAKA], the Senator from Rhode Island [Mr. PELL], the Senator from New Mexico [Mr. Bingaman], and the Senator from Georgia [Mr. COVERDELL] were added as cosponsors of Senate Resolution 226, a resolution to proclaim the week of October 13 through October 19, 1996, as ''National Character Counts Week.''

SENATE RESOLUTION 238

At the request of Mr. HELMS, the names of the Senator from Colorado [Mr. BROWN] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of Senate Resolution 238, a resolution expressing the sense of the Senate that any budget or tax legislation should include expanded access to individual retirement accounts.

SENATE RESOLUTION 241—IN TRIBUTE TO SECRETARY OF COMMERCE RONALD H. BROWN

By Mr. LOTT (for Mr. DOLE (for himself, Mr. DASCHLE, Mr. LOTT, Mr. FORD, Mr. ABRAHAM, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BRADLEY, Mr. BREAUX, Mr. BROWN, Mr. BRYAN, Mr. BUMPERS, Mr. BURNS, Mr. BYRD, Mr. CAMPBELL, Mr. CHAFEE, Mr. COATS, Mr. COCHRAN, Mr. COHEN, Mr. CONRAD, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. EXON, Mr. FAIRCLOTH, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRIST, Mr. GLENN, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HARKIN, Mr. HATCH, Mr. HATFIELD, Mr. HEFLIN, Mr. HELMS, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. JEFFORDS, Mr. JOHNSTON, Mrs. KASSEBAUM, Mr. KEMPTHORNE, Mr. KENNEDY, Mr. KERREY, Mr. KERRY, Mr. KOHL, Mr. KYL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, Mr. MOYNIHAN, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NICKLES, Mr. NUNN, Mr. PELL, Mr. PRESSLER, Mr. PRYOR, Mr. REID, Mr. ROBB, Mr. ROCKEFELLER, Mr. ROTH, Mr. SANTORUM, Mr. SARBANES, Mr. SHELBY, Mr. SIMON, Mr. SIMPSON, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN)) submitted the following resolution; which was read:

S. RES. 241

Whereas, Ronald H. Brown served the United States of America with patriotism and skill as a soldier, a civil rights leader, and an attorney;

Whereas, Ronald H. Brown served since January 22, 1993, as the United States Secretary of Commerce;

Whereas, Ronald H. Brown devoted his life to opening doors, building bridges, and helping those in need;

Whereas, Ronald H. Brown lost his life in a tragic airplane accident on April 3, 1996, while in service to his country on a mission in Bosnia; and

Whereas, thirty-two other Americans from government and industry who served the nation with great courage, achievement and dedication also lost their lives in the accident: Now, therefore, be it

Resolved, That the Senate of the United States pays tribute to the remarkable life and career of Ronald H. Brown, and it extends condolences to his family.

SEC. 2. The Senate also pays tribute to the contributions of all those who perished, and extends condolences to the families of: Staff Sergeant Gerald Aldrich, Duane Christian, Barry Conrad, Paul Cushman III, Adam Darling, Captain Ashley James Davis, Gail Dobert, Robert Donovan, Claudio Elia, Staff Sergeant Robert Farrington, Jr., David Ford, Carol Hamilton, Kathryn Hoffman, Lee Jackson, Steven Kaminski, Katheryn Kellogg, Technical Sergeant Shelley Kelly, James Lewek, Frank Maier, Charles Meissner, William Morton, Walter Murphy, Lawrence Payne, Nathaniel Nash, Leonard Pieroni, Captain Timothy Schafer, John Scoville, I. Donald Terner, P. Stuart Tholan, Technical Sergeant Cheryl Ann Turnage, Naomi Warbasse, and Robert Whittaker.

SEC. 3. The Secretary of the Senate shall transmit a copy of the resolution to each of the families.

AMENDMENTS SUBMITTED

THE IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

DORGAN (AND OTHERS) AMENDMENT NO. 3667

Mr. DORGAN (for himself, Mr. DASCHLE, Mr. REID, Mr. HOLLINGS, Mr. FORD, Mr. CONRAD, and Mr. FEINGOLD) proposed an amendment to the bill (S. 1664) to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes; as follows:

At the appropriate place, add the following new section:

SEC. . SENSE OF THE SENATE ON A BALANCED BUDGET CONSTITUTIONAL AMENDMENT.

It is the sense of the Senate that because Section 13301 of the Budget Enforcement Act prohibits the use of the Social Security trust fund surplus to offset the budget deficit, any proposal for a constitutional amendment to balance the budget should contain a provision creating a firewall between the receipts and outlays of the Social Security trust funds and the rest of the federal budget, and that the constitutional amendment should explicitly forbid using the Social Security trust funds to balance the federal budget.

ABRAHAM (AND OTHERS) AMENDMENT NO. 3668

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself, Mr. FEINGOLD, Mr. DEWINE, Mr. SIMON, Mr. SPECTER, Mr. SANTORUM, Mr. WARNER, Mr. GRAMS, Mr. THURMOND, Mr. LEVIN, and Mr. BOND) submitted an amendment intended to be proposed by them to the bill S. 1664, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . SENSE OF SENATE REGARDING SEPARATE CONSIDERATION OF ISSUES RELATING TO LEGAL IMMIGRATION AND ILLEGAL IMMIGRATION.

(a) FINDINGS.—The Senate makes the following findings:

(1) One of the first responsibilities of any government is to protect its borders.

(2) The Federal Government has failed in this responsibility, both by permitting large numbers of individuals to enter into the United States illegally and by failing to take effective actions against individuals who overstay their visas.

(3) It is urgent that the Congress address the problem of illegal immigration promptly and expeditiously.

(4) The Committee on the Judiciary of the Senate has ordered reported to the Senate a bill, S. 269, intended to address illegal entry into the United States by improving the patrol of United States borders and to address the overstay of visas by keeping track of and punishing individuals who overstay their visas.

(5) Congress has historically considered issues relating to illegal immigration separately from issues relating to legal immigration.

(6) The Committee on the Judiciary, after deliberating carefully about the consideration of legislation between the 104th Congress on legal immigration and illegal immigration, decided that the Senate should consider issues relating to legal immigration separately from issues relating to illegal immigration and ordered reported to the Senate separate bills to address such issues, S. 269 and S. 1394.

(7) The House of Representatives has expressed its agreement with the proposal to consider issues relating to legal immigration separately from issues relating to illegal immigration by adopting an amendment to the bill on immigration being considered by the House of Representatives, H.R. 2202, which struck all provisions of that bill relating to family immigration.

(b) SENSE OF SENATE.—It is the sense of the Senate that the issues addressed in S. 269, a bill to control illegal immigration into the United States, should be considered by the Senate separately from the issues addressed in S. 1394, a bill to reform legal immigration into the United States.

SIMPSON AMENDMENT NO. 3669

Mr. SIMPSON proposed an amendment to the bill S. 1664, supra; as follows:

(1) After sec. 213 of the bill, add the following new section:

"SEC. 214. USE OF PUBLIC SCHOOLS BY NONIMMIGRANT FOREIGN STUDENTS.

''(a) PERSONS ELIGIBLE FOR STUDENT VISAS.—Section 101(a)(15)(F) (8 U.S.C. 1101(a)(15)(F)) is amended—

''(1) in clause (i) by striking 'academic high school, elementary school, or other academic institution or in a language training program' and inserting in lieu thereof 'public elementary or public secondary school (if the alien shows to the satisfaction of the consular officer at the time of application for a visa, or of the Attorney General at the time of application for admission or adjustment of status, that (I) the alien will in fact reimburse such public elementary or public secondary school for the full, unsubsidized per-capita cost of providing education at such school to an individual pursuing such a course of study, or (II) the school waives such reimbursement), private elementary or private secondary school, or postsecondary academic institution, or in a language-training program'; and

''(2) by inserting before the semicolon at the end of clause (ii) the following: ': *Provided*, That nothing in this paragraph shall be construed to prevent a child who is present in the United States in a nonimmigrant status other than that conferred by paragraph (B), (C), (F)(i), or (M)(i), from seeking admission to a public elementary school or public secondary school for which such child may otherwise be qualified.'.

''(b) EXCLUSION OF STUDENT VISA ABUSERS.—Section 212(a) (8 U.S.C. 1182(a)) is amended by adding at the end the following new paragraph:

'(9) STUDENT VISA ABUSERS.—Any alien described in section 101(a)(15)(F) who is admitted as a student for study at a private elementary school or private secondary school and who does not remain enrolled, throughout the duration of his or her elementary or secondary school education in the United States, at either (A) such a private school, or (B) a public elementary or public secondary school (if (I) the alien is in fact reimbursing such public elementary or public secondary school for the full, unsubsidized per-capita cost of providing education at such school to an individual pursuing such a course of study, or (II) the school waives such reimbursement), is excludable.'.

''(c) DEPORTATION OF STUDENT VISA ABUSERS.—Section 241(a) (8 U.S.C. 1251(a)) is amended by adding at the end the following new paragraph:

'(6) STUDENT VISA ABUSERS.—Any alien described in section 101(a)(15)(F) who is admitted as a student for study at a private elementary school or private secondary school and who does not remain enrolled, throughout the duration of his or her elementary or secondary school education in the United States, at either (A) such a private school, or (B) a public elementary or public secondary school (if (I) the alien is in fact reimbursing such public elementary or public secondary school for the full, unsubsidized per-capita cost of providing education at such school to an individual pursuing such a course of study, or (II) the school waives such reimbursement), is deportable.'.''.

SIMPSON AMENDMENT NO. 3670

Mr. SIMPSON proposed an amendment to the bill S. 1664, supra; as follows:

SEC. . PILOT PROGRAM TO COLLECT INFORMATION RELATING TO NONIMMIGRANT FOREIGN STUDENTS.

(a) IN GENERAL.—(1) The Attorney General and the Secretary of State shall jointly develop and conduct a pilot program to collect electronically from approved colleges and universities in the United States the information described in subsection (c) with respect to aliens who—

(A) have the status, or are applying for the status, of nonimmigrants under section 101(a)(15) (F), (J), or (M) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15) (F), (J), or (M)); and

(B) are nationals of the countries designated under subsection (b).

(2) The pilot program shall commence not later than January 1, 1998.

(b) COVERED COUNTRIES.—The Attorney General and the Secretary of State shall jointly designate countries for purposes of subsection (a)(1)(B). The Attorney General and the Secretary shall initially designate not less than five countries and may designate additional countries at any time while the pilot program is being conducted.

(c) INFORMATION TO BE COLLECTED.—

(1) IN GENERAL.—The information for collection under subsection (a) consists of—

(A) the identify and current address in the United States of the alien;

(B) the nonimmigrant classification of the alien and the date on which a visa under the classification was issued or extended or the date on which a change to such classification was approved by the Attorney General; and

(C) the academic standing of the alien, including any disciplinary action taken by the college or university against the alien as a result of the alien's being convicted of a crime.

(2) FERPA.—The Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) shall not apply to aliens described in subsection (a) to the extent that the Attorney General and the Secretary of State determine necessary to carry out the pilot program.

(d) PARTICIPATION BY COLLEGES AND UNIVERSITIES.—(1) The information specified in subsection (c) shall be provided by approved colleges and universities as a condition of—

(A) the continued approval of the colleges and universities under section 101(a)(15) (F) or (M) of the Immigration and Nationality Act, or

(B) the issuance of visas to aliens for purposes of studying, or otherwise participating, at such colleges and universities in program under section 101(a)(15)(J) of such Act.

(2) If an approved college or university fails to provide the specified information, such approvals and such issuance of visas shall be revoked or denied.

(e) FUNDING.—(1) The Attorney General and the Secretary shall use funds collected under section 281(b) of the Immigration and Nationality Act, as added by this subsection, to pay for the costs of carrying out this section.

(2) Section 281 of the Immigration and Nationality Act (8 U.S.C. 1351) is amended—

(A) by inserting ''(a)'' after **"SEC. 281."**; and

(B) by adding at the end the following:

''(b)(1) In addition to fees that are prescribed under subsection (a), the Secretary of State shall improve and collect a fee on all visas issued under the provisions of section 101(a)(15) (F), (J), or (M) of the Immigration and Nationality Act. With respect to visas issued under the provisions of section 101(a)(15)(J), this subsection shall not apply to those ''J'' visa holders whose presence in the United States is sponsored by the United States government.''

''(2) The Attorney General shall impose and collect a fee on all changes of nonimmigrant status under section 248 to such classifications. This subsection shall not apply to those ''J'' visa holders whose presence in the United States is sponsored by the United States government.''

''(3) Except as provided in section 205(g)(2) of the Immigration Reform Act of 1996, the amount of the fees imposed and collected under paragraphs (1) and (2) shall be the amount which the Attorney General and the Secretary jointly determine is necessary to recover the costs of conducting the information-collection program described in subsection (a), but may not exceed $100.

''(4) Funds collected under paragraph (1) shall be available to the Attorney General and the Secretary, without regard to appropriation Acts and without fiscal year limitation, to supplement funds otherwise available to the Department of Justice and the Department of State, respectively.''

(3) The amendments made by paragraphs (1) and (2) shall become effective April 1, 1997.

(f) JOINT REPORT.—Not later than five year after the commencement of the pilot program established under subsection (a), the Attorney General and the Secretary of State shall jointly submit to the Committees on the Judiciary of the United States Senate and House of Representatives on the operations of the pilot program and the feasibility of expanding the program to cover the nationals of all countries.

(g) WORLDWIDE APPLICABILITY OF THE PROGRAM.—(1)(A) Not later than six months after the submission of the report required by subsection (f), the Secretary of State and the Attorney General shall jointly commence expansion of the pilot program to cover the nationals of all countries.

(B) Such expansion shall be completed not later than one year after the date of the submission of the report referred to in subsection (f).

(2) After the program has been expanded, as provided in paragraph (1), the Attorney General and the Secretary of State may, on a periodic basis, jointly revise the amount of the fee imposed and collected under section 281(b) of the Immigration and Nationality Act in order to take into account changes in the cost of carrying out the program.

(h) DEFINITION.—As used in this section, the phrase ''approved colleges and universities'' means colleges and universities approved by the Attorney General, in consultation with the Secretary of Education, under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

SIMPSON AMENDMENT NO. 3671

Mr. SIMPSON proposed an amendment to the bill S. 1664, supra; as follows:

After section 115 of the bill, add the following new section:

''SEC. 115A. FALSE CLAIMS OF U.S. CITIZENSHIP.

''(a) EXCLUSION OF ALIENS WHO HAVE FALSELY CLAIMED U.S. CITIZENSHIP.—Section 212(a)(9) (8 U.S.C. 1182(a)(9)) is amended by adding at the end the following new subparagraph:

'(D) FALSELY CLAIMING CITIZENSHIP.—Any alien who falsely represents, or has falsely represented, himself to be a citizen of the United States is excludable.'; and

''(b) DEPORTATION OF ALIENS WHO HAVE FALSELY CLAIMED U.S. CITIZENSHIP.—Section 241(a) (8 U.S.C. 1251(a)) is amended by adding at the end the following new paragraph:

'(6) FALSELY CLAIMING CITIZENSHIP.—Any alien who falsely represents, or has falsely represented, himself to be a citizen of the United States is deportable.'.''.

SIMPSON AMENDMENT NO. 3672

Mr. SIMPSON proposed an amendment to amendment No. 3667 proposed by Mr. DORGAN to the bill S. 1664, supra; as follows:

Strike all after the word ''**sec.**'' and insert the following:

(1) social security is supported by taxes deducted from workers' earnings and matching deductions from their employers that are deposited into independent trust funds;

(2) over 42,000,000 Americans, including over 3,000,000 children and 5,000,000 disabled workers and their families, receive social security benefits;

(3) social security is the only pension program for 60 percent of older Americans;

(4) almost 60 percent of older beneficiaries depend on social security for at least half of their income and 25 percent depend on social security for at least 90 percent of their income;

(5) 138,000,000 American workers pay taxes into the social security system;

(6) social security is currently a self-financed program that is not contributing to the Federal budget deficit; in fact, the social security trust funds now have over $400,000,000,000 in reserves and that surplus will increase during fiscal year 1995 alone by an additional $70,000,000,000;

(7) these current reserves will be necessary to pay monthly benefits for current and future beneficiaries when the annual surpluses turn to deficits after 2018;

(8) recognizing that social security is currently a self-financed program, Congress in 1990 established a ''firewall'' to prevent a raid on the social security trust funds;

(9) raiding the social security trust funds would further undermine confidence in the system among younger workers;

(10) the American people overwhelmingly reject arbitrary cuts in social security benefits; and

(11) social security beneficiaries throughout the nation deserve to be reassured that their benefits will not be subject to cuts and their social security payroll taxes will not be increased as a result of legislation to implement a balanced budget amendment to the United States Constitution.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that any legislation required to implement a balanced budget amendment to the United States Constitution shall specifically prevent social security benefits from being reduced or social security taxes from being increased to meet the balanced budget requirement.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WARNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR–301, Russell Senate Office Building, on Wednesday, April 17, 1996, at 10 a.m. to receive testimony on Campaign Finance Reform.

For further information concerning the hearing, please contact Bruce Kasold of the committee staff on 224–3448.

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will hold hearings on Wednesday, April 17, Thursday, April 18, and Friday, April 19, 1996 on the President's Budget Request for fiscal year 1997 for Indian programs and related budgetary issues from fiscal year 1996. The hearings will be held at 1:30 p.m. each day in room 485 of the Russell Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 224–2251.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public the scheduling of an oversight hearing before the Committee on Energy and Natural Resources to receive testimony on the Tongass Land Management Plan.

The hearing will take place on Thursday, April 18, 1996, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC. Testimony will be received from various administration witnesses.

Those wishing to testify or who wish to submit written statements for the Record should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Mark Rey of the committee staff at 202–224–6170.

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled ''Keeping Up With the Trend: Issues Affecting Home-Based Business Owners'' on Tuesday, April 23, 1996, at 10 a.m., in room 428A of the Russell Senate Office Building.

For further information, please contact Noreen Bracken, 224–5175.

COMMITTEE ON ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. CAMPBELL. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, April 25, 1996, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to review S. 902, a bill to amend Public Law 100–479 to authorize the Secretary of the Interior to assist in the construction of a building to be used jointly by the Secretary for park purposes and by the city of Natchez as an intermodel transportation center; S. 951, a bill to commemorate the service of First Ladies Jacqueline Kennedy and Patricia Nixon to improving and maintaining the Executive Residence of the President and to authorize grants to the White House Endowment Fund in their memory to continue their work; S. 1098, a bill to establish the Midway Islands as a National Memorial; H.R. 826, a bill to extend the deadline for the completion of certain land exchanges involving the big Thicket National Preserve in Texas; and H.R. 1163, a bill to authorize the exchange of National Park Service land in the Fire Island National Seashore in the State of New York for land in the Village of Patchogue, Suffolk County, NY.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Parks, Historic Preservation, and Recreation, Committee on Energy and Natural Resources, U.S. Senate, 364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Jim O'Toole of the subcommittee staff at (202) 224–5161.

AUTHORITY FOR COMMITTEE TO MEET

SUBCOMMITTEE ON THE CONSTITUTION, FEDERALISM, AND PROPERTY RIGHTS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution, Federalism, and Property Rights of the Senate Committee on the Judiciary, be authorized to meet during a session of the Senate on Monday, April 15, 1995, at 10 a.m., in

Senate Dirksen room 226, on Senate Joint Resolution 49, a proposed constitutional amendment, to require a two-thirds vote on tax increases, and Senate Joint Resolution 8, a proposed constitutional amendment to prohibit retroactive taxation.

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

ADDITIONAL STATEMENTS

THE ARAB-AMERICAN CULTURAL AND COMMUNITY CENTER IN HOUSTON, TX

● Mr. ABRAHAM. Mr. President, I rise today to express my sincere congratulations to those individuals who are responsible for the creation of the Arab-American Cultural Center in Houston, TX. The center will be hosting its first annual gala ''Unity of Friendship'' in Houston on May 4, 1996, and it is worthy of recognition.

Mr. President, I commend those members for their efforts in building this center, which in effect advances and demonstrates the continuing positive contributions of Arab-Americans. This center will primarily serve the cultural, educational, and social needs of the Arab-American community. The center proclaims their vision as ''a place where Arab-American culture, art, and language can be preserved and carried on for generations to come. A place where Arab-Americans can gather to celebrate holidays and festive occasions among relatives and friends. A place where children can play, study, and learn about their ancestors impressive history and heritage.''

Many in the Arab-American community have given generously of their time and money for the construction of this center. They are to be commended for their very worthwhile efforts and foresight, and I am pleased to recognize these efforts in the U.S. Senate.●

UNIVERSITY OF MICHIGAN HOCKEY TEAM

● Mr. LEVIN. Mr. President, I rise today to honor the University of Michigan hockey team, because Saturday, March 30, 1996, the Wolverines captured the NCAA hockey championship, defeating Colorado College by a score of 3 to 2 in overtime. The game was held at Riverfront Coliseum in Cincinnati in front of a sell out crowd of 13,330, mostly Michigan fans who traveled south to support their team.

Coach Red Berenson has described his formula for success as ''hard work . . . patience and perseverance,'' and that was what the members of the U. of M. hockey team embraced this 1995–96 season as they triumphed in their final victory with a tie-breaking goal by junior Brendan Morrison, 2 minutes and 35 seconds into overtime. This victory for the Wolverine hockey team ended the doubts that this team could return home as NCAA champions. Colorado College coach Don Lucia said, ''Look at the teams Michigan has beaten the last three weeks: Lake Superior, Minnesota, Boston University and now us. Those are the best teams in the country. That's why they're national champions.''

This journey by the U. of M. hockey team was a remarkable achievement for the players, and for Coach Red Berenson as well. The victory over Colorado marked the 300th victory of his career. A former U. of M. player himself 1960–62, this commemorated a special homecoming for Coach Berenson.

This is the eighth national champsionship in the Wolverines' hockey history, more than any other collegiate program. Thirty-two years after their last title, the Wolverines proved to be the best in the west by returning the trophy to Ann Arbor. A sign on the desk of Red Berenson, reads, ''Our Day Will Come,'' and it certainly has.

I know that my Senate colleagues join me in congratulating the University of Michigan hockey team on winning the NCAA hockey championship. Here is the list of our valiant victors.

UNIVERSITY OF MICHIGAN HOCKEY TEAM AND COACHING STAFF

Players: Mark Sakala, Bubba Berenzweig, Chris Frescoln, Peter Bourke, Harold Schock, Justin Clark, Matt Herr, Brendan Morrison, Kevin Hilton, Greg Crozier, Mike Legg, Bill Muckalt.

Sean Ritchlin, John Madden, Jason Botterill, John Arnold, Dale Rominski, Steven Halko, Bobby Hayes, Chris Fox, Blake Sloan, Warren Luhning, Gregg Malicke, Greg Daddario, and Marty Turco.

STAFF

Red Berenson, Head Coach, Mel Pearson, Assistant Coach, Billy Powers, Assistant Coach, Rick Bancroft, Trainer, Ian Hume, Equipment Manager; and Brian Fishman, Sports Information Director.●

BUDGET SCOREKEEPING REPORT

● Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through March 29, 1996. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget. House Concurrent Resolution 67, show that current level spending is above the budget resolution by $16.0 billion in budget authority and by $16.9 billion in outlays. Current level is $81 million below the revenue floor in 1996 and $5.5 billion above the revenue floor over the 5 years 1996–2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $262.6 billion, $17.0 billion above the maximum deficit amount for 1996 of $245.6 billion.

Since my last report, dated March 25, 1996, Congress has cleared and the President has signed the Contract With America Advancement Act. Public Law 104–121, the Agriculture Improvement and Reform Act, Public Law 104–127, and the 12th continuing resolution for 1996, Public Law 104–122. The continuing resolution also included the Federal payment to the District of Columbia and emergency funding for Bosnia and Herzegovina for economic revitalization. These actions changed the current level of budget authority and outlays.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 15, 1996.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1996 shows the effects of Congressional action on the 1996 budget and is current through March 29, 1996. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1996 Concurrent Resolution on the Budget (H. Con. Res. 67). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Since my last report dated March 25, 1996, Congress has cleared, and the President has signed the Contract with America Advancement Act (P.L. 104–121), the Agriculture Improvement and Reform Act (P.L. 104–127) and the twelfth continuing resolution for 1996 (P.L. 104–122). The continuing resolution also included the Federal payment to the District of Columbia and emergency funding for Bosnia and Herzegovina for economic revitalization. These actions changed the current level of budget authority and outlays.

Sincerely,

JUNE E. O'NEILL, *Director*.

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 2D SESSION, AS OF CLOSE OF BUSINESS MARCH 29, 1996

[In billions of dollars]

	Budget resolution H. Con. Res. 67	Current level	Current level over/under resolution
ON-BUDGET			
Budget authority	1,285.5	1,301.5	16.0
Outlays	1,288.1	1,305.0	16.9
Revenues:			
1996	1,042.5	1,042.4	−0.1
1996–2000	5,691.5	5,697.0	5.5
Deficit	245.6	262.6	17.0
Debt subject to limit	5,210.7	5,054.8	−155.9
OFF-BUDGET			
Social Security outlays:			
1996	299.4	299.4	0.0
1996–2000	1,626.5	1,626.5	0.0
Social Security revenues:			
1996	374.7	374.7	0.0
1996–2000	2,061.0	2,061.0	0.0

Note.—Current level numbers are the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS MARCH 29, 1996

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			1,042,557
Permanents and other spending legislation	830,272	798,924	
Appropriation legislation		242,052	
Offsetting receipts	−200,017	−200,017	
Total previously enacted	630,254	840,958	1,042,557
ENACTED IN FIRST SESSION			
Appropriation Bills:			
1995 Rescissions and Department of Defense Emergency Supplementals Act (P.L. 104–6)	−100	−885	
1995 Rescissions and Emergency Supplementals for Disaster Assistance Act (P.L. 104–19)	22	−3,149	
Agriculture (P.L. 104–37)	62,602	45,620	
Defense (P.L. 104–61)	243,301	163,223	
Energy and Water (P.L. 104–46)	19,336	11,502	
Legislative Branch (P.L. 105–53)	2,125	1,977	
Military Construction (P.L. 104–32)	11,177	3,110	
Transportation (P.L. 104–50)	12,682	11,899	
Treasury, Postal Service (P.L. 104–52)	23,026	20,530	
Offsetting receipts	−7,946	−7,946	
Authorization Bills:			
Self-Employed Health Insurance Act (P.L. 104–7)	−18	−18	−101
Alaska Native Claims Settlement Act (P.L. 104–42)	1	1	
Fishermens' Protective Act Amendments of 1995 (P.L. 104–43)		[1]	
Perishable Agricultural Commodities Act (P.L. 104–48)	1	[1]	1
Alaska Power Administration Sale Act (P.L. 104–58)	−20	−20	
ICC Termination Act (P.L. 104–88)			[1]
Total enacted first session	366,191	245,845	−100
ENACTED IN SECOND SESSION			
Appropriation Bills:			
Seventh Continuing Resolution (P.L. 104–92)[2]	13,165	11,037	
Ninth Continuing Resolution (P.L. 104–99)[2]	792	−825	
District of Columbia (P.L. 104–122)	712	712	
Foreign Operations (P.L. 104–107)	12,104	5,936	
Offsetting receipts	−44	−44	
Authorization Bills:			
Gloucester Marine Fisheries Act (P.L. 104–91)[3]	30,502	19,151	
Smithsonian Institution Commemorative Coin Act (P.L. 104–96)	3	3	
Saddleback Mountain Arizona Settlement Act (P.L. 104–102)		−7	
Telecommunications Act of 1996 (P.L. 104–104)[4]			
Farm Credit System Regulatory Relief Act (P.L. 104–105)	−1	−1	
National Defense Authorization Act of 1996 (P.L. 104–106)	369	367	
Extension of Certain Expiring Authorities of the Department of Veterans Affairs (P.L. 104–110)	−5	−5	
To award Congressional Gold Medal to Ruth and Billy Graham (P.L. 104–111)	[1]	[1]	
An Act Providing for Tax Benefits for Armed Forces in Bosnia, Herzegovina, Croatia and Macedonia (P.L. 104–117)			−38
Contract with America Advancement Act (P.L. 104–121)	−120	−6	
Agricultural Improvement and Reform Act (P.L. 94–127)	−325	−744	
Total enacted second session	57,151	35,575	−38

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 2D SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS MARCH 29, 1996—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
CONTINUING RESOLUTION AUTHORITY			
Twelfth Continuing Resolution (P.L. 104–122)[5]	116,863	54,882	
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	131,056	127,749	
Total current level[6]	1,301,514	1,305,010	1,042,419
Total budget resolution	1,285,500	1,288,100	1,042,500
Amount remaining:			
Under budget resolution			81
Over budget resolution	16,014	16,910	

[1] Less than $500,000.
[2] P.L. 104–92 and P.L. 104–99 provides funding for specific appropriated accounts until September 30, 1996.
[3] This bill, also referred to as the sixth continuing resolution for 1996, provides funding until September 30, 1996 for specific appropriated accounts.
[4] The effects of this Act on budget authority, outlays and revenues begin in fiscal year 1997.
[5] This is an annualized estimate of discretionary funding that expires April 24, 1996, for the following appropriation bills: Commerce-Justice, Interior, Labor-HHS-Education and Veterans-HUD.
[6] In accordance with the Budget Enforcement Act, the total does not include $3,615 million in budget authority and $1,667 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.

Notes.—Detail may not add due to rounding.•

CHINA'S FOUR SLAPS

• Mr. SIMON. Mr. President, I am concerned that we are waffling on the China issue when we should be very clear.

Clarity in this case will lead to a diminished likelihood of military action and a diminished likelihood of a spurt to the arms race in Asia.

The Charles Krauthammer column which appeared in the Washington Post recently, and which I ask to be printed in the RECORD after my remarks, is unfortunately accurate. It eloquently outlines what has been taking place. He also mentions the matter of ''quiet diplomacy.'' Whenever I talk to people in the State Department they assure me that ''quiet diplomacy'' is being used.

My experience over the years is that ''quiet diplomacy'' frequently means no diplomacy or it means ''anemic diplomacy.''

The column follows.

[From the Washington Post]

CHINA'S FOUR SLAPS—AND THE UNITED STATES' CRAVEN RESPONSE

(By Charles Krauthammer)

The semi-communist rulers of China like to assign numbers of things. They particularly like the number 4. There was the Gang of Four. There were the Four Modernizations (agriculture, industry, technology and national defense). and now, I dare say, we have the Four Slaps: four dramatic demonstrations of Chinese contempt for expressed American interests and for the Clinton administration's ability to do anything to defend them.

(1) Proliferation. The Clinton administration makes clear to China that it strongly objects to the export of nuclear and other mass destruction military technology. What does China do? Last month, reports the CIA, China secretly sent 5,000 ring magnets to Pakistan for nuclear bomb-making and sent ready-made poison gas factories to Iran.

(2) Human rights. Clinton comes into office chiding Bush for ''coddling dictators.'' In March 1994, Secretary of State Warren Christopher goes to China wagging his finger about human rights. The Chinese respond by placing more than a dozen dissidents under house arrest while Christopher is there, then declare that human rights in China are none of his business. Christopher slinks away.

(3) Trade. The administration signs agreements with China under which it pledges to halt its massive pirating of American software and other intellectual property. China doesn't just break the agreements, it flouts them. Two years later the piracy thrives.

(4) And now Taiwan. For a quarter-century, the United States has insisted that the unification of Taiwan with China must occur only peacefully. Yet for the last two weeks, China has been conducting the most threatening military demonstration against Taiwan in 40 years: firing M–9 surface-to-surface missiles within miles of the island, holding huge live-fire war games with practice invasions, closing shipping in the Taiwan Strait.

Slap four is the logical outcome of the first three, each of which was met with a supine American response, some sputtering expression of concern backed by nothing. On nuclear proliferation, for example, Clinton suspended granting new loan guarantees for U.S. businesses in China—itself a risible sanction—for all of one month!

''Our policy is one of engagement, not containment,'' says Winston Lord, assistant secretary of state for East Asian and Pacific affairs. This is neither. This is encouragement.

Two issues are at stake here. The first is the fate of Taiwan and its democracy. Taiwan is important not just because it is our eighth-largest trading partner. With its presidential elections tomorrow, Taiwan becomes the first Chinese state in history to become a full-fledged democracy. It thus constitutes the definitive rebuff to the claim of Asian dictators from Beijing to Singapore that democracy is alien to Confucian societies. Hence Beijing's furious bullying response.

The second issue has nothing to do with Taiwan. It is freedom of the seas. As the world's major naval power, we are, like 19th century Britain, its guarantor—and not from altruism, Living on an island continent, America is a maritime trading nation with allies and interests and commerce across the seas. If the United States has any vital interests at all—forget for the moment Taiwan or even democracy—it is freedom of navigation.

Chinese Premier Li Peng warns Washington not to make a show of force—i.e., send our Navy—through the Taiwan Strait. Secretary of Defense William Perry responds with a boast that while the Chinese ''are a great military power, the premier—the strongest—military power in the Western Pacific is the United States.''

Fine words. But Perry has been keeping his Navy away from the strait. This is to talk loudly and carry a twig. If we have, in Perry's words, ''the best damned Navy in the world,'' why are its movements being dictated by Li Peng? The Taiwan Strait is not a Chinese lake. It is indisputably international water and a vital shipping lane. Send the fleet through it.

And tell China that its continued flouting of the rules of civil international conduct—everything from commercial piracy to nuclear proliferation, culminating with its intimidation of Taiwan—means the cancellation of most-favored-nation trading status with the United States.

Yes, revoking MFN would hurt the United States somewhat. But U.S.-China trade amounts to a mere two-thirds of one percent of U.S. GDP. It amounts to fully 9 percent of

Chinese GDP. Revocation would be a major blow to China.

Yet astonishingly, with live Chinese fire lighting up the Taiwan Strait, Treasury Secretary Robert Rubin said Tuesday that the Clinton administration supports continued MFN for China. He did aver that Congress, angered by recent events, would probably not go along.

This is timorousness compounded. Revoking MFN is the least we should do in response to China's provocations. Pointing to Congress is a classic Clinton cop-out. The issue is not Congress's zeal. It is Beijing's thuggery.

Quiet diplomacy is one thing. But this is craven diplomacy. What does it take to get this administration to act? The actual invasion of Taiwan? You wait for war, you invite war.●

RABBI MORRIS S. FRIEDMAN PLANS JUNE RETIREMENT AFTER 46 YEARS IN THE RABBINATE

● Mr. D'AMATO. Mr. President, I rise to honor Rabbi Morris S. Friedman of Temple Hillel in North Woodmere, NY, on his retirement after so many years of dedicated service.

In October 1984, Rabbi Friedman welcomed then-President Ronald Reagan to his synagogue, Temple Hillel in North Woodmere, where the President spoke to a packed congregation. Afterwards, Rabbi Friedman hosted the President at his home for lunch. Together they sat, with the rabbi's wife and children, as well as Secretary of State James Baker and myself.

The visit by President Reagan to Rabbi Friedman's temple and home was testimony to the influence and cachet of Rabbi Friedman himself, and to the enormous prestige that Temple Hillel amassed over the 33 years of Rabbi Friedman's leadership. It may have been the first time that a sitting President lunched at the home of a rabbi; but it was not the first time that Rabbi Friedman held conversations with world leaders. From his corner of the world in North Woodmere, Rabbi Friedman has influenced many thousands of lives, those on the world stage and those presiding over the births and deaths and joys and sorrows of a congregation that each year tops 1,000 people.

In June of this year, Rabbi Friedman will retire from the pulpit at Temple Hillel.

''One of my favorite books in the Bible,'' said Rabbi Friedman when he announced his retirement, ''is the Book of Ecclesiastes. The third chapter begins with a statement, 'A season is set for everything, a time for every experience under Heaven.' ''

His congregation will honor and pay tribute to him, and to his wife, Mrs. Adelaide Friedman, at a dinner on April 21. ''My years at Hillel are truly a love affair between me and the congregation. The friendship, affection and devotion showered upon me and Addi by the congregation, made my service to the community a privilege, a joy and an exciting spiritual adventure,'' said Rabbi Friedman, looking back at a 33-year relationship.

It will be one of a long line of testimonial dinners made in his honor, because Rabbi Friedman's dedication to Jewish causes reached far and wide beyond his own temple. He has been honored by Boy's Town in Jerusalem; by Bet El, a 13-year-old-settlement in Judea Samaria in Israel; by Touro College's School of Health Sciences, among others.

He has received numerous awards and much recognition, such as the Zedakah Award from the UJA Federation of Jewish Philanthropies in New York, and the degree of honorary fellow conferred upon him by Bar Ilan University in Israel. The Jewish Theological Seminary of America conferred upon him an honorary doctor of divinity degree in 1975.

His stature in the Jewish community led him to his former, very prestigious, role as the president of the New York Board of Rabbis, the largest rabbinic organization in the world. He was also chairman of the United Jewish Appeal-Federation Rabbinic Advisory Council. He served for 2 years, as well, as chairman of the Rabbinical Assembly Campaign for the Jewish Theological Seminary of America. For the past 5 years, he has cochaired the Annual Nassau County Dinner for the Shaare-Zedek Hospital in Jerusalem.

Rabbi Friedman has further enriched the spiritual lives of this congregants by guiding them through Israel on dozens of visits over the years. His own personal travels have taken him to Israel and Europe many times over. But he would be the first to say the true richness of his life comes from the joy and love of his family, his wife Adelaide, his daughter, Naomi, his 2 sons, Mark and David, and his 12 grandchildren.

Mrs. Adelaide Friedman has also greatly enriched the lives of those around her. With degrees in English literature, a bachelor's from Long Island University and a master's from Hofstra, Mrs. Friedman taught English literature at the high school level in girls' yeshivas. She herself has been writing all her life, poetry and short stories, as well as articles and book reviews. Mrs. Friedman wrote a regular, monthly column for the Jewish World several years ago and her book reviews have also appeared in Lifestyles magazine and the quarterly publication for the New York Board of Rabbis. She has had articles published on Jewish subjects in several magazines and periodicals, such as the Algemeiner Journal, a Yiddish newspaper.

Mrs. Friedman taught adult education courses at Temple Hillel on Jewish literature and has given lectures on Jewish women in literature at the Hewlett-Woodmere Library. Her creative talents encompass art as well as writing. She loves to work with oils and pastels and the portraits and still-lifes she has painted hang on the wall of her home and her children's homes.

But it is her role as a rebbitzen for 46 years that has presented truly great rewards. ''I loved being involved in something bigger than myself,'' said Mrs. Friedman. ''I loved the idea of connecting with Jewish events as they unrolled and being inspired by lectures and great personalities. It was a very exciting period in my life because I wasn't only a wife and a mother and eventually a grandmother, much as I enjoyed those roles—and still enjoy those roles, I was also part of what was transpiring among the Jewish people.''

Before Rabbi and Mrs. Friedman came to North Woodmere, he served in Congregation Beth David in Lynbrook for 13 years as their rabbi. He had been ordained by the Jewish Institute of Religion in New York and had received a master of Hebrew literature degree and a BA degree from Long Island University.

Temple Hillel will say goodbye to Rabbi Friedman this June with much reluctance. But the congregation knows he will continue to be nearby to offer his guidance and wisdom for years to come, as the rabbi emeritus of Temple Hillel. It is a guidance that has taken Temple Hillel to great heights. Said Rabbi Friedman, ''I feel, without any hesitation, that we have achieved stardom in the galaxy of Conservative Congregations in the New York Area, and even worldwide!''●

DR. NAN S. HUTCHISON BROWARD SENIOR HALL OF FAME ELECTEES

● Mr. GRAHAM. Mr. President, today I would like to recognize and congratulate a group of 12 inspiring citizens from Broward County, FL. These individuals have each given their time, talents, and love to their communities.

On March 8, 1996, the following men and women were selected as the new members of the Dr. Nan S. Hutchison Broward Senior Hall of Fame. Their names have been added to a commemorative plaque housed in the Broward County government building.

Shirley Berman, of Pembroke Pines, has been a selfless volunteer for the Memorial Manor Nursing Home by introducing pet therapy to the facility. Ms. Berman also uses her crafting talent to provide materials for various fundraising events. The woolen hats she makes are distributed to premature infants at local hospitals.

Majorie A. Davis, of Fort Lauderdale, has made a positive impact on her community as a teacher for 44 years in the Broward County School System. In addition to enriching the lives of her students, she has dedicated her time to many local organizations. Among Marjorie's most recent accolades is the Urban League of Broward County, Inc. Kathleen Wright Award which she earned in 1994.

Frank Ford, of Lauderdale Lakes, has shown his willingness to serve his community by forming the Motorola Retirees Alumni after serving with Motorola for 20 years. He has also shown

his concern for children by establishing the Kids ID Program, which has photographed over 1,200 children to date.

Rubye Haile Howell of Fort Lauderdale, the second school teacher among the electees, has continued her commitment to children long after her retirement. Rubye is the lay leader for the Harris Chapel United Methodist Church and is deeply involved in various organizations in an effort to create unity among people of all ages.

Ms. Audrey Millsaps, also of Fort Lauderdale, has served for 13 years on the Areawide Council on Aging, including 2 years as president. She selflessly advances children's issues through the Florida Ocean Science Institute, SOS Children's Village, the Children Services Board, and the Children's Consortium, among others. Her many hours of service are appreciated by all.

Dan Pearl has served the people of Sunrise in various capacities and is currently deputy mayor. Over a decade ago, Mr. Pearl implemented a free flu shot program, a service which was not covered by Medicare at the time. He has shown his dedication to seniors and the American Cancer Society, and can occasionally be found bagging groceries at Winn Dixie in order to raise money for the organization.

Joe Rosen's dedication to the city of Sunrise and Broward County is far reaching. Not only has he held numerous positions in volunteer organizations, he has been integral in raising over $45,000 for a host of senior organizations throughout Broward. His concern for the safety of his city's streets is exemplified by his role as commander of Citizens on Patrol-Night Crime Patrol.

Jean Ross, of Margate, a dynamic member of Broward County's senior community, currently serves as president of the Broward County Council of Senior Citizens. This organization serves seniors by providing them with much needed information and assistance. Jean has also assured that the council's blood drives are successful by working closely with Broward County's High Schools on an incentive program.

An exemplary senior advocate and resident of Tamarac, Marc Sultanof serves numerous organizations, particularly in the Kings Point neighborhood. He recently was elected to the Area Agency's Advisory Council, where he serves with distinction, and was appointed as a 1995 delegate to the White House Conference on Aging by Gov. Lawton Chiles.

Katherine Thibault is currently serving a second term as a Pembroke Pines city commissioner. As a result of her efforts in the 1994 Area Agency Seniors for Seniors Dollar Drive, Commissioner Thibault helped raised thousands of dollars for senior programs in Broward County. Ms. Thibault is no stranger to volunteer work. Her contributions to the seniors of Broward County have been appreciated by all.

Amadeo Trinchitella's efforts have also been substantial. Beside serving the seniors of Broward County, Mr. Trinchitella is a Deerfield Beach commissioner, and has been appointed by Governor Chiles to a 4-year term as commissioner for the North Broward Hospital District. His activities with Century Village have helped to enhance that vibrant senior community.

Ms. Eula Williams, of Fort Lauderdale, is involved in Mt. Olive Baptist Church and the Northwest Federated Women's Club. Her activities include tending the sick, visiting nursing homes, and helping the homebound. Her involvement in the Area Agency's Session for Seniors, classes which help Broward's seniors deal with independent living, has enriched the lives of Broward's older residents.

Once again, I would like to congratulate these outstanding seniors who have diligently and selflessly given of themselves in order to make Broward County a fine place for all of its residents. The State of Florida and Broward County are fortunate to have residents like these making a difference and setting an example for all.●

SALUTE TO UNIVERSITY OF TENNESSEE WOMEN'S BASKETBALL

● Mr. FRIST. Mr. President, I rise today to congratulate the University of Tennessee Lady Volunteers basketball team for yet another outstanding NCAA tournament and an impressive victory over the highly competitive University of Georgia Lady Bulldogs in the championship game. After posting a remarkable record of 32–4, the Lady Vols have brought the national championship title home to Knoxville where it belongs.

The Lady Volunteers displayed the teamwork, talent, and sheer determination to soundly defeat the Georgia Lady Bulldogs 83 to 65. This was clearly a championship performance.

Mr. President, I want to commend these young women, their head coach Pat Summitt and assistant coaches Mickie DeMoss, Holly Warlick, and Al Brown for their hard work and dedication this year. They have made the University of Tennessee, the city of Knoxville, and the entire State of Tennessee proud and all of Tennessee celebrates their victory with them.

The seniors who played their last college basketball game on March 31 should look back on a game perfectly executed and a season Tennesseans will never forget. And those team members who will be on the court next season can look forward to defending their title next year and for many years to come.

I would like to extend a special congratulations to Michelle Marciniak for being named most outstanding player in the Final Four, and to Chamique Holdsclaw and Tiffani Johnson, who joined Michelle on the all-tournament team. Everyone involved in this championship team has made the University of Tennessee, the city of Knoxville, and the entire State of Tennessee proud, and we all look forward to many more championship seasons to come.●

GAMBLING'S TOLL IN MINNESOTA

● Mr. SIMON. Mr. President, the Reader's Digest recently condensed an article from the Minneapolis Star Tribune written by Chris Ison and Dennis McGrath that talks about the pull of legalized gambling in the State of Minnesota, which I ask to be printed in the RECORD after my remarks.

For those who are unaware of the problems that we face, please read this article.

It illustrates why we need a national commission to take a look at where we are going in this Nation on legalized gambling. The article follows:

[From the Minneapolis Star Tribune]

GAMBLING'S TOLL IN MINNESOTA

(By Chris Ison and Dennis J. McGrath)

[America is becoming a nation of gamblers. Once confined to Atlantic City, Las Vegas and Reno, gambling is now legal in 48 states—all but Hawaii and Utah—and casinos run full tilt in 24. Almost 100 million Americans bet $400 billion last year and lost $39 billion to the house.

To win legal status, the industry promised some tax-poor states a river of money for public programs. But along with the wealth came an alarming rise in suicides, bankruptcies and crime. Here is the experience of one state, where the first full-service casino was welcomed in 1988].

Hour after hour, the blackjack cards flipped past, and still she played. Friday afternoon blurred into Saturday. Through the ringing of slot machines and chattering of coins dropping into tin trays, Catherine Avina heard her name paged.

''Are you coming home tonight?'' It was her 21-year-old son, Joaquin, on the phone. ''Probably not,'' she answered.

Avina didn't go to Mystic Lake Casino in Prior Lake, Minn., as much as she escaped to it. That weekend in May 1994, the depressed 49-year-old mother of three was escaping the worst news yet—she was in danger of being fired after almost 11 years as an assistant state attorney general. On Monday—her fourth straight day at the casino—she dragged herself back to her St. Paul home, broke and more depressed than ever.

Two days later, Joaquin confronted his mother about her gambling, and they argued. The next morning, when she didn't come out of her bedroom, he peeked in. Two empty bottles of anti-depressants and a suicide note were near her body. Later the family found debts of more than $7,000, and Avina was still making payments for gambling-addiction therapy received a year earlier.

In less than a decade legalized gambling in Minnesota—$4.1 billion is legally wagered in the state each year—has created a new class of addicts, victims and criminals whose activities are devastating families. Even conservative estimates of the social toll suggest that problem gambling costs Minnesotans more than $200 million per year in taxes, lost income, bad debts and crime.

Ten years ago only one Gamblers Anonymous group was meeting in the state; today there are 53 groups. According to research by the Center for Addiction Studies at the University of Minnesota in Duluth, nearly 38,000 Minnesota adults are probably pathological gamblers. A 1994 Star Tribune/WCCO–TV poll found that 128,000 adults in Minnesota—four percent—showed signs associated with problem gambling and gambling addiction.

Many experts agree that the potential for gambling addiction among the young—the most vulnerable group—is worse. Teens are twice as likely as adults to become addicted.

Jeff Copeland, a 21-year-old from suburban Minneapolis, can't go to college because he's accumulated a $20,000 gambling debt. ''It ruins your life,'' he says. ''And people don't really understand. I thought about suicide. It's the easiest way to get out of it.''

Pawnshop Boom: Thousands of Minnesotans are burying themselves in debt because of gambling, borrowing millions they'll never be able to pay back. Bankruptcy experts estimate that more than 1,000 people a year are filing for bankruptcy protection (average owed: $40,000), at an estimated cost to creditors of more than $2.5 million. ''Compared with ten years ago, there are 20 times as many people who have gambling debts,'' says bankruptcy attorney Jack Prescott of Minneapolis.

One of these is Hennepin County Commissioner Sandra Hilary of Minneapolis. She filed for bankruptcy two days after admitting she was addicted to slot machines. She estimated she'd lost nearly $100,000 gambling. After counseling, Hilary is now trying to reimburse her creditors.

Throughout the state, at least 17 new pawnshops have sprung up near casinos, with gamblers hocking possessions for far less than real value to support their gambling habits. In or near Cass Lake (pop. 923), four miles from Palace Bingo & Casino, there are four pawnshops. That's a pawnshop for every 231 people.

Police near casinos note an increase in bogus reports of thefts. These come from people who lie about the disappearance of a ring, video camera or other expensive item that they actually pawned to pay for their gambling.

Easy Credit: Minnesotans are also burning up welfare payments at casinos. Hundreds of thousands of taxpayer dollars that are meant to provide food, clothes and housing for the poor are being wagered on blackjack and in slot machines, and for residents of two Minnesota counties, the money is being made available from automated teller machines inside almost every casino in the state. During a typical month last year, welfare recipients from Hennepin and Ramsey counties withdrew $39,000 in benefits from casino ATMs.

There are few incentives for casinos to regulate the availability of credit to gamblers. The casinos can't lose: they don't give the credit; they simply make the money.

Credit-card companies—there are now more than 7000—have made strong profits in recent years despite increasing bankruptcy and delinquent payments nationwide. Interest rates are so high—averaging 18 percent—they still make up for losses from bankruptcy. And the issuers pass much of the loss onto consumers through higher rates, fees and penalties, says Ruth Susswein, executive director of Bankcard Holders of America, a nonprofit consumer-education group.

''They're making so much money it's been worth it to them to keep offering credit,'' Susswein adds. Some casinos also rent space to companies that cash checks and provide credit-card advances for fees.

Police Burden: It seemed to take only minutes for Carol Foley to get hooked on video gambling machines. ''Within two or three days,'' she says, ''I was playing every day.'' To cover her losses, Foley, 43, forged $175,000 in checks at her job at the E. M. Lohmann Co., a church-goods dealer in St. Paul. Last September she was released from a correction center in Roseville, Minn., after serving eight months for forgery. She underwent counseling for her gambling addiction and is on a monthly payment plan with her former employer.

The high crime rate among problem gamblers has been well established. The National Council on Problem Gambling found that 75 percent of gamblers treated at in-patient centers had committed a crime.

Between 1988—when the first of Minnesota's 17 casinos began operating—and 1994, counties with casinos saw the crime rate rise twice as fast as those without casinos. The increase was the greatest for crimes linked to gambling, such as fraud, theft and forgery/counterfeiting.

Casinos are burdening local police. When Grand Casino Mille Lacs opened on the Mille Lacs Indian Reservation in April 1991, county police responded to almost twice as many incidents of crime or people seeking help on the reservation.

Jean Mott, a 38-year-old mother of three, worked nights at a Kmart distribution center to help pay the family bills. But the bills began backing up when Mott headed to Mystic Lake Casino, rather than her Shakopee home, at the end of her shift.

Just before dawn one day in January 1995, having lost another paycheck to the casino, Mott drove to the Brooks' Food Market in Shakopee. Wearing a ski mask and with her hand in her pocket to simulate a gun, she stole $233. Police easily traced the holdup to Mott because a patrol officer had run a registration check after he saw her car parked with its lights on just south of the store that morning. Mott was convicted of simple robbery, and served 30 days in jail and 30 days on electronic home monitoring.

Taxpayer Tab: The list of violent gambling-related crimes is also growing. Redwood Falls police officer Derek Woodford was shot by a gambler from Gary, Ind., who had broken into a local bank after a day of gambling at Jackpot Junction in Morton. Woodford spent 13 days in the hospital recovering from three bullet wounds.

Gambling has long been recognized, as well, as a root cause of embezzlement. In most gambling-related embezzlement cases, authorities say, the court file shows the same thing: no previous criminal record.

''Prior to 1990, we had zero cases of gambling-related embezzlements,'' says William Urban, president of Loss Prevention Specialists, Inc., a Minneapolis company that helps employers deal with internal thefts. Since then the company has investigated gambling-related losses of ''well over $500,000.''

Reva Wilkinson, of Cedar, is now in federal prison for embezzling more than $400,000 from the Guthrie Theater to support her gambling habit. Besides the money she stole from her Minneapolis employer, her case cost taxpayers over $100,000 to investigate, prosecute and adjudicate.

In June 1993 Theresa Erdmann was charged with stealing nearly $120,000 from the checking account and weekly offerings at St. Michael's Catholic Church in Madison. She said the money was blown on gambling, and now she's serving a three-year sentence in a state prison.

Hidden Suicides: More and more, some problem gamblers pay the ultimate price. The *Star Tribune* confirmed six gambling-related suicides in Minnesota—five in the past three years. Almost certainly, this is only a fraction of the total.

The victims are people like 19-year-old John Lee, a St. Paul college student who, in a three-month period, won about $30,000 at blackjack. Then he started losing. Down to his last $10,000, he lost it all one night. He returned home, put a shotgun to his head and killed himself. In addition, at least 122 Minnesota gamblers have attempted suicide, according to directors of the six state-funded gambling-treatment centers.

Other deaths that may be related to depression over gambling losses are not listed as suicides at all. ''So often, when people talk about suicide, they say, 'I'd just drive off the road. I'd drive into a tree,' '' says Sandi Brustuen of the Vanguard Compulsive Gambling Treatment Program in Granite Falls, Minn. ''They don't want anyone to know they committed suicide, and they want their families to collect the insurance.''

The suicide rate among pathological gamblers nationally is believed to rival that of drug addicts. Ten to 20 percent of pathological gamblers have attempted suicide, and almost 90 percent have contemplated it.

Treatment experts, researchers and gamblers themselves say states can do more to reduce the negative consequences for gamblers. Here are some of the most frequently mentioned ideas:

Underwrite better research: Many research efforts across the country have been criticized for failing to prove that treatment works, for failing to measure the social costs of gambling and for failing to implement a long-range plan to address problem-gambling issues. ''We really don't know exactly how much problem gamblers cost society,'' says Henry Lesieur, editor of the Journal of Gambling Studies and a criminal-justice professor at Illinois State University in Normal.

On the federal level, the issue of gambling addiction only recently started to generate action. Last fall committees in the House and Senate held hearings on bills that would authorize a national commission to study the economic and social effects of legalized gambling.

Emphasize public awareness and education—especially among young people—about the risks of gambling: Some suggest funding more in-school efforts, perhaps in conjunction with math and science classes or anti-drug programs. ''Let people know what the odds are. The longer you gamble, the more you're going to lose,'' says Alan Gilbert, solicitor general of Minnesota.

Train casino employees to spot—and discourage—problem gamblers from betting irresponsibly: Some casinos already do this. But they offer only anecdotal evidence that such efforts are used, and some say they've never barred a person for problem gambling unless the person asked to be barred.

Gambling has significant social and economic impact. It results in ruined lives, families and businesses; in bankruptcies and bad loans; in suicides, embezzlements and other crimes committed to feed or cover up gambling habits—and increases in costs to taxpayers for investigating, prosecuting and punishing those crimes.

Few of these problems have been documented as communities and states across the nation instead focus on gambling as a way to boost their economies and increase tax revenues. But for Minnesota the social costs of gambling are emerging in vivid and tragic detail.●

DAY OF RECKONING

● Mrs. HUTCHISON. Mr. President, today is April 15, the day of reckoning for millions of Americans. After a year on the job, and hours and hours of paperwork, today American moms and dads must file their income tax return, and send a check to Uncle Sam.

The IRS's favorite day of the year is everyone else's least favorite. Working families in America are getting squeezed between ever-rising expenses for necessities and higher taxes.

Last year the Republican Congress tried to do something unusual for taxpayers—we tried to let them keep their own money.

We cut taxes for families with children by providing a $500 tax credit for each child, to help parents raise children and to offset the erosion of the personal exemption from inflation. With this tax cut, 3.5 million families wouldn't have to pay taxes any more. In Texas, it would save 285,000 families over $167 million.

Some big-city liberals don't think $500 is real money—they say ''it's only pennies a day.'' But with the children's tax credit, a parent with two children would be much better off today. Instead of writing a $500 check to the IRS, she could be getting a $500 check back—that's real money for families with kids.

We also encouraged families to save for retirement—with my homemaker IRA proposal, and with expanded individual retirement accounts.

The homemaker IRA would allow women who work at home to get the same opportunity to save for retirement that all other workers do. The current tax code prevents married couples that rely on one income from equitably providing for their retirement security by limiting the homemaker's deductible IRA contribution to $250.

To end this unequal treatment of women and men that work inside the home, and to promote retirement savings, we would have permitted deductible IRA contributions of up to $2,000 by spouses that work inside the home.

What would this mean for homemakers? Under current law, a single-income married couple saving $2,250 each year for 30 years would have $188,000 for retirement. With the bill's $4,000 annual contribution limit, after 30 years they would have $335,000—an increase in savings of almost $150,000.

We also helped families by permitting tax-deferred savings in IRA's for education costs, medical expenses, and first-time home purchases, and allowing penalty free withdrawals during times of unemployment.

We stopped penalizing young couples for getting married. We increased the standard deduction for married couples filing jointly. By 2005, the marriage penalty would have been eliminated for couples that don't itemize their deductions.

We cut capital gains taxes to encourage and reward investment, and to create new businesses and new jobs.

And we cut estate taxes, so that years of hard work and success won't be wiped out in a generation.

Our tax cuts reduce the tax burden on the people who actually pay taxes. More than three-quarters of the cuts in the first year go to the middle class, those making $75,000 a year or less. Who are those people?

They are mothers and fathers, who will get help raising their children with a $500 tax credit.

They are homemakers who will have the opportunity to contribute the maximum amount to an IRA for retirement security for the first time.

They are married couples, who will have the Tax Code's marriage penalty reduced.

They are savers, who are trying to buy a first home, pay for college for their kids, or retirement for themselves.

They are small business owners who have spent their lives building a business, and want to pass it on to their children.

They are investors who have provided the capital to start new businesses and create jobs.

Our tax cut helped all Americans—it would put more money in people's pockets, and would increase jobs. Together with a balanced budget, it would lower interest rates and increase the standard of living for millions of Americans.

So why do I keep saying here is what our proposals would have done? Because President Clinton vetoed it. He vetoed tax relief for all of us paying taxes today to the IRS. Instead of getting a refund, many are writing a check to the Treasury.

After running for President in 1992 on a middle class tax cut, in 1993 President Clinton raised taxes on middle class Americans while claiming he was only hitting the rich. He overlooked his tax increase on seniors, which raised taxes on Social Security benefits from 50 to 85 percent for seniors earning more than $34,000—for marrieds, it's $44,000, and his gas tax on everyone. His taxes took what could have been a robust period of economic growth and made it a weak, lackluster recovery.

I cannot remember any time in America when our economy was growing, but people have had more reason to worry about their jobs. Big government is one of the big reasons. Big government regulation costs jobs, too. A report from the Rochester Institute of Technology estimates the direct cost of complying with Federal regulations to be about $668 billion in 1995. That's about $6,000 for every American family in higher prices, diminished wages, and increased taxes.

Another way to look at it: The cost of regulation is about the same as the entire amount of individual income taxes! So when you're writing your check today, double the check you write to get the real cost of big government.

Last year, when the Republican Congress was preparing our tax cut bill, President Clinton admitted that he and the Democratic Congress had made a mistake in 1993 by raising taxes. Nice talk—but then he vetoed the bill that would have cut taxes for Americans today.

If he hadn't vetoed the bill, instead of turning your money over to Uncle Sam today, you would be keeping your money in your own pocket. With the tax cuts and balanced budget, we would get 1.2 million new jobs, $75 billion in new investment, and lower interest rates, lower mortgage rates, and higher disposal income. Everyone in America would have been better off.

I don't think most Americans object to taxes in principle; we all know some taxes must be paid to provide for a national defense, for health regulations, for police and schools, and for other services. But its how much we pay and what we get in return that bothers us.

President Clinton's new budget will spend $1.572 trillion—with a $146 billion deficit. The problem with the deficit isn't that we aren't paying taxes—its that we're spending too much. The problem has always been spending. If Congress in the 1980's had just limited the growth of domestic spending to the rate of inflation—if Congress had just restrained spending the way that every American household does—we would have ended the last decade with a budget surplus.

What happened? Where is that surplus? It is buried in the huge buildings all over Washington. Instead of limiting spending increases to the rate of inflation, Congress went on an unprecedented spending binge. And when the decade of the 1980's ended, there was no surplus, there was not even a balanced budget—there was more debt to pay interest on.

This administration refuses to abandon the irresponsible policies of past Congresses. This administration has dealt itself out of the fight to save American's future.

The majority in Congress will not change our principles for a few inside-the-beltway bureaucrats and editorial writers who don't want the era of big government to end. We will not offer a Band-Aid to past the next election. We promised to offer real, long-term solutions for the next generation and we did.

The people know they don't get the money's worth from Washington; we waste money foolishly all the time—on small things like the Tea Tasting Board, and on big ones like the Davis-Bacon law, which adds millions of dollars to every government construction project, while leaving entry-level workers unemployed.

We must go through the budget, line by line, agency by agency, and ask, ''Is this worth it? Do we need it? Should the Federal Government do it? ''Last year we cut outdated or duplicate programs, like the Interstate Commerce Commission, the Office of Technology Assessment, and the Pennsylvania Avenue Development Corporation, and cut our own budget, too.

Finally, we will make fundamental changes to prevent us from the old tax and spend ways. Today, in the other body, they will consider for the first time an amendment to the Constitution that will change the balance of power between taxes and spending. Right now, when Congress cuts spending, it only lasts for a year. We have annual appropriations, so its easy to replace old spending with new spending. But when we increase taxes, they are permanent changes to the Tax Code. Taxes are paid year after year, until we repeal them.

Not only that, it takes only half the body plus one vote to increase taxes. In

1993, President Clinton's tax increases were passed by one vote in the House, and a tie was broken in the Senate by Vice President GORE. Despite the fact that half the Senate opposed the taxes, they were imposed on the public.

I believe that this was wrong. We shouldn't be able to make such a fundamental change in how Americans are governed by their representatives in Congress without the support in Congress that a super majority vote for a tax increase requires. It should be hard to increase taxes. It should be harder to increase taxes—to take the people's money from them—than it is to cut taxes.

Mr. President, what the public is asking for is leadership.

It is not leadership to increase taxes on the elderly and everyone who drives a car, and claim you only hit the rich—which the Democrats did in 1993 without one Republican vote.

It is not leadership to veto tax cuts for American families, and then propose tax cuts again in the next election year.

It is not leadership to propose a budget with a $200 billion deficit, and then veto a balanced budget.

And it is not leadership to propose a budget in the following year that balances only with huge spending cuts after the year 2000, when the President is sure to have moved back to Arkansas.

It is leadership to confront our fiscal problems head on, to show the people what we must do to preserve Medicare, to help families, to create jobs, to reform welfare, and to balance the budget. That is what the Republican Congress did.

America has led the world through the most tumultuous century of all time—from the age of horse power to the age of atomic power. Now that the threat to our liberty from communism is gone, and freedom is spreading throughout the world, it's time to return the government's power to the people. We can start by giving them their money back.●

IMMIGRATION—JUST THE FACTS

● Mr. SIMON. Mr. President, Priscilla Labovitz had an op-ed piece in the New York Times, which I ask to be printed in the RECORD after my remarks. It deserves the attention of all of us interested in the problems of immigration.

It is fascinating reading, in addition to being important for policymaking.

The material follows:

IMMIGRATION—JUST THE FACTS

(By Priscilla Labovitz)

WASHINGTON.—Congress is considering immigration reform. Patrick Buchanan used the issue to rev up his Presidential campaign. And a few polemicists have even called for a moratorium on all immigration. The subject may be hotly debated, but ultimately the facts and figures speak for themselves.

Percentage of the United States population that white Americans think is Hispanic: 14.7.

Percentage that is Hispanic: 9.5

Percentage that white Americans think is Asian: 10.8.

Percentage that is Asian: 3.1.

Percentage that white Americans think is black 23.8.

Percentage that is black: 11.8.

Percentage that white Americans think is white: 49.9.

Percentage that is white: 74.

Number of legal immigrants admitted in 1820 (the first year for which statistics are available): 8,385.

The number of legal immigrants in 1907: 1,285,349.

The number admitted in 1990: 1,536,483.

The number admitted in 1994 (the latest figures available): 804,416.

Percentage of decrease in legal immigration from 1993 to 1994: 9.3.

Countries that sent the most students to America in 1994: Japan (more than 65,000), South Korea (more than 38,000), China plus Taiwan (more than 36,000).

The number of United States residents who emigrate each year: 195,000.

Countries from which legal immigration decreased most since 1993: El Salvador (32 percent), Vietnam (30.6 percent), China (17.7 percent), Philippines (15.3 percent).

Percentage that employment-based legal immigration decreased from 1993 to 1994: 16.

Percentage of decrease in applications for political asylum from 1994 to 1995: 57.

State with the largest number of legal immigrants from Mexico admitted in 1994: California.

State with the largest number of legal immigrants from all foreign countries combined admitted in 1994: California.

Percentage (estimated) of all illegal immigrants who live in California: 42.6.

State where fewest legal immigrants settled in 1994: Wyoming.

Home state of Alan Simpson, the senator who authorized the principal bill to reduce immigration: Wyoming.

Countries from which most illegals in New York City emigrate: Colombia, Dominican Republic, Ecuador, Italy, Poland.

Countries from which the highest number of legal immigrants on welfare in New York City emigrate: Russia, Dominican Republic.

Proportion of United States population that was foreign-born in 1990: 7.9 percent.

Proporition that was foreign-born in 1910: 16 percent.

Continent of origin of immigrant group with highest educational attainment: Africa.

Welfare programs for which illegal aliens are not eligible: Aid to Families With Dependent Children, food stamps, Medicaid, Medicare, Supplemental Security Income.

Presidential candidate who said: ''I think God made all people good, but if we had to take a million immigrants in, say Zulus, next year, or Englishmen, and put them in Virginia, what group would be easier to assimilate and would cause less problems for the people of Virginia?'' Patrick Buchanan.

Total number of immigrants who settled in Virginia in 1994: 15,342.

Total number of legal immigrants born in United Kingdom who settled in Virginia in 1994: 404.

Total number of Zulus, Unknown.

Sources: Census Bureau statistics, Immigration and Naturalization Service statistics, National Immigration Law Center, New York City Planning Commission, The Washington Post.●

THE TAX LIMITATION AMENDMENT

● Mr. FAIRCLOTH. Mr. President, as American taxpayers are well aware, today is Tax Day, and it is a most appropriate time to express my strong support of Senate Joint Resolution 49, the tax limitation amendment. This resolution proposes to amend the Constitution to require a two-thirds supermajority vote to increase tax rates or to impose new taxes.

It offers the American taxpayers a source of protection from a Federal Government that often sees their checkbooks as an unlimited line of credit. For too long, the Federal Government has lacked the restraint that the Founding Fathers surely envisioned, and it has consistently grabbed an increasing share of the taxpayers' money.

The American people have sent some $14 trillion to Washington since 1980. This is an enormous amount of money.

I think that it is sufficient to run the Federal Government. I believe that most taxpayers think that it is sufficient to run the Federal Government.

However, it is apparently not enough for the big spenders in Washington. There are bills on the calendar to boost taxes ever higher. There are those still eager to grab yet more money from the taxpayers.

This amendment will stop the big spenders.

It is far too easy to raise taxes. The largest tax increase in American history—the Clinton tax bill of 1993—is a case in point. The Democrats controlled both the White House and the Congress, and, yet the Clinton budget passed the other Chamber by a mere six votes. In this Chamber, the Vice President was forced to bring out the motorcade, and he rode to the Capitol to cast a tie-breaker vote. The President, just months after his election, could not even muster a majority of the elected Senators.

The tax limitation amendment, however, would have stopped that tax bill, and, if it is adopted, it will prevent other ill-considered congressional raids on constituents' checkbooks.

Its opponents decry the supermajority requirement as ''anti-democratic.'' However, the Constitution includes 11 supermajority provisions, and these hurdles were engineered to further safeguard important processes. Indeed, the procedures used to govern this Chamber include super-majority requirements, and I see little restraint in their use on the other side of the aisle. These supermajority requirements compel the development of a broad consensus for action. These procedures often serve this Chamber well. However, I find it impossible to believe that the taxpayers do not deserve similar protection.

It is no surprise that the tax limitation amendment is seen as a revolutionary measure in Washington. However, it is a time-tested procedure in 12 States, and one-third of all Americans live in States with supermajority tax requirements.

Maybe this amendment scares people in Washington because it is so effective. Just look at the numbers. Between 1980 and 1993, the taxpayers in States without supermajority tax limitations faced a 2 percent rise in taxes as a share of personal income. However, taxpayers in States with supermajority tax limitations enjoyed a 7 percent drop in taxes as a share of personal income.

President Clinton bragged in the 1992 campaign that he held the line on taxes in Arkansas as governor. Well, he tried to raise taxes, but Arkansas adopted a three-fourths supermajority requirement to raise most taxes in 1934, long before President Clinton was born.

The tax limitation amendment will impose some real and necessary restraint on the Congress. For too long, Washington lawmakers, unwilling to pare the scope of the Federal Government, simply embarked on pirate-style raids on their constituents' checkbooks. Consequently, the Federal tax burden on the average family has grown from 3 percent in 1948 to some 25 percent today.

Chief Justice Marshall long ago wrote that the power to tax involves the power to destroy. The power to tax is indeed an awesome power. The history of the United States includes chapters of revolution and rebellion rooted in issues of taxation.

The tax limitation amendment is a moderate response to the escalating bite of the Federal Government. It merely requires a little additional deliberation in the exercise of the power of taxation. In a democracy, I believe that we owe the people at least that.●

THE DEATH OF ROBERT MARLOWE

● Mr. COVERDELL. Mr. President, it is with regret that I must report the recent passing of a true leader in Georgia agriculture. Long-time Georgia Farm Bureau Director, Robert W. ''Bob'' Marlowe, died on March 26 in his home in Macon, GA, after a brief illness.

Mr. Marlowe was a true leader at the Farm Bureau and was a solid citizen. A native of Barrow County, GA, Bob graduated from the University of Georgia before teaching in his local school system for a number of years. After leaving teaching, Bob returned to production agriculture, working for the Cotton Producers Association as a poultry adviser and managing co-op stores. Bob worked for the Georgia Farm Bureau in Macon for 23 years and was an active member of his church and community organizations such as the Lions Club. He was also active in agriculture advocacy through his appointment on the Government's Advisory Council for Tri-State Water Issues and through his work with the State's various commodity commissions. I can attest that he was very helpful in my office's efforts in the formulation of the 1996 farm bill.

I know that Bob will be missed greatly by his family and colleagues at Georgia Farm Bureau. Georgia agriculture and this office will surely miss the likes of Bob Marlowe and I salute him for his exemplary service to our State and the Nation.●

MEASURE READ FOR THE FIRST TIME—H.R. 3103

Mr. SIMPSON. Mr. President, I inquire of the Chair if H.R. 3103 has arrived from the House of Representatives.

The PRESIDING OFFICER. The Senator is informed that the bill is at the desk.

Mr. SIMPSON. Therefore, I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3103) to amend the Internal Revenue Code of 1986 to improve portability and continuity of health insurance coverage in the group and individual markets, to combat waste, fraud, and abuse in health insurance and health care delivery, to promote the use of medical savings accounts, to improve access to long-term-care services and coverage, to simplify the administration of health insurance, and for other purposes.

Mr. SIMPSON. Mr. President, I now ask for its second reading, and I object.

The PRESIDING OFFICER. Objection is heard. The bill will be read a second time following the next adjournment of the Senate.

PROVIDING FOR THE APPROVAL OF FINAL REGULATIONS THAT ARE APPLICABLE TO THE SENATE AND THE EMPLOYEES OF THE SENATE

Mr. SIMPSON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 242 submitted earlier in the day by Senator WARNER.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 242) to provide for the approval of final regulations that are applicable to the Senate and the employees of the Senate, and that were issued by the Office of Compliance on January 22, 1996, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. SIMPSON. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The resolution (S. Res. 242) was considered and agreed to.

(The text of the resolution will be printed in a future edition of the RECORD.)

RELATING TO CERTAIN REGULATIONS REGARDING THE OFFICE OF COMPLIANCE

Mr. SIMPSON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 51 submitted earlier by Senator WARNER.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 51) to provide for the approval of final regulations that are applicable to employing offices of the House of Representatives or the Senate, and to covered employees who are not employees of the House of Representatives or the Senate, and that were issued by the Office of Compliance on January 22, 1996, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SIMPSON. I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The concurrent resolution (S. Con. Res. 51) was considered and agreed to.

(The text of the concurrent resolution will be printed in a future edition of the RECORD.)

CLOTURE MOTION

Mr. SIMPSON. Mr. President, I now move to proceed to Senate Resolution 227, the Whitewater legislation, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Senate Resolution 227, regarding the Whitewater extension.

Alfonse D'Amato, Dan Coats, P. Gramm, Bob Smith, Mike DeWine, John H. Chafee, Jim Jeffords, Frank H. Murkowski, R.F. Bennett, Spencer Abraham, Conrad Burns, Al Simpson, Bill Roth, Bill Cohen, Slade Gorton, Strom Thurmond.

Mr. SIMPSON. I ask unanimous consent that the vote occur on Wednesday, April 17, at a time to be determined by the two leaders, and that the mandatory quorum under Rule XXII be waived.

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

Mr. SIMPSON. Mr. President, I now withdraw the motion.

The PRESIDING OFFICER. The motion to proceed is withdrawn.

ORDERS FOR TUESDAY, APRIL 16, 1996

Mr. SIMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9:45 a.m. on Tuesday, April 16; further, that immediately following the prayer the Journal of proceedings be deemed approved to date; no resolutions come over under the rule; the call of the calendar be dispensed with; the morning hour be deemed to have expired; and the time for the two leaders be reserved for their use later in the day; and, that there then be a period for morning business until the hour of 10:45 a.m. with Senators to speak for up to 5 minutes each except for the following: Senator GRASSLEY for 15 minutes and Senator HATCH for 45 minutes.

I further ask unanimous consent that immediately following morning business the Senate resume consideration of S. 1664, the illegal immigration bill.

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

Mr. SIMPSON. Mr. President, I now ask unanimous consent that the Senate stand in recess from the hour of 12:30 until 2:15 for the weekly policy conferences to meet.

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

PROGRAM

Mr. SIMPSON. Mr. President, for the information of all Senators, following morning business the Senate will resume the immigration bill. There are several pending amendments. However, any votes ordered on those amendments will not occur until after the vote previously scheduled at 2:15.

As a reminder, there will be a cloture vote at 2:15 on Tuesday invoking cloture on the motion to proceed to the Whitewater resolution.

The Senate may also be asked to turn to any other legislative items that can be cleared for action.

ORDER FOR ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. SIMPSON. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of my good colleague, Senator ABRAHAM of Michigan.

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

The distinguished Senator from Michigan is recognized.

Mr. ABRAHAM. Thank you very much, Mr. President. I will attempt to complete my remarks in a short period of time.

IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

Mr. ABRAHAM. Mr. President, I rise tonight to make an opening statement with regard to the bill, S. 1664, on illegal immigration.

Let me begin by stating my support for this legislation. It is the product of much work in our Judiciary Committee and before that in the Immigration Subcommittee of the Judiciary Committee. And, in my judgment, although there are parts of the bill that I still hope to see us modify during the deliberations this week, it is an extraordinary piece of legislation which moves in the right direction, and it is in no small measure thanks to the Senator from Wyoming that we have this fine piece of legislation before us. His work both in the context of this legislation and over the past 17 years on immigration-related matters has been exceptional. It is a reflection of a Senator who is deeply committed to accomplishing a job that is difficult, and I commend him for it.

Mr. President, those who refuse to play by the rules who come here illegally become, as a result, a burden on our society, and it should not be tolerated. The illegal immigration is a betrayal of our long tradition of welcoming those who play by the rules. If the Federal Government did its job of keeping out, tracking down, and expelling illegal aliens, we would not have an immigration problem that confronts America today.

By definition, illegal immigrants are lawbreakers, and based on statistics, illegal immigrants are coming here at a very high rate. It is estimated at about 300,000 per year. Our bill to address illegal immigration, S. 1664, deals effectively and aggressively with the real problem of illegal immigration—reforms to our border patrols, our visa policies, criminal alien policies and rules concerning immigrant use of welfare.

First, with respect to border patrols, this bill begins in the obvious place, by fighting the problem of illegal immigration at the border. Our illegal immigration reform bill provides for the addition of 4,700 Border Patrol agents over the next 5 years, a 90 percent increase over the current level. It adds 300 new INS investigators for the next 3 years to investigate the smuggling and employment of illegal aliens, an increase of nearly 100 percent over current levels. These increases will help us address the fundamental, the basic problem of illegal immigration by providing the manpower necessary to address the problem of those who come to this country without proper documentation. That is only a start of how this bill attempts to reform the immigration laws as they pertain to illegal immigrants.

Another category of illegal aliens is those who overstay their visas, aliens who come here legally but then overstay. This bill addresses that problem and forcefully.

First, it establishes the first substantial penalties for visa overstays.

Second, it bars visa overstayers for even applying for a new visa for 5 years if they fail to appear for a deportation hearing. It also charges 300 INS investigators to seek out these aliens and to enforce the bill's rules.

It is important to keep in mind that contrary to some charges made over recent weeks, visa overstayers commonly are not individuals who come here on permanent family visas. Rather, the bulk of visa overstayers come to this country as tourists or students, then stay beyond the expiration of their visas.

Thus, it is wise and fitting that we should address those who break the law, those who overstay the visa, with sharp, stiff penalties rather than attempting to address this problem by changing in some ways the penalties for those who are playing by the rules either by reducing the number of immigrants who may come to this country or dealing with those who are in fact not creating the problem.

A third area which this bill addresses and which I have been very active in working on pertains to criminal aliens. By conservative estimates, almost half a million felons are living in this country illegally. These aliens have been convicted of murder, rape, drug trafficking, potentially such crimes as espionage, sabotage, treason and/or a number of other serious crimes and are therefore, under the current laws of our country, deportable.

Unfortunately, in the vast majority of cases, our officials cannot deport these criminals because of a breakdown in the deportation process. Principally, the problem relates to the interminable amount of appeals which deportable aliens who are criminals have at their disposal. As a consequence, many of these noncitizen lawbreakers end up back on our streets to prey on law-abiding American citizens.

In the original bill of the Senator from Wyoming, a number of needed provisions were contained. That bill originally directed the Attorney General to provide regulations permitting special inquiry officers to enter final orders of deportation stipulated to by the alien. It authorized Federal judges to order deportation as a condition of probation. And it made other similar efforts to address the criminal alien problem.

I am glad, however, that the Judiciary Committee saw fit to go even further and to add to and strengthen these provisions by adopting four amendments on which I worked with a number of other Senators on the committee to see adopted. These amendments would create expedited procedures for deporting criminal aliens. The provisions would first prohibit the Attorney General from releasing such criminal aliens from custody; second, end judicial review for orders of deportation entered against these criminal aliens while maintaining the right to administrative review.

In short, once the criminal alien had exhausted all appeals available under the criminal laws, the criminal alien

would still have the full deportation administrative provisions to protect him, that is, a deportation hearing and the ability to appeal any order of deportation to the Board of Immigration Appeals, but that would end the process as opposed to triggering a return to the court system. That will be positive because it will mean the actual deportation of more criminal aliens and the freeing up of the court system from many of these frivolous lawsuits.

In addition, the criminal alien deportation procedures require the Attorney General to deport criminal aliens within 30 days of the conclusion of the alien's prison sentence.

What I believe this will lead to is the initiation of the deportation proceedings well in advance of the end of the sentence so that upon release the criminal aliens will be leaving the country.

Finally, our legislation permits State criminal courts to enter conclusive findings of fact during sentencing that an alien has been convicted of a deportable offense. In addition, the State courts, upon making those findings of fact, will be required to report them to the Attorney General so that criminal aliens who are convicted of deportable offenses in State courts would be known by the authorities, that is, the Department of Justice and the Attorney General, in such a fashion as to allow for the deportation proceedings to begin.

These reforms would not affect any of the aliens' due process protections on the underlying criminal offense. Aliens would still be entitled to the lengthy appellate and habeas corpus review, just like U.S. citizens. But abuses of the appeals process would stop there and not continue on through the deportation provisions themselves.

Mr. President, this makes sense. The fact is, if there are, as is currently estimated, a minimum of one-half million noncitizens who are people who have committed serious crimes in this country, to me it makes sense that the laws which allow those people to be deported ought to be enforced so those slots can be taken by law-abiding citizens who want to come to this country and make a positive contribution rather than come to the country and commit serious criminal violations. These provisions collectively will allow us to dramatically increase the number of criminal aliens who are deported. Most recent estimates suggest that current amount is nowhere higher than 4 to 6 percent of the criminal aliens who are deportable in this country. That means that somewhere over 90 percent of the criminal aliens who could be deported are not, primarily because of a lack of a process to make expeditious deportation feasible.

Our bill would change that. It would mean that criminal aliens would be leaving the country and, therefore, there would be more slots in this country for immigrants who want to make a contribution.

Another area which this bill addresses effectively, I think, are restrictions on welfare benefits available to noncitizens. The problem of immigrant welfare use is often overstated. According to the Urban Institute, nonrefugee, working-age immigrants are no more likely to use welfare than are native-born Americans. But I continue to believe we should concentrate on requiring that all immigrants be responsible for themselves, rather than become dependent on Government programs. To encourage responsibility, we first should concentrate on preventing illegal aliens, who undermine our laws by even being here, from receiving welfare benefits. In addition, we should prevent immigrants from collecting welfare payments until they have worked here and contributed taxes to our welfare system or until they become citizens.

Third, we should hold sponsors of legal immigrants financially liable for up to 10 years for welfare payments those they sponsor improperly receive. As you know, the sponsorship agreements that people sign in order to bring someone to this country are very, very infrequently upheld; very infrequently enforced. I think the legislation we have now will provide us with the tools to enforce such sponsorship agreements. It will attribute the sponsor's income to the immigrant sponsor for 5 years should the immigrant seek welfare payments. That will, on the one hand, dramatically reduce those eligible and, in addition, allow us to collect from the person who makes the original commitment of sponsorship.

Collectively, these provisions address, and address effectively, the illegal immigration problems which we currently confront. They do so without punishing law-abiding people and companies. However, there are certain parts of the legislation before us which I think go too far and place the focus, not on those who are breaking the rules, but rather too much on those who are playing by the rules.

First, in this respect, and most important, are the provisions in the legislation that pertain to what I believe will ultimately become a national ID system. The original bill included a national employee verification system. This mandatory system would have required all employers to verify with the Federal Government the work eligibility of every prospective employee. Because this system would be expensive and intrusive, riddled with mistakes and dangerous to our workers' ability to find work, the committee saw fit to strike that permanent system, which would have to have been in place within 8 years.

I brought a provision before the committee to simply strike all of this verification process. It failed on a 9-to-9 vote. What we are left with now is a provision for a pilot program. While it is a smaller program than that originally envisioned in the legislation, I continue to see problems with this provision because, although the bill does not overtly establish a national verification system that is mandatory, it heads us in that direction. And there are no brakes provided in the bill to keep it from that destination.

In this provision, the INS would be permitted to initiate large local or regional demonstration projects anywhere in the Nation. The language of the bill is vague here, but it leaves discretion to bureaucrats to decide whether the system will be mandatory or voluntary for employers. Also unclear is the size of the regional project that might be initiated, or regional projects that might be initiated. For example, such regions could encompass multiple States at one time.

It is also unclear what happens during a demonstration project when U.S. citizens cannot prove that they are eligible to work. It is likewise unclear about whether or not individual Americans will have to consult the Government when they seek to hire someone even to do such things as mow their own lawn. One thing is clear. The bill sets in place the infrastructure necessary for a mandatory national system and establishes the principle that companies should gain Government approval before hiring any employee.

I think this is headed in the wrong direction. People who want to break the rules will find ways to break the rules or get around the rules. That is happening today. But, if we move in the direction of a national employee verification system, whether it is the original mandatory nationwide program the legislation included or a pilot program which starts in place the infrastructure that leads to a national program, I think we are headed in the wrong direction. We will be penalizing those who play by the rules, both employers and employees of employers. Especially for those in small business, it will be a substantial increase in business overhead. For employees, native-born U.S. citizens, it could mean huge hardship if the database of such a system is in any way inaccurate.

Just to put that in perspective, a mere 1 percent error margin in the database could, on an annual basis, affect 600,000 employment decisions in this country. To put that in perspective, that means twice the number of total illegal aliens that come into this country each year. I do not believe that is the way we should proceed, and, therefore, during consideration of this bill, I will be offering an amendment with Senators FEINGOLD and DEWINE to strike provisions for this overly intrusive infringement that is signified by the pilot program.

This amendment, striking the verification provision, is supported by a significant number of groups concerned with the rights of workers and employers from the National Federation of Independent Businesses and the National Retail Association to the U.S. Catholic Conference to the Small Business Survival Committee. I look forward to working with my colleagues on

specifics, but the debate we should be having here is, How do we reduce illegal immigration?

I believe the proper place to start is by focusing on those who are lawbreakers, whether they are employees or employers, whether they are those who come over the border without documents or those who overstay their visas or if they are a criminal alien. I think it is important for us to take a very simple philosophical approach to deal with these problems.

For those who are yearning to be free, who are willing to play by the rules and wait their turn, for them we should throw open the door to the land of liberty, which has been available as long as this country has existed. On the other hand, for those who flout our laws, they should find that Lady Liberty has turned her back on them, that she will not rise up to aid those who trample on the law on which liberty is built.

Though Lady Liberty yearns to aid the righteous, those willing to work hard and to build a better life for themselves and their families, she does not allow people to come to this country simply to take advantage of the laws and of the citizens here.

Those who prize both law and liberty, those who would be Americans are those we should protect with any legislation that we should address in this context.

Mr. President, as virtually every Member of the Senate, I have a heritage that began in another part of the world. In my case, it was my grandparents who came here approximately a century ago. They did not come to this country in search of welfare payments. They did not come to this country for any ulterior motives. They came here because they wanted to live in a country that was free. They wanted their children and their grandchildren to know what it was like to be born in a nation that was free, and they made a positive contribution, both in what they did and in bringing up strong families who have made their own contributions.

Last fall, I had the opportunity for the first time to go to Ellis Island in New York where my grandparents made their first visit to these shores. I was struck as I went there and as I looked through the history of Ellis Island of what it meant and what it still means. I believe as we address immigration issues, we should never lose sight of what Ellis Island and the various other points of disembarkation have meant to those who truly wanted to come to this country to enjoy all that America offers—the American dream.

Legal immigration is the American way. It strengthens us economically, culturally, and spiritually, because by letting in those who come here playing by the rules and seeking to build a better life for their families, we welcome true Americans and live up to our own ideals. Indeed, an overwhelming percentage of people in our country have made it clear that they think we should address illegal immigration problems long before we consider changes in the legal immigration laws of this country, and indeed, Mr. President, as I will say at a later point in these debates, it is clear to me that these are very separate issues and, as a threshold matter, we have done the right thing in the Judiciary Committee, as the House did the right thing, in separating legal and illegal immigration.

Cutting legal immigration precipitously could backfire and cause more people to come here illegally. So for those reasons, I strongly support the illegal immigration bill that is before us and believe it should be considered on its own merits as a freestanding piece of legislation. Indeed, that is the position that two-thirds of the members of the Judiciary Committee took when we began this debate a few weeks ago.

I am convinced that we must concentrate on the real problem facing our country from immigration—lawbreakers—and we should not allow any fear of immigrants to distract us from the task of keeping the illegal immigrants out of the country.

Mr. President, after we conclude that and once S. 1664 has been disposed of, then it would be appropriate to consider changes that we might wish to make in the laws pertaining to legal immigration. But it is my sincere hope and certainly will be my effort here on the floor to maintain the separation that we achieved in the Judiciary Committee and that was achieved in the House of Representatives.

I think that we will make a major step forward if we pass S. 1664, hopefully with certain modifications. I think we would make a big mistake if we backtrack and begin to try and confuse and merge issues that I do not believe are appropriately linked together.

I look forward in the days ahead to working hard on the floor, as we did in the Judiciary Committee, to make sure our country moves aggressively and forcefully to address the problems of illegal immigration.

I strongly commend Senator SIMPSON and all the members of the subcommittee who worked hard to bring us to this point.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:45 a.m., Tuesday, April 16.

Thereupon, the Senate, at 6:35 p.m., adjourned until Tuesday, April 16, 1996, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate April 15, 1996:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ELIZABETH K. JULIAN, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ROBERTA ACHTENBERG, RESIGNED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

ROBERT CLARKE BROWN, OF OHIO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM OF 6 YEARS, VICE JACK EDWARDS, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

DANIEL GUTTMAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AN HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2001, VICE EDWIN G. FOULKE, JR., TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

FARM CREDIT ADMINISTRATION

LOWELL LEE JUNKINS, OF IOWA, TO BE MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION, VICE EDWARD CHARLES WILLIAMSON, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

EXPORT-IMPORT BANK OF THE UNITED STATES

MARTIN A. KAMARCK, OF MASSACHUSETTS, TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 20, 1997, VICE KENNETH D. BRODY, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

NATIONAL CREDIT UNION ADMINISTRATION

YOLANDA TOWNSEND WHEAT, OF MISSOURI, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR THE TERM OF 6 YEARS EXPIRING AUGUST 2, 2001, VICE ROBERT H. SWAN, TERM EXPIRED, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

DEPARTMENT OF STATE

MORRIS N. HUGHES, JR., OF NEBRASKA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BURUNDI.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT OF THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. CARL E. FRANKLIN, 000–00–0000, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF GENERAL IN THE U.S. AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be general

LT. GEN. WALTER KROSS, 000–00–0000.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICER IS ALSO NOMINATED FOR REGULAR APPOINTMENT IN ACCORDANCE WITH SECTION 531 OF TITLE 10, UNITED STATES CODE:

ARMY COMPETITIVE

To be major

MARK H. LAUBER, 000–00–0000

THE FOLLOWING-NAMED OFFICERS APPOINTMENT IN THE RESERVE OF THE ARMY WITHOUT CONCURRENT ORDER TO ACTIVE DUTY, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 12203(A), 12204(A), 3353, AND 3359:

DENTAL CORPS

To be lieutenant colonel

JEFFERY DOOTSON, 000–00–0000
JON E. SCHIFF, 000–00–0000

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE:

ARMY COMPETITIVE

To be lieutenant colonel

DANIEL BOLAS, 000–00–0000
KENNETH R. LEE, 000–00–0000
CARL D. WILEY, 000–00–0000

MEDICAL CORPS

To be major

PAUL S. DARBY, 000–00–0000

THE FOLLOWING-NAMED INDIVIDUALS FOR A RESERVE OF THE ARMY APPOINTMENT, WITHOUT CONCURRENT ORDER TO ACTIVE DUTY UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 12203(A), 12204(A), 3353, AND 3359:

MEDICAL CORPS

To be lieutenant colonel

RICHARD R. ECKERT, 000–00–0000
ROBERT S. KNAPP, 000–00–0000

THE FOLLOWING-NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY OF THE UNITED STATES, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTIONS 12203 AND 3385:

ARMY PROMOTION LIST

To be colonel

ERNEST R. ADKINS, 000–00–0000
PETER A. CHIEFARI, 000–00–0000
JAMES A. COZINE, 000–00–0000
PAUL J. CUNNINGHAM, 000–00–0000
RICHARD M. DEVILLE, 000–00–0000
JAMES V. GORDON, 000–00–0000
RICHARD D. HOVERSON, 000–00–0000
MITCHELL R. LECLAIRE, 000–00–0000
BUFORD S. MABRY, JR., 000–00–0000
LARRY H. MAXWELL, 000–00–0000
FLOYD D. PARRY, 000–00–0000
JOSEPH F. ROONEY, JR., 000–00–0000
THOMAS M. TRITSCH, 000–00–0000
RICHARD A. VNUK, 000–00–0000
GREGORY L. WAYT, 000–00–0000
BARRINGER F. WINGARD, JR., 000–00–0000

ARMY NURSE CORPS

To be colonel

BETTY L. FOEHL, 000–00–0000
CATHERINE A. MOZDEN, 000–00–0000

CHAPLAIN CORPS

To be colonel

KENNETH N. DAFT, 000–00–0000

JUDGE ADVOCATE GENERAL'S CORPS

To be colonel

JAMES K. NADDEO, 000–00–0000

MEDICAL CORPS

To be colonel

YOUNG W. KAHN, 000–00–0000

MEDICAL SERVICE CORPS

To be colonel

ROBERT P. THOMAS, 000–00–0000

ARMY PROMOTION LIST

To be colonel

WILLIAM P. BABCOCK, 000–00–0000
TERRY L. DAVIS, 000–00–0000
ROBERT R. DEROSIER, 000–00–0000
GREGORY R. DISHER, 000–00–0000
LARRY L. DIXON, 000–00–0000
WILLIAM F. ELROD, 000–00–0000
ERNEST T. ERICKSON, 000–00–0000
SPENCER L. HAWLEY, 000–00–0000
LAWRENCE M. HAYDEN, 000–00–0000
DOUGLAS A. HILLENSBACK, 000–00–0000
NORMA J. KRUEGER, 000–00–0000
BARRY L. REYNOLDS, 000–00–0000
PHILLIP A. RICHARDSON, 000–00–0000
MILLARD C. RUSHING, 000–00–0000
CHARLES R. SETZER, 000–00–0000
CHERIE D. SMITH, 000–00–0000
JOHN F. SMITH, 000–00–0000
RUSSELL O. VERNON, 000–00–0000
JANICE A. WILLIAMSON, 000–00–0000

CHAPLAIN CORPS

To be lieutenant colonel

GARY L. GROSS, 000–00–0000

JUDGE ADVOCATE GENERAL'S CORPS

To be lieutenant colonel

MYRON C. LINDQUIST, 000–00–0000

MEDICAL CORPS

To be lieutenant colonel

ANITA K. DAS, 000–00–0000

MEDICAL SERVICE CORPS

To be lieutenant colonel

JUDY L. FATTOR, 000–00–0000
JAMES C. ROBERTSON, JR., 000–00–0000

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTIONS 624 AND 628, TITLE 10, UNITED STATES CODE. THE OFFICERS IDENTIFIED BY AN ASTERISK (*) ARE ALSO NOMINATED FOR REGULAR APPOINTMENT IN ACCORDANCE WITH SECTION 531 OF TITLE 10, UNITED STATES CODE:

MEDICAL CORPS

To be lieutenant colonel

*RAYMOND A. CONSTABILE, 000–00–0000
CHAEIM S. PONTIUS, 000–00–0000
*CRAIG D. SHRIVER, 000–00–0000

VETERINARY CORPS

To be lieutenant colonel

NEIL W. AHLE, 000–00–0000

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION TO THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624 OF TITLE 10, UNITED STATES CODE:

CHAPLAIN

To be lieutenant colonel

GLEN, L. BLOOMSTROM, 000–00–0000
MICHAEL BRADFIELD, 000–00–0000
DAVID H. BRADFORD, 000–00–0000
FRANK J. BRUNING, 000–00–0000
CHARLES D. CHANDLER, 000–00–0000
JOEL W. COCKLIN, 000–00–0000
ALAN C. HENDRICKSON, 000–00–0000
FREDERICK L. HUDSON, 000–00–0000
RONALD R. HUGGLER, 000–00–0000
JAMES W. JONES, 000–00–0000
JO A. KNIGHT, 000–00–0000
RICHARD A. KUHLBARS, 000–00–0000
DANIEL A. MILLER, 000–00–0000
OTIS I. MITCHELL, 000–00–0000
ALVIN M. MOORE, 000–00–0000
DONNIE L. MOORE, 000–00–0000
SHERRILL F. MUNN, 000–00–0000
DENNIS A. NIEMEIER, 000–00–0000
STEVEN D. PASCHALL, 000–00–0000
ALOYSIUS RODRIGUEZ, 000–00–0000
STEPHEN D. TURNER, 000–00–0000
JACK J. VANDYKEN, 000–00–0000
JAMES E. WALKER, 000–00–0000
WILLIAM D. WILLETT, 000–00–0000
LARRY J. WOODS, 000–00–0000
HERSHEL D. YANCEY, 000–00–0000
RICHARD R. YOUNG, 000–00–0000

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS, ON THE ACTIVE DUTY LIST, FOR PROMOTION OF THE GRADE INDICATED IN THE U.S. ARMY IN ACCORDANCE WITH SECTION 624 OF TITLE 10, UNITED STATES CODE. THE OFFICERS MARKED BY AN ASTERISK (*) ARE ALSO NOMINATED FOR REGULAR APPOINTMENT IN ACCORDANCE WITH SECTION 531 OF TITLE 10, UNITED STATES CODE:

MEDICAL SERVICES CORPS

To be major

*WILLIAM E. ACKERMAN, 000–00–0000
*REED B. ALIDER, 000–00–0000
*MICHAEL L. AMARAL, 000–00–0000
JOSE ANDUJARRIVERA, 000–00–0000
*JOSE L. BAEZ, 000–00–0000
KELLEY M. BARHAM, 000–00–0000
*CATHERINE A. BECK, 000–00–0000
TRAVIS BERNRITTER, 000–00–0000
THOMAS H. BERRY, 000–00–0000
ROBERT A. BOWDEN, 000–00–0000
DOUGLAS A. BRANDSMA, 000–00–0000
*CHARLES BROOKSHIRE, 000–00–0000
*PETER T. BULATAO, 000–00–0000
GORDON R. CAIN, 000–00–0000
*MICHAEL G. CAMMACK, 000–00–0000
*JAMES B. CARR, 000–00–0000
*CHRISTOPHER CASTLE, 000–00–0000
*GRANT J. COBBS, 000–00–0000
MICHAEL R. COOK, 000–00–0000
*MARTIN N. COPPOLA, 000–00–0000
JANE A. CRONK, 000–00–0000
*ERIC P. DAWSON, 000–00–0000
*MICHAEL J. DELLORCO, 000–00–0000
*JOHN A. DEMCHOK, 000–00–0000
WILLIAM C. DOWDY, 000–00–0000
*THOMAS DUBE, 000–00–0000
*CHARLES W. DUNTLEY, 000–00–0000
*REBECCA A. DYER, 000–00–0000
*CHERYL L. FILBY, 000–00–0000
*ARTHUR B. FISCH, 000–00–0000
*JEFFREY M. FOE, 000–00–0000
GERALD A. FOREST, 000–00–0000
*WILTON R. GALAMISON, 000–00–0000
*DANIEL W. GALL, 000–00–0000
*STEVEN R. GALLEGOS, 000–00–0000
*KATHY E. GATES, 000–00–0000
JEFFREY L. GAYLORD, 000–00–0000
*BRIAN E. GIBSON, 000–00–0000
ROBERT L. GOODMAN, 000–00–0000
TERESA K. GRADEK, 000–00–0000
*WILLIAM B. GRIMES, 000–00–0000
*TAMI R. HATCHER, 000–00–0000
*JAMES W. HICKEY, 000–00–0000
CHRISTOPHER J. HILL, 000–00–0000
*WILLIAM K. HOGAN, 000–00–0000
JOSEPH B. HOUSER, 000–00–0000
CARL G. HOVER, 000–00–0000
*MICHAEL C. HOWITZ, 000–00–0000
*DANIEL H. JIMENEZ, 000–00–0000
*DANIEL J. JONES, 000–00–0000
*JAMES W. JONES, 000–00–0000
MICHAEL L. KIEFER, 000–00–0000
GUY T. KIYOKAWA, 000–00–0000
KEVIN G. LAFRANCE, 000–00–0000
*PAUL K. LAVAN, 000–00–0000
*EUGENE LILLIEWOOD, 000–00–0000
*CARLA D. LONG, 000–00–0000
*RICHARD G. LOONEY, 000–00–0000
*GARY J. MATCEK, 000–00–0000
*PETER T. MC HUGH, 000–00–0000
*MARY A. MC NAMARA, 000–00–0000
*CHRISTOPHER MEILINGER, 000–00–0000
ROGER J. MILLER, 000–00–0000
*ROBERT D. MITCHELL, 000–00–0000
JAMES B. MONTGOMERY, 000–00–0000
*DALE A. OSTLER, 000–00–0000
*JAMES K. PALMER, 000–00–0000
CHRISTOPHER L. PATE, 000–00–0000
DAVID R. PETRAY, 000–00–0000
RICHARD T. PHILLIPS, 000–00–0000
*LESLIE J. PIERCE, 000–00–0000
*ALAIN J. PIRRONE, 000–00–0000
*JOSEPH C. PISCIOTTA, 000–00–0000
MICHAEL K. PODOJIL, 000–00–0000
JEFFREY R. QUINN, 000–00–0000
TIMOTHY A. RAIMEY, 000–00–0000
*CARLOS M. RAMOS, 000–00–0000
*BRUCE R. REED, 000–00–0000
*FRANCISCO J. RENTAS, 000–00–0000
*GORDON R. ROBERTS, 000–00–0000
*MICHAEL J. ROGERS, 000–00–0000
*BARBARA A. ROWE, 000–00–0000
*RICHARD SALGUEIRO, 000–00–0000
*WILLIAM J. SAMES, 000–00–0000
*PATRICK J. SAUER, 000–00–0000
*BRUCE A. SHAHBAZ, 000–00–0000
*DONNA M. SHAHBAZ, 000–00–0000
*JAMES E. SHIELDS, 000–00–0000
*DOUGLAS B. SLOAN, 000–00–0000
*DAVID A. SMITH, 000–00–0000
*STEPHEN M. SMITH, 000–00–0000
*RUSSELL P. SMUTZ, 000–00–0000
*SCOTT A. STOCKWELL, 000–00–0000
*JEFFREY P. STOLROW, 000–00–0000
*RICHARD O. SUTTON, 000–00–0000
*MICHAEL A. SWALKO, 000–00–0000
GREGORY A. SWANSON, 000–00–0000
*ANDREA TALIAFERRO, 000–00–0000
*SCOTT F. TANNER, 000–00–0000
CHERYL L. TAYLOR, 000–00–0000
*WILLIAM C. TERRY, 000–00–0000
*TAMMY L. THOMAS, 000–00–0000
*LOUIE L. TONRY, 000–00–0000
*VILMA VAZQUEZDETORRES, 000–00–0000
*JULIAN C. VELASQUEZ, 000–00–0000
*MARK C. WILHITE, 000–00–0000
*COURT R. WILKINS, 000–00–0000
*STEPHEN WILKINSON, 000–00–0000
*HAILEY F. WINDHAM, 000–00–0000
*SCOTT C. WRIGHT, 000–00–0000

ARMY MEDICAL SPECIALIST CORPS

To be major

*JOHN J. BELL, 000–00–0000
*DAVID R. BRAND, 000–00–0000
*LORRAINE T. BREEN, 000–00–0000
*MARK A. CARSON, 000–00–0000
*WALTER R. CHAPPELL, 000–00–0000
*MICHAEL S. DAVIDSON, 000–00–0000
*PASTINA D. DE, 000–00–0000
GUY A. DESMOND, 000–00–0000
*JOHN E. DONOHUE, 000–00–0000
*WILLIE P. FRENCH, 000–00–0000
*KAREN L. GEISLER, 000–00–0000
*JONATHAN R. GREEN, 000–00–0000
*SANDRA HARRISONWEAVER, 000–00–0000
*VIVIAN T. HUTSON, 000–00–0000
*PEGGY P. JONES, 000–00–0000
*RICHARD C. JONES, 000–00–0000
*MICHAEL J. KRAMER, 000–00–0000
*STEVEN A. MANIERRE, 000–00–0000
*ROBERT L. MATEKEL, 000–00–0000
*REBECCA L. MC COLLAM, 000–00–0000
*JOSEPH M. MOLLOY, 000–00–0000
*JOHN C. ONEILL, 000–00–0000
RHONDA L. PODOJIL, 000–00–0000
*BETTY J. QUITT, 000–00–0000
*JAMES P. SEARFOSS, 000–00–0000
*CHARLES E. SOLESBEE, 000–00–0000
*SHIRLEY J. SVENSON, 000–00–0000
*LAURIE E. SWEET, 000–00–0000
*WINFRIED WASNER, 000–00–0000
*WILLIAM E. WHEELER, 000–00–0000
*MICHAEL C. WOOD, 000–00–0000
*VICTOR T. YU, 000–00–0000

VETERINARY CORPS

To be major

*SUZANNE AINSWORTH, 000–00–0000
*KELVIN C. BUCHANAN, 000–00–0000
*DON A. CULVER, 000–00–0000
*ANNETTE K. FREEMAN, 000–00–0000
*ALEC S. HAIL, 000–00–0000
*STEPHEN R. MAYO, 000–00–0000
ROBERT W. MCHARGUE, 000–00–0000
*STEVEN R. MOG, 000–00–0000
*BRENT C. MORSE, 000–00–0000
LEWIS L. NORLUND, 000–00–0000
*BARRY N. PITTMAN, 000–00–0000
*GAYE R. RUBLE, 000–00–0000
*ROBERT L. SCHMURR, 000–00–0000
*DANA P. SCOTT, 000–00–0000
TIMOTHY STEVENSON, 000–00–0000
ROBERT R. THOMPSON, 000–00–0000
ERIK H. TORRING III, 000–00–0000
*TY VANNIEUWENHOVEN, 000–00–0000
*KIM D. VLACH, 000–00–0000
*JO L. WILBER, 000–00–0000

*LOUDON D. YANTIS, 000–00–0000

ARMY NURSE CORPS

To be major

TAMMY L. ANDERSON, 000–00–0000
*JENNIFER ARMSTRONG, 000–00–0000
*JANE M. BEHREND, 000–00–0000
*JOHN P. BEILMAN, 000–00–0000
*DIANE M. BEIRING, 000–00–0000
*BONNIE D. BEQUETTE, 000–00–0000
*LORIE A. BROWN, 000–00–0000
*JOHN E. BUCKWALTER, 000–00–0000
*MARIA M. BURGOS, 000–00–0000
*RICHARD M. CALDWELL, 000–00–0000
*LORRAINE M. CARNEY, 000–00–0000
GERALD R. CATE, 000–00–0000
*THOMAS E. CEREMUGA, 000–00–0000
*TAMMIE W. CHANG, 000–00–0000
*KAREN B. CLEAVER, 000–00–0000
*DENISE M. COAKLEY, 000–00–0000
*KELLY J. COLLINS, 000–00–0000
*ANNA I. CORULLI, 000–00–0000
*DENISE K. COSTA, 000–00–0000
*MATTHEW H. COWELL, 000–00–0000
*DEBORA R. COX, 000–00–0000
*LAWRENCE E. CROZIER, 000–00–0000
*CHERYL R. DAVIS, 000–00–0000
*SYLVIA R. DENNIS, 000–00–0000
*WENDY DESMIDTKOHLHOFF, 000–00–0000
*MAUREEN A. DONOHUE, 000–00–0000
*KAREN D. DUNLAP, 000–00–0000
*BLAISE H. DWORACZYK, 000–00–0000
*TREY E. EARLY, 000–00–0000
*KIMBERLY A. FEDELE, 000–00–0000
*KATHLEEN M. FORD, 000–00–0000
*MORSE E. FUDGE, 000–00–0000
*CHRISTINE D. GARNER, 000–00–0000
*YOUNG L. GARRETT, 000–00–0000
*LENA F. GAUDREAU, 000–00–0000
*AGLIPA V. GILLETTE, 000–00–0000
*VINETTE E. GORDON, 000–00–0000
*PENNY P. GOULART, 000–00–0000
*KAREN T. GRACE, 000–00–0000
*MOREENE A. GRIFFITH, 000–00–0000
*RALPH E. GRINNELL, 000–00–0000
*MARK D. HACHEY, 000–00–0000
*TONY B. HALSTEAD, 000–00–0000
*ALPHA A. HARRIS, 000–00–0000
*KARALEE R. HATCH, 000–00–0000
*ANGELENE HEMINGWAY, 000–00–0000
TINA L. HESS, 000–00–0000
*DAN M. HESTER, 000–00–0000
KENNETH R. HIXSON, 000–00–0000
*JOHN P. HLAVNICKA, 000–00–0000
*EMMONS V. HOLBROOK, 000–00–0000
*BARBARA R. HOLCOMB, 000–00–0000
*SHERI A. HOWELL, 000–00–0000
*JEANNIE S. HURLBERT, 000–00–0000
*ROMONA JOHNSON, 000–00–0000
*LINDA N. JOLLEY, 000–00–0000
*SUSAN E. JORDEN, 000–00–0000
*ROBERT T. KAVALEC, 000–00–0000
*BARBARA M. KELTZ, 000–00–0000
*PAUL A. KENNEDY, 000–00–0000
*MICHAEL G. KESSLER, 000–00–0000
*GREGORY T. KIDWELL, 000–00–0000
*JOHN W. KIRKWOOD, 000–00–0000
*JEFFREY D. KNOLL, 000–00–0000
*GRETA L. KRAPOHL, 000–00–0000
*CAPONERA P. KREKLAU, 000–00–0000
*SHAUN L. KUETER, 000–00–0000
*DIANE L. LAGESSE, 000–00–0000
*TERESA A. LAPRADE, 000–00–0000
CATERINA E. LASOME, 000–00–0000
*REBECCA A. LAWHON, 000–00–0000
*GEORGE P. LAWRENCE, 000–00–0000
*JUDITH A. LEE, 000–00–0000
*MARK A. LESZCZYNSKI, 000–00–0000
*VERONICA S. LEWIS, 000–00–0000
*MARLA R. LORING, 000–00–0000
CHARLES W. LUTZ, 000–00–0000
*CATHY M. MARTIN, 000–00–0000
*CHARLES B. MATTA, 000–00–0000
*KATHIE D. MC CROARY, 000–00–0000
*PATRICIA MC KINNEY, 000–00–0000
*MICHELLE A. MESSER, 000–00–0000
*MARY R. MILES, 000–00–0000
MINTA A. MILLER, 000–00–0000
*LAVERNE MOOREWASHINGTON, 000–00–0000
*REYNOLD L. MOSIER, 000–00–0000
*DANILO C. MOTAS, 000–00–0000
MICHAEL W. NEFT, 000–00–0000
*VICTOR N. NIEMI, 000–00–0000
*SHARON J. PACCHIANA, 000–00–0000
*SHELLEY V. PALUCH, 000–00–0000
*STOKES M. PAYNE, 000–00–0000
*JAMES H. PERRIN, 000–00–0000
*BETTY A. PETTWAY, 000–00–0000
*MARY L. PICKRELL, 000–00–0000
*LEGRAND E. POUND, 000–00–0000
*REBECCA J. PREZA, 000–00–0000
*CECILIA PRICEKIMBLE, 000–00–0000
*MARY E. RILEY, 000–00–0000
*HAROLD F. ROBERTS, 000–00–0000
REBECCA E. ROBERTS, 000–00–0000
*CATHERINE F. RYAN, 000–00–0000
*TRACY L. SABOY, 000–00–0000
*MARILIE K. SAGE, 000–00–0000
*CARMEN S. SANDERS, 000–00–0000
*WANDA L. SCOTT, 000–00–0000
*AMANDA L. SLIWA, 000–00–0000
*WENDELL D. SOUTH, 000–00–0000
*JACQUELINE A. STARK, 000–00–0000
*MACIVER M. TERAN, 000–00–0000
LESLIE TUCHMANN, 000–00–0000
*JANICE D. TURMAN, 000–00–0000
*DEBRA J. VINCENT, 000–00–0000
*ANGELIA L. WHERRY, 000–00–0000
*GLORIA WHITEHURST, 000–00–0000
*MELISSA E. YANDEL, 000–00–0000
*MYRNA E. ZAPATA, 000–00–0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICERS OF THE MARINE CORPS RESERVE FOR APPOINTMENT INTO THE REGULAR MARINE CORPS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531:

U.S. MARINE CORPS AUGMENTATION LIST

To be major

JOEL H. BERRY III, 000–00–0000
ROBERT L. BEVERIDGE, 000–00–0000
WILLIAM S. BRADLEY, 000–00–0000
JERRY L. BUBP, 000–00–0000
MATTHEW P. CROTTY, 000–00–0000
MARK A. DAVIS, 000–00–0000
JAMES D. DECARLI, 000–00–0000
PETER GRELL, 000–00–0000
DANIEL K. HENRY, 000–00–0000
JOHN P. HORVAT, JR., 000–00–0000
DEAN M. HUBBS, 000–00–0000
ROBERT J. KILMARTIN, 000–00–0000
JAMES M. KLOTZ, 000–00–0000
JAMES M. MC CUE, 000–00–0000
JOHN R. MILL, 000–00–0000
SAMUEL R. MYERS, 000–00–0000
NICHOLAS F. NANNA, 000–00–0000
ROBERT B. NOXON, 000–00–0000
CATHY M. POWALSKI, 000–00–0000
RONALD L. REESE, 000–00–0000
GREGORY M. RYAN, 000–00–0000
ELIZABETH A. SWEATT, 000–00–0000
KEVIN J. SYKES, 000–00–0000
JOHN L. WELINSKI, 000–00–0000

To be captain

SETH D. AINSPAC, 000–00–0000
JOHN M. ALLEN, 000–00–0000
MIGUEL A. AMEIGEIRAS, 000–00–0000
DAVID C. ANDERSON, 000–00–0000
BRIAN P. ANNICHIARICO, 000–00–0000
PAUL E. ANSLOW, 000–00–0000
DAVID N. AREOLA, 000–00–0000
GLINDON ASHBROOK, JR., 000–00–0000
STEVEN H. BAER, 000–00–0000
BRIAN F. BAKER, 000–00–0000
ANTHONY S. BARNES, 000–00–0000
ROBERT R. BARNETT, 000–00–0000
JAMES G. BARTOLOTTO, 000–00–0000
MICHAEL J. BASILE, 000–00–0000
STEVEN W. BATCHELOR, 000–00–0000
MICHAEL H. BELDING, 000–00–0000
STEVEN F. BELSER, 000–00–0000
MICHAEL L. BENNETT, 000–00–0000
WILLIAM C. BENTLEY III, 000–00–0000
RUSSELL L. BERGEMAN, 000–00–0000
RICHARD T. BEW, 000–00–0000
ROY M. BLIZZARD III, 000–00–0000
KERRY J. BLOCK, 000–00–0000
GERALD M. BLOOMFIELD II, 000–00–0000
KARL J. BOHN, 000–00–0000
ROBERT V. BOUCHER, 000–00–0000
CRAIG D. BOURASSA, 000–00–0000
BRIAN W. BOWLING, 000–00–0000
PRESTON C. BRENCHLEY, 000–00–0000
TOM BRENEMAN, JR., 000–00–0000
GREGORY A. BRYANT, 000–00–0000
ERIC F. BUER, 000–00–0000
CHARLES G. BURKE, JR., 000–00–0000
THOMAS M. BURNS, 000–00–0000
PATRICK C. BYRON, 000–00–0000
GERALD W. CALDWELL, 000–00–0000
PETER S. CALOGERO, 000–00–0000
KEITH D. CANEVARO, 000–00–0000
JOHN H. CELIGOY, 000–00–0000
DAVID G. CHANDLER, 000–00–0000
JEFFREY S. CHESTNEY, 000–00–0000
MICHAEL R. CHEW, 000–00–0000
KEITH M. CHIRICO, 000–00–0000
BRENT P. CHRISTIE, 000–00–0000
WILLIAM S. COE, 000–00–0000
JOHN J. COGLIANESE, 000–00–0000
JAMES P. COLE, 000–00–0000
MATTHEW A. COLLINS, 000–00–0000
MICHAEL R. CONNOLLY, 000–00–0000
ADAM W. COONS, 000–00–0000
MICHAEL S. COTTREAU, 000–00–0000
ROBERT C. COURTEMANCHE, 000–00–0000
ANGEL A. CUELLAR, JR., 000–00–0000
ANDREW G. CUMMING, 000–00–0000
KEITH M. CUTLER, 000–00–0000
MICHAEL D. DAHL, 000–00–0000
TRACY A. DALY, 000–00–0000
CARLOS A. DELAROCHA, 000–00–0000
TIMOTHY E. DESALVO, 000–00–0000
TIMOTHY B. DOOLEY, 000–00–0000
DOUGLAS A. DREW, 000–00–0000
CLIFFORD E. DROZDA, 000–00–0000
DALLAS D. DUDLEY II, 000–00–0000
KYLE D. EAST, 000–00–0000
CRAIG P. ECK, 000–00–0000
MARK M. EDINGTON, 000–00–0000
AARON W. ELSHAUG, 000–00–0000
TODD J. ENGE, 000–00–0000
BARRY L. ENSTICE, 000–00–0000
RICHARD P. EPPARD, 000–00–0000
JOSEPH M. EVANS, JR., 000–00–0000
ADRIENNE F. EVERTSON, 000–00–0000
TIMOTHY C. FAWCETT, 000–00–0000
MATTHEW D. FERINGA, 000–00–0000
MICHAEL J. FINLEY, 000–00–0000
ROBERT M. FLOWERS, 000–00–0000
RICHARD E. FOCHT, 000–00–0000
TODD D. FORD, 000–00–0000
DAVID L. FORRESTER, 000–00–0000
GARY R. FULLERTON, 000–00–0000
JOHN C. GALE, 000–00–0000
PATRICK K. GALLAHER, 000–00–0000
KARL J. GANNON, 000–00–0000
ANDREW N. GAPPY, 000–00–0000
STEVEN G. GERACOULIS, 000–00–0000
BRADFORD J. GERING, 000–00–0000
SEAN D. GIBSON, 000–00–0000
STEVEN R. GIRARD, 000–00–0000
DAVID S. GLASSMAN, 000–00–0000
ROBERT J. GOETZ, 000–00–0000
BRIAN S. GOOD, 000–00–0000
MICHAEL J. GOUGH, 000–00–0000
MICHAEL W. GRADY, 000–00–0000
CHRISTOPHER M. GREER, 000–00–0000
MARTIN T. GRIFFITH, 000–00–0000
STEPHEN G. GRIFFITH, 000–00–0000
ANDREW S. GROENKE, 000–00–0000
LEE M. GRUBBS, 000–00–0000
ANDREW J. GUNDERSON, 000–00–0000
KURT D. GUSTAFSON, 000–00–0000
J.C. GWILLIAM, JR., 000–00–0000
STEVE D. HAGERTY, 000–00–0000
CHARLES C. HALE, 000–00–0000
MORRIS D. HALE, 000–00–0000
BRINLEY M. HALL III, 000–00–0000
DARIUS J. HAMMAC, 000–00–0000
JAMES B. HANLON, 000–00–0000
EDDIE W. HANNA, 000–00–0000
GORDON M. HANSCOM, JR., 000–00–0000
ROBERT E. HARGENS, 000–00–0000
MICHAEL J. HARRIS, 000–00–0000
MATTHEW M. HARTMANN, 000–00–0000
CHARLES P. HARVEY, 000–00–0000
CASON N. HEARD, 000–00–0000
ROBERT D. HEIN, 000–00–0000
GREGORY M. HEINES, 000–00–0000
ROBERT H. HENDRICKS, 000–00–0000
JAMES B. HIGGINS, JR., 000–00–0000
GERALD R. HIGHTOWER, 000–00–0000
JAMES D. HILL, 000–00–0000
JAMES L. HOGAN, 000–00–0000
GRAHAM C. HOPPESS, 000–00–0000
MORTIMER J. HOWARD, 000–00–0000
DUANE M. HUBING, 000–00–0000
MICHAEL W. HUFF, 000–00–0000
ERIK J. JANTZEN, 000–00–0000
MARK A. JEWELL, 000–00–0000
GREGORY W. JOHNSON, 000–00–0000
MARK T. JOHNSON, 000–00–0000
DAVID M. JONES, 000–00–0000
MARK R. JONESE, 000–00–0000
RICHARD E. JORDAN, 000–00–0000
MICHAEL R. KAINE, 000–00–0000
PAUL E. KAPLAN, 000–00–0000
DARRIN D. KAZLAUSKAS, 000–00–0000
HAROLD S. KEELER, 000–00–0000
GREGORY C. KEESLER, 000–00–0000
JOHN J. KEPPELER, 000–00–0000
DAVID C. KESZEI, 000–00–0000
ERIC R. KLEIS, 000–00–0000
JAMES B. KOERBER, 000–00–0000
MARK R. KOSKI, 000–00–0000
JOHN M. KOURY, 000–00–0000
PAUL D. KOVAC, 000–00–0000
BARRY L. KRAGEL, 000–00–0000
THOMAS M. KRUGLER, 000–00–0000
DALE R. KRUSE, 000–00–0000
JOSEPH P. KUGEL, 000–00–0000
ROBERT W. LAATSCH, 000–00–0000
GRANT V. LAM, 000–00–0000
JEFFREY W. LARK, 000–00–0000
DANIEL T. LATHROP, 000–00–0000
GERALD R. LAY, 000–00–0000
EVAN G. LEBLANC, 000–00–0000
MICHAEL H. LEDBETTER, 000–00–0000
BRYAN R. LEMONS, 000–00–0000
KENNETH M. LEWTON, 000–00–0000
WILLIAM R. LIEBLEIN, 000–00–0000
JAMES K. LINEBARGER, 000–00–0000
STEVEN P. LOGAN, 000–00–0000
JAMES V. LONGI III, 000–00–0000
SCOTT A. LUTTERBECK, 000–00–0000
MICHAEL W. LYNCH, 000–00–0000
MARK D. MACKEY, 000–00–0000
ARTURO J. MADRIL, 000–00–0000
BRIAN L. MAGNUSON, 000–00–0000
LOUIS J. MAIDA, 000–00–0000
KENNETH P. MANEY, 000–00–0000
RICARDO MARTINEZ, 000–00–0000
RENE C. MARTINEZ, 000–00–0000
MARK J. MASINI, 000–00–0000
MATTHEW P. MASSIMI, 000–00–0000
MICHAEL C. MC GHEE, 000–00–0000
DANIEL P. MC GOVERN, 000–00–0000
ROY MC GRIFF III, 000–00–0000
ERIK O. MC INNIS, 000–00–0000
JOHN P. MEE, 000–00–0000
MARK J. MENOTTI, 000–00–0000
RICHARD W. MERRITT, 000–00–0000
RANDALL H. MESSER, 000–00–0000
DAVID S. MICHAEL, 000–00–0000
CHARLES C. MILLER, 000–00–0000
DAVID J. MINER, 000–00–0000
DENNY A. MIRELES, 000–00–0000
JOSEPH F. MONROE, 000–00–0000
AMES D. MOORE, 000–00–0000
JAMES H. MOORE, 000–00–0000
MICHAEL A. MOORE, 000–00–0000
DAVID L. MORGAN II, 000–00–0000
CHRISTOPHE W. MORTON, 000–00–0000
ALBERT G. MOSELEY IV, 000–00–0000
KEVIN G. MOSS, 000–00–0000

MICHAEL G. MUEHLE, 000–00–0000
MICHAEL J. MURPHY, 000–00–0000
STEPHEN J. MURPHY, 000–00–0000
LAWRENCE O. NAPIER, 000–00–0000
RANDY A. NASH, 000–00–0000
RICHARD J. NEFF, 000–00–0000
MICHAEL K. NELSON, 000–00–0000
SAMUEL C. NELSON III, 000–00–0000
JOHN J. NOEL, 000–00–0000
RAYMOND T. NOLIN, 000–00–0000
KENNETH B. NYHOLM, 000–00–0000
GEORGE E. OBSER, 000–00–0000
KYLE J. OMALLEY, 000–00–0000
JOHN R. ONEAL, 000–00–0000
TODD J. ONETO, 000–00–0000
RENE A. ORELLANA, 000–00–0000
RICHARD T. OSTERMEYER, 000–00–0000
CHRISTOPHER J. PARKHURST, 000–00–0000
BRUCE G. PATERSON, 000–00–0000
BRIAN J. PAYNE, 000–00–0000
JOHN M. PECK, 000–00–0000
MARK B. PENNINGTON, 000–00–0000
JOSEPH F. PERITO, 000–00–0000
MICKIEL D. PETE, 000–00–0000
STEPHEN L. PETERS, 000–00–0000
ALEX G. PETERSON, 000–00–0000
MICHAEL R. PFISTER, 000–00–0000
CHRISTOPHER S. PINCKNEY, 000–00–0000
JASON K. POPE, 000–00–0000
DAVE S. PORTILLO, 000–00–0000
ALBERT C. POTRAZ, 000–00–0000
MICHAEL J. POWELL, 000–00–0000
WILLIS E. PRICE III, 000–00–0000
DEAN L. PUTNAM, 000–00–0000
STEVEN P. QUINTANA, 000–00–0000
WILLIAM A. RANDALL, 000–00–0000
GERALD S. RATLIFF, 000–00–0000
ROBERT L. RAUENHORST, 000–00–0000
ALEX M. RAY, 000–00–0000
JAMES E. RECTOR, 000–00–0000
GERALD R. REID, 000–00–0000
PHILLIP J. REIMAN, 000–00–0000
WILLIAM H. REINHART, 000–00–0000
WILLIAM H. REYNOLDS, 000–00–0000
JON E. RICE, 000–00–0000
JADE N. RICHARD, 000–00–0000
GEORGE W. RIGGS, 000–00–0000
DONALD J. RILEY, 000–00–0000
CHARLES R. RISIO, 000–00–0000
JIMMY R. RIVERA, 000–00–0000
RICHARD J. ROCHELLE, 000–00–0000
GLENN A. ROGERS, 000–00–0000
CURTIS M. ROGERS III, 000–00–0000
KARL W. ROTH, 000–00–0000
HOWARD D. RUSSELL, 000–00–0000
ROLLIN R. RUSSELL II, 000–00–0000
JONATHAN L. SACHAR, 000–00–0000
GLENN J. SADOWSKI, 000–00–0000
MICHAEL J. SANDERS, 000–00–0000
WESLEY E. SANDERS, 000–00–0000
DAVID L. SANFORD, 000–00–0000
STEPHEN P. SANTIAGO, 000–00–0000
MARK R. SCHAEFER, 000–00–0000
JEFFERY D. SCRAMSTAD, 000–00–0000
ROBERT G. SCUMACI, 000–00–0000
DEREK W. SHAFFER, 000–00–0000
ROBERT C. SHERRILL, 000–00–0000
DENNIS J. SHERWOOD, 000–00–0000
PAUL G. SICHENZIA, 000–00–0000
QUINN R. SIEVERTS, 000–00–0000
KEVIN M. SISBARRO, 000–00–0000
SCOTT R. SIZEMORE, 000–00–0000
WYLIE S. SLATER, 000–00–0000
WILLIAM E. SMITH JR., 000–00–0000
MARK E. SOJOURNER, 000–00–0000
JEFFREY G. SORTOR, 000–00–0000
KARL H. SPAETH, JR., 000–00–0000
JOHN C. SPAHR, 000–00–0000
ROBERT J. STEFANOWICZ, 000–00–0000
ROSS L. STEPHENSON, JR., 000–00–0000
SEAN C. STEWART, 000–00–0000
VICTOR S. STOVER, 000–00–0000
PAUL T. SULLIVAN, 000–00–0000
SCOTT J. TABER, 000–00–0000
THOMAS L. TALOVICH, 000–00–0000
CHRISTOPHER D. TAYLOR, 000–00–0000
MICHAEL W. TAYLOR, 000–00–0000
TODD S. TAYLOR, 000–00–0000
RANDALL W. TETEAK, JR., 000–00–0000
LANCE M. THOMAS, 000–00–0000
CHRISTOPHER D. THOMPSON, 000–00–0000
DAVID C. THOMPSON, 000–00–0000
BRUCE J. THOMSEN, 000–00–0000
HUGH V. TILLMAN, 000–00–0000
KEITH H. TREADWAY, 000–00–0000
STEPHEN P. TREICHEL, 000–00–0000
WILLIAM J. TRUAX, JR., 000–00–0000
GREGORY P. UTLEY, 000–00–0000
DAVID J. VAIL, 000–00–0000
DAVID N. VANDIVORT, 000–00–0000
WILLIAM J. VANZANTEN, 000–00–0000
DANNY J. VERDA, 000–00–0000
LEWIS D. VOGLER, 000–00–0000
JEANNE A. WADZINSKI, 000–00–0000
MICHAEL C. WAGNER, 000–00–0000
MARSHAL D. WALLACE, 000–00–0000
PATRICK B. WALTERS, 000–00–0000
ANDREW J. WAREHAM, 000–00–0000
VINCENT P. WAWRZYNSKI, 000–00–0000
MARC A. WEBSTER, 000–00–0000
DIXON D. WELT, 000–00–0000
STEPHEN A. WENRICH, 000–00–0000
STEPHEN T. WERNECKE, 000–00–0000
ROBERT A. WILKERSON, 000–00–0000
SCOTT R. WILTERMOOD, 000–00–0000
DONALD K. WIMP, 000–00–0000
LEE J. WINTERS, 000–00–0000
RICHARD D. WOLF, 000–00–0000
KEVIN J. WOLFE, 000–00–0000
MICHAEL A. WOOD, 000–00–0000
ROBERT C. WRIGHT, JR., 000–00–0000
EUGENE J. ZINNI, 000–00–0000

To be first lieutenant

EDUARDO A. ABISELLAN, 000–00–0000
TED A. ADAMS, 000–00–0000
JOSEPH S. ALEXANDER IV, 000–00–0000
TODD L. AMANN, 000–00–0000
VINCENT D. APPLEWHITE, 000–00–0000
STEPHEN P. ARMES, 000–00–0000
JOHN B. ATKINSON, 000–00–0000
THOMAS P. BAJUS II, 000–00–0000
PAUL D. BAKER, 000–00–0000
JOHN M. BARNETT, 000–00–0000
GARY E. BELL, 000–00–0000
WILLIE C. BERRIOS, 000–00–0000
BRENT W. BIEN, 000–00–0000
CHRISTOPHER S. BISCHOFF, 000–00–0000
CHARLES N. BLACK, 000–00–0000
TODD V. BOTTOMS, 000–00–0000
MATTHEW C. BOYKIN, 000–00–0000
DAVID P. BRADNEY, 000–00–0000
RONALD C. BRANEY, 000–00–0000
CHRISTOPHER A. BREWSTER, 000–00–0000
RALPH E. BRUBAKER, JR., 000–00–0000
DANIEL W. BUCKLEY, 000–00–0000
HEATHER M. BURGESS, 000–00–0000
TODD T. BUTLER, 000–00–0000
TED L. CANADAY, 000–00–0000
JAMES C. CARROLL III, 000–00–0000
TIMOTHY T. CARTER, 000–00–0000
MICHAEL S. CASEY, 000–00–0000
BRIAN S. CHRISTMAS, 000–00–0000
WILLIAM P. CLARK, 000–00–0000
TIMOTHY L. CLARKE, 000–00–0000
ANDREW R. COFER, 000–00–0000
MATTHEW D. COOPER, 000–00–0000
EDITH W. CORDERY, 000–00–0000
MATTHEW C. CULBERTSON, 000–00–0000
JEFFREY R. CUNDITH, 000–00–0000
MICHAEL J. CURTIN, 000–00–0000
SEAN P. DARDEEN, 000–00–0000
FELIX B. DAVIDSON, 000–00–0000
CHRISTOPHE J. DOUGLAS, 000–00–0000
FRED H. EGERER II, 000–00–0000
JEFFREY C. EVANS, 000–00–0000
IAN M. FACEY, SR., 000–00–0000
THOMAS M. FAHY, JR, 000–00–0000
JAMES P. FALLON, 000–00–0000
TIMOTHY L. FANNING, 000–00–0000
JAMES P. FARRELLY, 000–00–0000
ANDREW J. FLOYD, 000–00–0000
PHILLIP N. FRIETZE, 000–00–0000
JOHN L. FUREY, 000–00–0000
TIMOTHY P. GEORGE, 000–00–0000
DONALD A. GORDON, 000–00–0000
ROBERT GOVONI, 000–00–0000
EDWARD M. GRANDINETTI III, 000–00–0000
DAVID P. GRANT, 000–00–0000
CHARLES R. GRAY, 000–00–0000
IAN C. GRIGGS, 000–00–0000
CLARENCE T. GUTHRIE III, 000–00–0000
NICHOLAS S. HALE, 000–00–0000
JASON S. HANSON, 000–00–0000
CLARENCE T. HARPER III, 000–00–0000
FRANK W. HARRAR, 000–00–0000
JAMES W. HARRIS, JR., 000–00–0000
MARK A. HASHIMOTO, 000–00–0000
ROBERT A. HAUGHTON, 000–00–0000
SPENCER E. HELGESON, 000–00–0000
KATRINA HENSLEY, 000–00–0000
HENRY G. HESS, 000–00–0000
MICHAEL J. HILLYARD, 000–00–0000
ROBERT P. HINDMARCH, 000–00–0000
STEVEN W. HODGE, JR., 000–00–0000
JEFFREY P. HOGAN, 000–00–0000
RENEE A. HOLMES, 000–00–0000
DAVID S. HUGHEY, 000–00–0000
JEFFREY L. JAROSZ, 000–00–0000
MARK J. JOHNSON, 000–00–0000
DAVID M. KASE, 000–00–0000
JEFFREY S. KAWADA, 000–00–0000
JOHN KEANE, 000–00–0000
KEVEN J. KELLEHER, 000–00–0000
MICHAEL J. KENNEDY, 000–00–0000
PATRICK M. KIELY, 000–00–0000
SUN W. KIM, 000–00–0000
JEFFREY A. KNUDSON, 000–00–0000
JOHN M. KRAUSE, 000–00–0000
JOSEPH G. KRINGLER, JR., 000–00–0000
CLIFFORD J. LANDRETH, 000–00–0000
EDWARD T. LANG, 000–00–0000
WILLIAM F. LAPRATT, 000–00–0000
ALFRED H. LEWIS, JR., 000–00–0000
CURTIS T. LOBERGER, 000–00–0000
BRYAN F. LUCAS, 000–00–0000
BARTLETT D. LUDLOW, 000–00–0000
RICHARD E. LUEHRS II, 000–00–0000
MORRIS C. MAHALEY, 000–00–0000
GEORGE G. MALKASIAN, 000–00–0000
MATTHEW R. MARCENELLE, 000–00–0000
KEVEN W. MATTHEWS, 000–00–0000
DENNIS P. MATTSON, JR., 000–00–0000
DANIEL P. MC KENNA, 000–00–0000
ALAN G. MC KINNON, 000–00–0000
JOHN T. MEEK II, 000–00–0000
JAMES J. MIGLETZ, 000–00–0000
BOYD A. MILLER, 000–00–0000
JOHN L. MILLER, 000–00–0000
THOMAS M. MIRANDE, 000–00–0000
KURT E. MOGENSEN, 000–00–0000
BARRY A. MONTGOMERY, 000–00–0000
PAUL T. MORGAN, 000–00–0000
DAVID C. MORRIS, 000–00–0000
MICHAEL F. MOSS, 000–00–0000
ANDREW MUNDY, 000–00–0000
JOHN J. MURPHY III, 000–00–0000
DAVID NATHANSON, 000–00–0000
JOHN M. NEVILLE, JR., 000–00–0000
ANDREW M. NIEBEL, 000–00–0000
PAUL J. NUGENT, 000–00–0000
MICHAEL H. OPPENHEIM, 000–00–0000
MICHAEL S. OSHAUGHNESSY, 000–00–0000
BENJAMIN J. PALMER, 000–00–0000
DANIEL L. PARIS, 000–00–0000
MATTHEW W. PARK, 000–00–0000
WALTER P. PARKER, 000–00–0000
MARK J. PARKITNY, 000–00–0000
TERRY L. PATTERSON, 000–00–0000
PAUL L. PICKETT, 000–00–0000
RICARDO T. PLAYER, 000–00–0000
ROBERT J. PLEVELL, 000–00–0000
MORRIS W. PRIDDY, 000–00–0000
DALE A. PUFAHL, 000–00–0000
MATTHEW PUGLISI, 000–00–0000
MATTHEW G. RAU, 000–00–0000
TIMOTHY D. RENZ, 000–00–0000
THOMAS J. REPETTI, SR., 000–00–0000
DAVID E. RICHARDSON, 000–00–0000
SEAN M. RIORDAN, 000–00–0000
KEITH T. RIVINIUS, 000–00–0000
PAUL A. ROSENBLOOM, 000–00–0000
BRIAN L. RUEGER, 000–00–0000
THOMAS B. SAVAGE, 000–00–0000
ROBERT K. SCHWARZ, 000–00–0000
DAVID D. SCOTT, 000–00–0000
WILLIAM D. SHUELL, 000–00–0000
TODD P. SIMMONS, 000–00–0000
JOSEPH D. SINICROPE, JR., 000–00–0000
WALTER S. SKRZYNSKI, 000–00–0000
KENNETH M. SKUTNIK, 000–00–0000
MARK E. SLUSHER, 000–00–0000
GREGORY J. SMITH, 000–00–0000
KARL SMOLARZ, 000–00–0000
DAVID B. SOSA, 000–00–0000
JOHNNY M. SPANN, 000–00–0000
DIANA L. STANESZEWSKI, 000–00–0000
KEVIN J. STEWART, 000–00–0000
ANDREW A. STOKES, 000–00–0000
JIMMY C. SWAFFORD, 000–00–0000
FRANKLIN M. THURSTON, JR., 000–00–0000
SEAN P. TIERNAN, 000–00–0000
BRIAN F. TIVNAN, 000–00–0000
LEONARD E. TROXEL, 000–00–0000
JOHN E. WALKER, JR., 000–00–0000
EDWARD J. WELSH, 000–00–0000
MARTIN F. WETTERAUER, III, 000–00–0000
RICHARD W. WHITMER, 000–00–0000
JAMES R. WILLSEA, 000–00–0000
BRIAN N. WOLFORD, 000–00–0000
TYLER J. ZAGURSKI, 000–00–0000
JOSEPH J. ZARBA, JR., 000–00–0000
RICHARD D. ZYLA, 000–00–0000

To be second lieutenant

BRIAN W. BALBONI, 000–00–0000
JONATHAN E. BURFORD, 000–00–0000
FRIDRIK FRIDRIKSSON, 000–00–0000
DAVID W. HUDSPETH, 000–00–0000
KEITH A. PARRY, 000–00–0000
EDMUND P. POWER, 000–00–0000
JON M. SCOTT, 000–00–0000
KEITH A. VANASDALAN, 000–00–0000
DANIEL P. WHISNANT, 000–00–0000

THE FOLLOWING-NAMED LIMITED DUTY OFFICERS OF THE REGULAR MARINE CORPS FOR APPOINTMENT AND DESIGNATION AS UNRESTRICTED OFFICERS IN THE REGULAR MARINE CORPS UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 531 AND 5589:

U.S. MARINE CORPS UNRESTRICTED LIST

To be lieutenant colonel

ARTHUR G. FRIEND, 000–00–0000

To be major

GARY D. FRALEY, 000–00–0000
STEVEN HICKEY, 000–00–0000
PATRICK E. MILLER, 000–00–0000
JOHN C. WRIGHT, 000–00–0000

To be captain

WAYNE R. STEELE, 000–00–0000

IN THE NAVY

THE FOLLOWING-NAMED NAVAL ACADEMY GRADUATES TO BE APPOINTED PERMANENT ENSIGNS IN THE LINE OR STAFF CORPS OF THE U.S. NAVY, PURSUANT TO TITLE 10, UNITED STATES CODE, SECTION 531:

DAVID L. AAMODT, 000–00–0000
JAMIE W. ACHEE, 000–00–0000
CHRISTOPHER W. ADAMS, 000–00–0000
JAMES P. ADAMS, 000–00–0000
MICHAEL J. ADAMS, 000–00–0000
JOHN E. AGER, 000–00–0000
SCOT C. ALBRECHT, 000–00–0000
CARA M. ALBRIGHT, 000–00–0000
JOHN E. ALEX, 000–00–0000
KEITH A. ALFIERI, 000–00–0000
CLIFFORD J. ALLEN, 000–00–0000
KEVIN S. ALLEN, 000–00–0000
MATTHEW S. ALLEN, 000–00–0000
ROBERT W. ALPIGINI, JR., 000–00–0000
LUIS ALVA, 000–00–0000
JOSEPH A. AMARAL, 000–00–0000
MICHAEL P. AMSTUTZ, JR., 000–00–0000
JEREMY T. ANDREW, 000–00–0000

WAYNE W. ANDREWS, III, 000–00–0000
BRIAN L. APPLEGATE, 000–00–0000
MICHAEL D. APRICENO, 000–00–0000
RICHARD M. ARCHER, 000–00–0000
KIMBERLY A. ARD, 000–00–0000
PETER A. ARROBIO, 000–00–0000
ROBERT S. ASHBURN, 000–00–0000
AARON R. AUSTIN, 000–00–0000
GEORGE J. AUSTIN, 000–00–0000
ERLINA P. AWA, 000–00–0000
JOHN F. BAEHR, 000–00–0000
JAMES D. BAHR, 000–00–0000
DAVID S. BAIRD, 000–00–0000
STEPHEN G. BAIRD, 000–00–0000
LINDSEY J. BAKER III, 000–00–0000
MICHAEL S. BAKER, 000–00–0000
CRAIG D. BANGOR, 000–00–0000
CHRISTOPHER M. BANKS, 000–00–0000
SEAN M. BANKS, 000–00–0000
HEATHER A. BARACKMAN, 000–00–0000
MICHAEL M. BARNA, 000–00–0000
LUKE A. BARRADELL, 000–00–0000
TREVOR J. BAST, 000–00–0000
DOUGLAS W. BATES, 000–00–0000
LORY N. BATTAGLIA, 000–00–0000
ROBERT M. BAUGE, 000–00–0000
MICHELLE M. BAUMBICH, 000–00–0000
JOSEPH W. BAYER, 000–00–0000
CHRISTOPHER F. BEAUBIEN, 000–00–0000
MICHAEL P. BECKER, 000–00–0000
MICHAEL C. BECKETTE, 000–00–0000
THOMAS A. BECKLEY, 000–00–0000
ELIZABETH A. BEEDE, 000–00–0000
BRIAN H. BENNETT, 000–00–0000
PATRICK L. BENNETT, 000–00–0000
RODERICK D. BENSON, 000–00–0000
AARON T. BERGLIN, 000–00–0000
RORY V. BERKE, 000–00–0000
ROBERT A. BERNER, 000–00–0000
JEFFREY R. BESSLER, 000–00–0000
MARCUS C. BICKLEY, 000–00–0000
MICHAEL D. BILLOK, 000–00–0000
ANTHONY J. BILOTTI, 000–00–0000
MICHAEL D. BISBEE, 000–00–0000
LANIE G. BLACK IV, 000–00–0000
YOLANDA E. BLAIR, 000–00–0000
STUART H. BLANCHETTE, 000–00–0000
ALEXANDER P. BOESENBERG, 000–00–0000
SHAWN A. BOHRER, 000–00–0000
MATTHEW R. BOLAND, 000–00–0000
CHAD A. BOLLMANN, 000–00–0000
JAMES E. BOOMER, 000–00–0000
WESLEY D. BOOSE, 000–00–0000
MICHAEL S. BORCHERDING, 000–00–0000
HOLLEY R. BOREN, 000–00–0000
RHOAN C. BOUCHER, 000–00–0000
JUANITO F. BOYDON, JR., 000–00–0000
MICHAEL J. BRADY, 000–00–0000
DANIEL B. BRANCH III, 000–00–0000
NICHOLAS A. BRANDT, 000–00–0000
WILLIAM L. BRECKINRIDGE VII, 000–00–0000
SCOTT M. BREEN, 000–00–0000
DAVID J. BRENIA, 000–00–0000
MICHAEL J. BRONS, 000–00–0000
AMANDA J. BROOKS, 000–00–0000
JAMIE M. BROOKS, 000–00–0000
LESTER A. BROWN, JR., 000–00–0000
RYAN D. BROWN, 000–00–0000
CURTIS W. BRUCE, JR., 000–00–0000
TODD M. BRUEMER, 000–00–0000
CORY S. BRUMMETT, 000–00–0000
EDDIE B. BUCKLES, JR., 000–00–0000
CHRISTOPHER M. BUGG, 000–00–0000
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RANDY J. BURLESON II, 000–00–0000
RODMAN D. BURLEY III, 000–00–0000
LANCE W. BURTON, 000–00–0000
WILLIAM C. BUSHMAN, JR., 000–00–0000
WILLIAM R. BUTLER, 000–00–0000
JOHNNIE L. CALDWELL III, 000–00–0000
SHARIF H. CALFEE, 000–00–0000
MARK J. CALLARI, 000–00–0000
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CLARK C. CHILDERS, 000–00–0000
JAMES C. CHITKO, 000–00–0000
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MARC R. CHRISTINO, 000–00–0000
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TRACEY L. DELK, 000–00–0000
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LAURENT T. HAYWARD, 000–00–0000
NOAH J. HAYWARD, 000–00–0000
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ETHAN D. HOAG, JR., 000–00–0000
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LUKE A. HOFACKER, 000–00–0000
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ERICA L. HOFFMANN, 000–00–0000
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TRACY L. HOYTE, 000–00–0000
ROBERT E. HUBERT, 000–00–0000
LIAM M. HULIN, 000–00–0000
ANDREW G. HURST, 000–00–0000
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CORY W. HUYSSOON, 000–00–0000
JONATHAN J. JACKSON, 000–00–0000
NAOMI K. JACKSON, 000–00–0000
JOSHUA S. JACOBSON, 000–00–0000
JOSHUA C. JAGGER, 000–00–0000
JESSE R. JAMES IV, 000–00–0000
MICHAEL R. JARRETT, JR., 000–00–0000
JUSTIN A. JAUSSI, 000–00–0000
CHARLES S. JENNINGS, 000–00–0000
JESSICA L. JEROME, 000–00–0000
CHRISTOPHER B. JOHNSON, 000–00–0000
NORMAN T. JOHNSON, 000–00–0000
ROBERT A. JOHNSON III, 000–00–0000
STEVEN A. JOHNSON, 000–00–0000
IAN F. JOHNSTON, 000–00–0000
JASON S. JONES, 000–00–0000
DAVID E. JORDAN, 000–00–0000
ROBIN E. KANE, 000–00–0000
DEBRA A. KAUFFMAN, 000–00–0000
CHRISTOPHER T. KAVANAGH, 000–00–0000
JAMES F. KEATING, 000–00–0000
MICHAEL P. KEENAN, 000–00–0000
SCOTT D. KELLER, 000–00–0000
AARON R. KELLEY, 000–00–0000

ERIC S. KELLUM, 000–00–0000
PATRICK M. KELLY, 000–00–0000
JAMES P. KENNEDY IV, 000–00–0000
PATRICK L. KENNEDY, 000–00–0000
RICHARD A. KENNEDY, JR., 000–00–0000
JAMES R. KENNY, 000–00–0000
ROBERT W. KERFOOT, 000–00–0000
JENNIFER C. KIDD, 000–00–0000
MICHAEL L. KILMURRAY, 000–00–0000
EDDIE J. KIM, 000–00–0000
PETER S. KIM, 000–00–0000
RICHARD M. KING, 000–00–0000
DERRICK W. KINGSLEY, 000–00–0000
TIMOTHY F. KINSELLA, JR., 000–00–0000
ERIKA K. KISIL, 000–00–0000
RICHARD L. KLAUER, JR., 000–00–0000
DALE D. KLEIN, 000–00–0000
MICHAEL J. KLINKE, 000–00–0000
ODIN J. KLUG, 000–00–0000
KYLE C. KNAPP, 000–00–0000
ERICK B. KNEZEK, 000–00–0000
HARRY D. KNIGHT, JR., 000–00–0000
JOSEPH A. KNOOP, 000–00–0000
MATTHEW S. KOERBER, 000–00–0000
ALEXANDER M. KOHNEN, 000–00–0000
KEVIN L. KOLEGO, 000–00–0000
LUKE R. KREMER, 000–00–0000
PAUL C. KRESS III, 000–00–0000
NATHAN C. KRING, 000–00–0000
NICHOLAS A. KRISTOF, 000–00–0000
JOANNA M. KROLL, 000–00–0000
JOHN W. KURTZ, 000–00–0000
MATTHEW J. LABERT, 000–00–0000
WILLIAM P. LACIVITA, 000–00–0000
ANNA E. LAFFERTY, 000–00–0000
DAVID J. LAKAMP, 000–00–0000
ROBERT W. LANDIS, 000–00–0000
JESSICA W. LANE, 000–00–0000
KYLE G. LANGBEHN, 000–00–0000
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JESSE A. LANKFORD, 000–00–0000
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BRETT A. LASSEN, 000–00–0000
GEORGE J. LATOUR III, 000–00–0000
MELISSA J. LAWRENCE, 000–00–0000
JAMES E. LAWSON, 000–00–0000
JEAN M. LEBLANC, 000–00–0000
JAY A. LEDOUX, 000–00–0000
LISA A. LELLI, 000–00–0000
TOBIAS J. LEMERANDE, 000–00–0000
BRYAN S. LICHTENSTEIN, 000–00–0000
ANDREW G. LIGGETT, 000–00–0000
GLENN A. LININGER, 000–00–0000
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MARK R. LUKKEN, 000–00–0000
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JACOB J. MADORE, 000–00–0000
ANTOINETTE M. MAGINNIS, 000–00–0000
ANTHONY J. MAGROGAN, 000–00–0000
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KERRY E. MAY, 000–00–0000
CHARLES W. MAYER III, 000–00–0000
JULIE M. MAYNARD, 000–00–0000
KAREN M. MAZURE, 000–00–0000
J.D. MCBRYDE, 000–00–0000
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JAMES RANGLEY C. MCIVER, 000–00–0000
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NED D. MCKINLEY, 000–00–0000
CARLOS A. MEDINA, 000–00–0000
MICHAEL K. MEEKS, 000–00–0000
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JOHN C. MOE, 000–00–0000
NATHAN W. MOHR, 000–00–0000
CARLOS A. MONTGOMERY, 000–00–0000
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FREDRIC A. MORRISON, 000–00–0000
MARGUERITE A. MORRISON, 000–00–0000
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SEAN M. NEALLY, 000–00–0000
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NHAT M. NGUYEN, 000–00–0000
JULIE A. NICHOLS, 000–00–0000
SPIRO E. NIFAKOS, 000–00–0000
JOHN T. NIMMONS III, 000–00–0000
DAVID B. NOBLE, 000–00–0000
JAMES I. NORRIS, 000–00–0000
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BRIAN J. NOWAK, 000–00–0000
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JOSEPH A. ODANIEL, 000–00–0000
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FRANK E. OKATA, 000–00–0000
BRIAN P. OLAVIN, 000–00–0000
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BRETT M. PEELING, 000–00–0000
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EDWARD D. PIDGEON, 000–00–0000
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ADAM S. PIEPKORN, 000–00–0000
WILLIAM E. PILCHER, 000–00–0000
PAULINE F. PIMENTEL, 000–00–0000
STEPHEN J. PLATT, 000–00–0000
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IRVING B. POLLARD, 000–00–0000
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DIANE J. QUATTRONE, 000–00–0000
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KEITH RADONIS, 000–00–0000
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BRIAN P. REARDON, 000–00–0000
MARY E. RENIERE, 000–00–0000
GEORGE RETAMOZA, 000–00–0000
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CLAYTON A. ROBINSON, 000–00–0000
ROBERT M. ROBINSON, 000–00–0000
MIKAEL A. ROCKSTAD, 000–00–0000
JUAN C. RODARTE, 000–00–0000
PETER G. RODGERS, 000–00–0000
EDGAR V. RODRIGUEZ, 000–00–0000
STEPHEN M. ROE, 000–00–0000
JEFFREY D. ROGERS, 000–00–0000
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