No business, State, or family would voluntarily accept the terms of this balanced budget amendment that will be voted on by this House, because they know they could not operate under it. It is bad enough that the Federal budget currently operates this way. It is even worse that some would think of putting this into the Constitution of the United States. If you are going to put it into the Constitution of the United States to have this kind of requirement, then set it up like businesses and States and families do. And that is, you have capital budgeting. You permit a separate account for the investments in the roads, the bridges, the water, the sewer systems, the airports.

I was delighted to see last night and to receive a call from the White House last night that President Clinton has created a Capital Budgeting Commission. This is similar to legislation that I introduced and a number of my colleagues here in the House cosponsored last year to set up a commission to look at and evaluate capital budgeting for the Federal budget. This makes possible the investments and the infrastructure, the physical infrastructure that are so crucial, and I look forward to seeing whom the President names to this Capital Budgeting Commission and the report that it makes.

Once again, if you are going to have a balanced budget amendment in the Constitution, at least look at the substitute that I have offered the last two times and will be offering again that would require a capital budget.

Likewise, to take Social Security off budget. The fact is that Social Security runs a $60 billion surplus this year and has for the last few years. That is $60 billion more coming in because of Social Security than Social Security is paying out. That money is necessary for the year 2019 and the years thereafter when you do not have as much coming in. So why should that not be off budget, because if you do not take it off budget then it masks the size of the true deficit.

Every one of my colleagues, I dare say, or almost everyone who has been here longer than 6 months, has voted sometime in the past few years, we do it usually about once a year, to take Social Security off budget. We have passed more resolutions and statutes and budget resolutions and budget language saying Social Security is off budget. So if it ought to be off budget, then why should it not be off budget in a constitutional amendment that deals with balancing the budget? None of this will take it off budget in 2005 or something. What happened to it up until the year 2005?

So those are the reasons that many of us oppose the language that will be voted on here today. Indeed, we have been actively involved in balancing the budget. That is why the budget deficit has dropped from $300 billion to $107 billion, why it is at the lowest point it has been since 1974, why it is the lowest in the industrial world right now, is because of the deficit reduction efforts that have been made over the past several years on a bipartisan basis. But if we are going to have a balanced budget amendment in the Constitution of the United States, then we are saying we are doing it because we want the Federal budget to be balanced like States balance their budgets, like businesses balance their budgets, like families balance their budgets, then for Pete's sake at least put in the same mechanisms by which States, businesses, and families balance their budgets, and that is to have a capital budget, an investment budget to permit borrowing for those long-term items that give you back far more than you ever pay.

□ 1330

## DISINFORMATION, MISINFORMATION, AND LACK OF KNOWLEDGE ON THE PART OF EUROPEAN LEADERS REGARDING LEGISLATION OF THE UNITED STATES

The SPEAKER pro tempore [Mr. SHAYS]. Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 60 minutes as the designee of the majority leader.

Mr. DIAZ-BALART. Mr. Speaker, last week I had the privilege of being a member of a delegation from our Congress to the European Parliament. Occasionally meetings take place between parliamentarians from Europe and from the United States. As I say, I had the privilege of being part of our delegation, led by the distinguished chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN]. I had the opportunity to meet with parliamentarians and leaders from various capitals of the European Union to delve, to dive into a number of very difficult challenges facing Europe at this moment.

For example, there was the issue of the necessary peace in Northern Ireland, an extraordinarily difficult challenge for the good people of that area, and the amount of learning that I did was truly, I think, interesting on that very complicated issue because of the importance that this issue holds, not only for, obviously, the people of Ireland but for the people of the United States.

Mr. Speaker, what was interesting about every single meeting, what was constant about every single meeting that we had with leaders from different capitals in the European Union, is that with regard to our legislation, the legislation that we in Congress here in the United States adopted a year ago on Cuba, there is a tremendous amount of disinformation, misinformation, lack of knowledge, as I say, Mr. Speaker, that was manifested time and time again in meetings that we held with European leaders from throughout the capitals of the European Union.

It was extraordinary that time and time again, we had to explain to the Europeans that the Cuban Liberty and Democratic Solidarity Act passed by this Congress, commonly referred to as the Helms-Burton legislation, when it sanctions foreigners who traffic in stolen property, property stolen by the Cuban dictator, we had to explain time and time again to European leaders that the legislation deals with and applies to only property stolen from American citizens.

I was flabbergasted at the ignorance demonstrated time and time again by the European leaders on this issue. They talked about what they referred to as the extraterritoriality of our legislation. We would tell them that even though we would have liked to see a ban on investment in the slave economy that Castro in Cuba maintains, we cannot do that, and we did not do that in the legislation we passed a year ago; legislation, by the way, Mr. Speaker, which was exactly 1 year ago today, February 26, endorsed by President Clinton after, 2 days earlier, four American citizens or residents of the United States were cruelly, viciously, unjustifiably murdered over international waters in unarmed civilian aircraft by the Castro dictatorship, pursuant to the direct and explicit order previously given by the Cuban dictator.

So it was 2 days after that happened, that act of terrorism, which was subsequently found to be an act of terrorism, totally unjustified, unjustifiable by the United Nations, it was 2 days after that act of terrorism by the Cuban dictator that President Clinton endorsed publicly what was then a bill, legislation pending before Congress, and a few days after that, on March 12, 1996, President Clinton signed the legislation into law.

What was amazing, Mr. Speaker, was that in meeting after meeting Europeans did not know, when they would refer to extraterritoriality, that the only extraterritoriality in this debate, the only extraterritorial conduct in this debate is what the Europeans now are seeking to justify, which is that their investors, they say, should have the right to knowingly go into Cuba and traffic in property stolen from American citizens.

That conduct is extraterritorial, Mr. Speaker. That is not conduct that is taking place in Europe. That conduct which they are seeking to defend, that indefensible conduct, is extraterritorial. It is taking place in another hemisphere, in the Western Hemisphere, specifically in the oppressed island of Cuba. That is the only extraterritorial conduct at issue in this debate, the unjustifiable conduct they are trying to defend.

What our law does, what our law says in its immigration chapter, is that if you are a foreigner who knowingly traffics, deals in property stolen from an American citizen, and after having the opportunity to divest from that

stolen property you fail to do so, in other words, you knowingly and purposefully, and after having the opportunity to divest do not do so, continue to deal in stolen property from American citizens, that then under our immigration laws you are excluded from the United States.

We have said we do not want people to be admitted to the United States who knowingly deal in stolen property from American citizens. So we had to explain that to Europeans, and we were, as I say, shocked at the amount of ignorance they manifested in meeting after meeting.

But they not only have manifested ignorance on this issue, Mr. Speaker. They have gone so far as to take this issue, this foreign policy decision made by the U.S. Congress and the President of the United States to respond to the acts of terrorism by the Cuban regime, the legislation that was signed into law, they have taken that law and they have challenged it formally, filed a grievance, a suit, if you will, formally against that legislation in a trade organization, in the World Trade Organization.

As Members know, the World Trade Organization was founded, was created in the last round of what is known as or was known as the General Agreement on Tariffs and Trade, the GATT. There were many years of negotiations that culminated in what is known as the Uruguay Round, and that negotiation set up the World Trade Organization. It is to settle trade disputes when a country sets tariffs unjustifiably on another country.

Mr. Speaker, in response to an act of terrorism by a state that is on our list of terrorist nations—and there are only a handful of states on our list of terrorist states in the State Department, there is Iraq and there is Libya, there is North Korea, and there is Iran, and Communist Cuba—in response to an act of terrorism over international waters by that dictatorship, we passed the Cuban Liberty and Democratic Solidarity Act a year ago.

I think the most important thing we did in that legislation was that we set forth a blueprint for relations by the United States with not only the dictatorship now in Cuba, but during the transition and reconstruction after the inevitable collapse of the dictatorship in Cuba.

We said that there have to be, by the Cuban transitional government at the time of precisely the transition, there have to be three main conditions that have to be met before the President of the United States is authorized to normalize relations with a Cuban transitional government, and then to offer not only the lifting of sanctions, obviously, but the generosity of the American people, and we are confident of the international community at that time as well, to reconstruct Cuba from the destruction that has been brought about by this horrible regime that has oppressed and continues to oppress the Cuban people for more than three decades.

That is what we did in the legislation. We said that for the President of the United States to be able to normalize relations with a Cuban transitional government, that Cuban transitional government has to free all political prisoners, agree to legalize all political activity—that is, not interfere with people's opinions, not jail them because of their beliefs—and agree to hold free and fair elections within a reasonable time. That is the only thing we are saying has to occur before the President of the United States can normalize relations with a Cuban transitional government.

That I think is the most important thing we did in the Cuban Liberty and Democratic Solidarity Act, the Helms-Burton law, because it will be very important at the time of the transition in Cuba for there to be, once there is no longer a situation where there is a demented tyrant ruling over Cuba, a situation where they know, whoever is in a transition situation in Cuba, that not only will the U.S. sanctions be lifted, but there will be access to the U.S. market, and everything else we have included in that blueprint for relations between the United States and Cuba.

All they have to do, all the Cuban transitional government would have to do basically is to respect the Cuban people with those essential conditions I have outlined; no more political prisoners, no more prohibition on political activity, and the commitment to hold free and fair elections.

We had to explain this time and time again to the Europeans. They did not know this. They have read in the media, in press and heard in the media, that we have what they say is an extraterritorial ban on investment in Cuba. We would have to point out, as I say, time and time again, no, it is just that we say that if a foreigner knowingly traffics in property stolen from Americans, then pursuant to our immigration laws we do not want that foreigner in the United States.

No country has ever committed itself under the WTO, World Trade Organization, or its precursor, GATT, to an immigration policy. No country has ever committed itself with regard to who it admits in its borders and who it excludes from its borders. Those agreements, GATT before and the WTO now, are trade agreements on goods and services, not on immigration policy.

So this challenge that the European Union is now bringing before the WTO based against our foreign policy, that foreign policy with regard to the Cuban dictatorship and the transition that I have briefly outlined and our immigration policy, the statement we have made that we do not want foreigners who knowingly deal in stolen property from American citizens to come into the United States, and they have to have the opportunity to divest before they come into the United States, and they have to say no, I am not going to divest from the property stolen from American citizens, to be excluded from the United States—that is our immigration law—the Europeans are challenging that at the trade organization, at the WTO.

They are making a serious mistake, Mr. Speaker. We told them in Europe, I do not think you have thought it through. I do not think you Europeans have thought through what it is to get involved in the immigration debate in the United States. I do not think you have thought through what it is to use the World Trade Organization to challenge American foreign policy with regard to its closest neighbor, the oppressed island of Cuba, and American immigration policy with regard to those who knowingly traffic in property stolen from American citizens.

□ 1345

I do not think you have thought that through, Europeans. And we would tell them this, and again they manifested a tremendous amount of ignorance with regard to what our law really does, what our law is and what our law is not.

The fact of the matter is that they have proceeded at the WTO and they have filed a challenge. I want to commend at this time our Speaker, NEWT GINGRICH, and the Chairman of the Committee on International Relations, BEN GILMAN, and the committee, the chairman of the Committee on Government Reform and Oversight, DAN BURTON, and the chairman of the Senate Committee on Foreign Relations, Senator HELMS. And my colleague, ILEANA ROS-LEHTINEN, chairman of the Subcommittee on International Policy and Trade of the Committee on International Relations, and Senator BOB GRAHAM from Florida, and Senator ROBERT TORRICELLI of New Jersey, and Congressman ROBERT MENENDEZ of New Jersey, and Senator CONNIE MACK of Florida for joining in the letter that I signed as well, a letter to our United States Trade Representative saying, since the Europeans have decided to bring forth this challenge, this ill-advised and reckless and irresponsible challenge in the trade organization against our foreign policy to our closest neighbor, the oppressed people of Cuba and our immigration policy with regard to those who knowingly traffic in property stolen from American citizens, it is imperative, and I will refer directly to the letter sent to our United States Trade Representative:

''We are writing to emphasize the importance we attach to victory by the United States in any proceeding brought within the World Trade Organization challenging U.S. policy toward Cuba.

''We strongly agree with the administration's view that 'the World Trade Organization was established to manage trade relations between member governments, not diplomatic or security relations that may have incidental trade or investment effects.' Therefore,

it is imperative that the United States interpose all available defenses, including the national security defense provided under Article 21 of the General Agreement on Tariffs and Trade, to avoid an adverse WTO decision.

''The United States has a strong interest in promoting international trade. It is precisely for this reason that we must do everything possible to prevent the WTO from undermining its own credibility by reaching a decision on a nontrade matter that purports to circumscribe our ability to adopt policies essential to our national security.

''We understand, of course, that the United States has a compelling defense on the merits to any WTO complaint challenging our policy toward Cuba and should prevail without invoking the national security exception. Nevertheless, we think it would be irresponsible for the United States not to offer every available defense in a proceeding that could constrain our country's ability to defend its vital national security interests.

''We defer to your office regarding the best timing for putting forward the various defenses available to the United States, but we believe that the earliest possible use of the strongest defense is appropriate.''

Mr. Speaker, I will include for the RECORD the letter to which I referred.

CONGRESS OF THE UNITED STATES,
*Washington, DC, February 18, 1997.*

Hon. CHARLENE BARSHEFSKY,
*Acting U.S. Trade Representative,*
*Washington, DC.*

DEAR AMBASSADOR BARSHEFSKY: We are writing to emphasize the importance we attach to victory by the United States in any proceeding brought within the World Trade Organization (WTO) challenging U.S. policy toward Cuba.

We strongly agree with the Administration's view that ''the WTO was established to manage trade relations between member governments—not diplomatic or security relations that may have incidental trade or investment effects.'' Therefore, it is imperative that the United States interpose all available defenses, including the national security exception provided under Article 21 of the GATT, to avoid an adverse WTO decision.

The United States has a strong interest in promoting international trade. It is precisely for this reason that we must do everything possible to prevent the WTO from undermining its own credibility by reaching a decision on a non-trade matter that purports to circumscribe our ability to adopt policies essential to our national security.

We understand, of course, that the United States has a compelling defense on the merits to any WTO complaint challenging our policy toward Cuba and should prevail without invoking the national security exception. Nevertheless, we think it would be irresponsible for the United States not to offer every available defense in a proceeding that could constrain our country's ability to defend its vital national security interests.

We defer to your office regarding the best timing for putting forward the various defenses available to the United States, but we believe that the earliest possible use of the strongest defense is appropriate.

With best wishes,

Sincerely,

NEWT GINGRICH,
DAN BURTON,
BENJAMIN A. GILMAN,
JESSE HELMS,
ILEANA ROS-LEHTINEN,
LINCOLN DIAZ-BALART,
BOB GRAHAM,
ROBERT TORRICELLI,
ROBERT MENENDEZ,
CONNIE MACK.

The issue before us at this point, Mr. Speaker, is really an important one because the European policy—the American people realize that the Europeans are using the World Trade Organization to affect our foreign policy and our immigration policy. What is that going to do to the support by the American people toward precisely the World Trade Organization?

I have had disagreements, many disagreements in the past with proposals put forward by, for example, Pat Buchanan, but he has a wonderful article today, a very insightful column in numerous newspapers around the country today, including the Washington Times here in Washington, where he says, the title of his column is European Assault on U.S. Policy. And he ends his article, talks about this WTO challenge, and he ends his column saying Congress should make it very clear: ''The WTO treaty provides for 'security exemptions,' and Helms-Burton is a security issue. Thus, we will not participate in your hearings or abide by your decision. If sanctions are imposed on us, we will withdraw from the WTO.

''As the Europeans are the ones who escalated, by taking Helms-Burton to the WTO, warning us of a conviction in absentia, let us accept the challenge and tell them: There will be no back-channel discussions on Helms-Burton, no compromises, no capitulation. America's right to use her power to advance her foreign policy is nonnegotiable.''

This is a very strong and important statement, and it brings us to the issue really before us at this time. I have been speaking to numerous Members of Congress. For example, I was speaking to Congressman MANZULLO from Illinois. I have not met a stronger supporter of the WTO and of free trade in this Congress than Congressman MANZULLO. He brings out and emphasizes the facts that support in this institution as well as among the American people in the country at large, for American participation in the WTO is going to diminish dramatically when the American people begin to understand that the Europeans are using that trade organization to further their position with regard to a disagreement that they have with the United States on our foreign policy and our immigration policy. It is a reckless, irresponsible action taken by the Europeans.

Now especially, we can realize the recklessness of this action taken by the Europeans and really the hypocrisy of the action taken by the Europeans. They are saying: ''No, the United States, you should not use the national security defense.'' How interesting. First of all, we have used it in the past more than once. President Reagan in 1985 used the national security defense with regard to the Sandinista complaints against United States sanctions on Nicaragua.

But national security interests were also alleged in many other well-known cases: for example, in 1949 Czechoslovakian complaints against United States military railroad export controls; 1975, the Swedes said that their right to control their footwear market was absolutely indispensable to their national security. Talk about a stretch of the argument.

In 1982, this is the ultimate hypocrisy, the European Union, at that time the European community, used the national security defense to defend itself against an Argentinian complaint against Europe for sanctions that were placed on Argentina during the Falkland crisis. In 1991, the Europeans also used the national security defense against the Yugoslavian complaints brought, brought about after sanctions were imposed on Yugoslavia. In all of those cases and in others, national security was invoked by the nations imposing economic sanctions against other countries.

Now, with regard to our legislation, the Cuban Liberty and Democratic Solidarity Act, national security concerns are much more evident and have significantly more to do with passage of the law than in any of those cases that I cited. The essential purpose of the act is precisely to defend the United States and its citizens from the dangers to our national security posed by the Communist dictatorship just 90 miles from our shores.

To quote directly from the act: ''For the past 36 years the Cuban government has posed and continues to pose a national security threat to the United States.'' The purpose of the act, the purpose of the act is to provide for the continued national security of the United States in the face of continued threats from the Castro government of terrorism, theft of property from United States nationals by the Castro government, and the political manipulation by the Castro government of the desire of Cubans to escape that results in mass migration to the United States. The act is necessary in view of the threat, I continue to quote directly from the act, Mr. Speaker, we are not talking about Swedish footwear here. We are talking about the act itself that we passed. The act is necessary in view of the threat to the national security posed by the operation of any nuclear facility by the Castro regime.

Mr. Speaker, Castro is trying to complete two nuclear power plants just a little over 100 miles from Florida. Those nuclear power plants are of the same model of the nuclear power plants that were closed immediately upon German reunification in east Germany and upon liberation in all the countries of the former Soviet Union. That same model, that same model nuclear power plant, VVR 440 is its exact description,

that is the model of the nuclear power plants that Castro is trying to complete in Cuba. All European countries, as soon as communism fell, they closed down near those nuclear power plants because of their inherent dangers. Talk about a national security issue.

One of the main facets of our legislation is to stop assistance, all assistance to Castro for completion of those nuclear power plants. That is a national security issue if I have ever heard of a national security issue.

Many other references are made throughout the statute itself, specifically to national security as the fundamental motivation and purpose of the act. The role of the Castro regime in activities that constitute severe dangers to United States national security such as narcotrafficking, the DEA field office in Miami and customs made clear to local media there just a few months ago that over 50 percent of the cocaine that comes into the United States from the Caribbean area comes through or from Castro's Cuba. Now, the role of the Castro regime in activities such as narco-trafficking are specifically referred to as reasons for the legislation in the legislation.

And as I stated before, Mr. Speaker, it should never be forgotten that the law was passed with President Clinton's support just a few days after the premeditated, brutal, unjustified murder in cold blood of American citizens by the Castro dictatorship over international waters.

Now, in addition to constituting a travesty of justice, an adverse ruling by the World Trade Organization against our law would have serious consequences for the support within this institution, within Congress and by the American people, for the world trade structure, and for U.S. membership in the WTO. I think that it is obvious that we need to be not only ready, willing, and able to use the national security defense but that we have to go ahead and do so. We have to go ahead and do so.

This is a very serious matter, Mr. Speaker. We will continue talking about it in the weeks ahead because the sovereignty of the United States is at issue. The Europeans now have said they had a meeting of their foreign ministers on Monday. They said publicly after that meeting, we have a ban on furs, animal skins to the United States. We will consider lifting our ban on animal skins, the importation of animal skins from the United States into Europe if the United States lifts its ban on foreigners who knowingly traffic in property stolen from American citizens.

That is an unbelievable statement that the Europeans have made, demonstrating not only a tremendous lack of knowledge of what this issue is about and about what our law is about, what it is and is not, but a tremendous lack of sensitivity as well.

Now, this issue will need to be spoken of in the next months. When the American people come to realize that the Europeans are using, that this supernational trade body, the World Trade Organization, to deal with an issue that is not trade related, that is a foreign policy decision of the American Congress and the American President with regard to its closest neighbor, the oppressed people of Cuba and the immigration law of the United States, that the Europeans are politicizing the World Trade Organization for political purposes, the support within this Congress and in the American people at large for the World Trade Organization and our participation in it is going to diminish very rapidly.

I do not know if the Europeans have realized that. Nevertheless they have proceeded recklessly with this complaint. I think the important issue, the important reality at this matter with regard to this debate is that our Government must immediately invoke national security like President Reagan did in 1985 when the Sandinistas brought similar complaints. President Reagan invoked national security and the complaint fizzled away. We not only have to say we are willing to invoke national security. We have to invoke national security.

I did not criticize for one second the administration when I was in Europe, because I do not believe in criticizing the administration when you are not on United States soil. But I will say this. It is time for the administration not only to say they are going to invoke the national security defense but to go ahead and mean it. I think if Europeans believed that we meant it, this case would not have proceeded.

So there are issues that we have to continue debating and discussing. I think the American people when they realize in the next months that the Europeans are utilizing the World Trade Organization for political purposes in a reckless way, they are going to have a lot of questions to ask about, No. 1, what is this World Trade Organization, how did we get into this World Trade Organization, do we have a veto in this World Trade Organization like we have in the U.N. Security Council? The answer is no. We are one vote, and Castro was one vote in the World Trade Organization. And the Europeans, of course, have more than two dozen votes, because they have more than two dozen nation states. So this is a very serious issue and we will continue talking about it.

I think it is important that the alarm be sounded, that this is not an issue that is neither simple nor that lacks in importance and that we will continue talking about it in the weeks and months ahead.

□ 1400

At this time, Mr. Speaker, I want to yield to my distinguished colleague, also from the State of Florida, Congresswoman ROS-LEHTINEN, who so brilliantly defended this legislation and explained it time and time again in those meetings that we had last week in Europe.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my colleague from Miami so much. I think the U.S. Congress would have been very proud if they had had the opportunity, if our colleagues had been there with us, to hear Congressman DIAZ-BALART's statements time and time again to the different officials from various countries with whom we visited and his very patient explanation time and time again of this law.

I think we have a greater appreciation of Ambassador Eizenstat's patience now that we have undergone some of what he has been doing for the past months. And as Congressman DIAZ-BALART so well pointed out, we are very distressed over the naming of the panelists by the World Trade Organization to hear this European Union complaint against our overwhelmingly supported legislation, Helms-Burton legislation, which was drafted, to a great extent, by my colleague, LINCOLN DIAZ-BALART, as well as other colleagues, such as the gentleman from New Jersey, BOB MENENDEZ, and many others.

This challenge, as we know, is based on what the European Union considers to be the extraterritorial aspects of not only Helms-Burton, but the challenge presented by the European Union in May includes many other aspects of United States policy toward Cuba, including, but not limited to, the embargo placed by the President in the early 1960's, the 1985 sugar certification requirements, the 1992 Torricelli law dealing with a ban on United States subsidiaries abroad that are doing business with Cuba and which places restrictions on cargo vessels going to Cuba, and on and on and on.

The list is rather long, and it is outlandish and incredible for the European Union to challenge the foreign policy of the United States.

As Congressman DIAZ-BALART has pointed out, we have the right to dictate our domestic and foreign policies, just as the European Union countries have the right to establish those policies with no interference from abroad.

And the World Trade Organization, just by them taking this step of naming the panelists to hear this grievance, threatens the support of the United States for this budding organization. If the U.S. Congress could vote again on the establishment of this organization and our participation in it, it might very well be defeated. It passed with almost 150 votes against its formation and our participation.

It is not in the European Union's interest nor the United States' interest for the WTO to continue with this challenge, but as Congressman DIAZ-BALART has pointed out, the United States is ready, willing, and able to invoke the national security exception, and leading Members of Congress have officially asked our Government representatives to do so immediately.

It is very sad to see the European Union continue to ignore the sad situation of the oppressed people of Cuba. Cuba, under Castro, has the worst human rights situation in the Western Hemisphere. It has no free and fair elections. The Cuban people have no freedom to speak, to express their opinions. There is no free press.

Raul Rivero, an independent Cuban journalist, has been hounded by Castro's thugs day in and day out, his home surrounded by them as they shout, ''Traitor!'' to him. And what is his crime? He calls out for democracy.

Just yesterday, two more independent journalists in Cuba were charged with working against the revolution. And what was their crime? Well, they had subversive materials: Newspaper articles, articles which call for liberty. And there are hundreds and hundreds of political prisoners. Dissidents are jailed, rounded up, and harassed.

Just 2 days ago in our community, we commemorated a very sad 1-year anniversary of the killing by Castro's military of four brave young men who were on a humanitarian mission in a civilian plane in international airspace. It was in their name, the names of Pablo, Carlos, Mario, and Armando, that President Clinton signed the Helms-Burton bill into law.

It was in the name of over 40 men, women, and children who were killed just a few years ago in 1994 by Cuban authorities as they sat in a tugboat trying to flee the island, and it was in the name of hundreds and hundreds of so many who were killed fighting for Cuba's freedom that we presented the legislation known as Helms-Burton.

And time and time again, Castro himself states that he will reform nothing. When they ask him about elections, he says, ''Elections for what?''

Every dollar in Cuba by European investors is one more dollar Castro uses to keep himself in power. But we recognize the right of the European countries to continue to trade and do business with Castro, however morally reprehensible we feel that such commerce is.

Helms-Burton does not infringe upon their right to do so. Helms-Burton does not tell any country with whom they can trade, it just says that you cannot use illegally confiscated property that once belonged to U.S. citizens for you to do your dirty deed. You may continue to build the hotels on Cuban beaches, even though native Cubans are not allowed to enter those hotels. They cannot eat in the restaurants, they cannot swim in the pools that these European investors have built, but they can continue to build those hotels as long as the land they are using does not belong to United States citizens.

Once again we explained it day in and day out. Do they not understand, or do they just pretend not to understand? It is very important for the United States to maintain our right to set our immigration laws. The U.S. Congress will be outraged if this organization goes through with hearing this complaint and believes that it has jurisdiction over who we can or cannot enter into our borders.

Through this European Union challenge to Helms-Burton, the World Trade Organization is set to rule on United States immigration policy, and that is outrageous. The WTO is a multilateral trade forum, but Helms-Burton is not a trade bill.

We have asked the European countries as well as Mexico and Canada to join us in our quest, to join us in our struggle, to join us in our strong desire to help the Cuban people live in a democracy, live in liberty, and enjoy the same rights that they enjoy in those countries and that we enjoy in ours.

Congressman DIAZ-BALART so correctly pointed out a column by Patrick Buchanan, nationally syndicated columnist, who talks about the European assault on United States policy, and he says, ''At stake here is the question who has the final authority to decide what America may or may not do to defend her national security: Us or them? At stake are the sovereign rights for which the American Revolution was fought.

''Let us have this issue decided now! As the Europeans are the ones who escalated, by taking Helms-Burton to the WTO, warning us of a conviction in absentia, let us accept the challenge and tell them: There will be no back channel discussions on Helms-Burton, no compromises, no capitulation. America's right to use her power to advance her foreign policy is nonnegotiable.''

I think the U.S. Congress will hear a lot about this discussion, and they know, and we must make clear time and time again, that its sovereignty, our sovereignty, will not be compromised by the WTO.

The administration's decision not to recognize the WTO jurisdiction was a correct first step. However, we must make it clear that we are prepared to use our national security clause, which is permitted under WTO, and these rules must be used to defend Helms-Burton and our right to conduct our foreign policy.

I am sure that Congressman LINCOLN DIAZ-BALART and many other Members of Congress, we are on a campaign, and we will not be discouraged by our European allies. We will continue to fight the good fight on behalf of the enslaved people of Cuba and fighting for the United States sovereignty, and we will not let this issue die down.

They have many months to decide, and we have many months to continue to debate this issue, and, Mr. Speaker, I thank the gentleman for yielding his time.

Mr. DIAZ-BALART. I thank the gentlewoman.

I think that the Europeans have misunderstood the American character. Americans do not yield to blackmail. The American people, and I would think that the American people will be contacted, and I would certainly urge the American people to contact their Members of Congress to let them know once again the need to tell the Europeans that they cannot dictate American immigration policy, that they cannot dictate American national security policy.

The American people, through their Congress and through their President, have a right to protect themselves against nuclear powerplants being built 100 miles from Florida, that in the case of an incident by the Cuban dictator, a purposeful incident because he likes to create crises to try to blackmail and threaten other countries, or, in the case of an accident, like in Chernobyl, it would be absolutely disastrous for not only Florida but the whole southern United States, all the way, according to nuclear experts, all the way here into northern Virginia and actually the Nation's capital.

So the American people have a right to protect themselves against national security threats, to decide their immigration policy, and I am fully convinced, and I would ask the gentlewoman's comments on this issue, because I am fully convinced that the American people in the next weeks and months are going to be outraged when they learn that the Europeans are using a trade forum to try to pressure and blackmail the American people into changing immigration law, because that is what they are concerned about.

The gentlewoman is correct, they have thrown everything into that case, from President Kennedy's cutting off the Cuban sugar quota as a sanction against the confiscation of property and other acts, illegal acts taken by Castro, to the Cuban Democracy Act in 1992, to the Helms-Burton law.

They are actually after one thing, and that was made clear to us in meeting after meeting. They want to change the immigration policy of the United States because they are mad that an investor of theirs knowingly can traffic in United States property in Cuba and get notice, get a right to divest, and yet they want to continue trafficking knowingly and dealing in stolen property from American citizens. Then under the U.S. immigration laws, they are excluded from the United States, and they are mad about that.

So that is what they want to change. They want to change U.S. immigration law, and when the American people realize in the next weeks and months what this debate is all about, I think they will be outraged.

Does the gentlewoman agree?

Ms. ROS-LEHTINEN. I agree, and one of the things I think that made us so sad on this trip is hearing from European leaders, knowing the history of that continent, an area that had suffered so long under tyranny, under a dictator, where the rights were stripped of its citizens, where we continually said never again would those horrendous situations ever occur. And yet right now they are willing to continue to wheel and deal with a dictator for a few fast dollars, looking the other way when they realize it is a slave economy.

And they say, yes, we realize that this trade continues to maintain Fidel Castro in power, and he will continue to degrade the Cuban people, and he has no free election, but if we can make a cheap dollar, then we are willing to do it.

And to see these country leaders, knowing the rich history of the terrible situation for centuries they have endured, and have them not stand in solidarity with us in our struggle to help the Cuban people, that was a real tragedy. And if there was any sad moment, it was hearing those leaders time and time again try to excuse their immoral behavior by using this trade organization as a tool to wash their hands of blood that cannot be washed away.

So I thank the gentleman for his time and his leadership on this issue, and our fight has just begun.

Mr. DIAZ-BALART. As the gentlewoman has stated numerous times, this is a campaign, Mr. Speaker, that just begins today to inform the American people and to reiterate what the Europeans really are out to do, and that is to change U.S. immigration law in a world trade forum, totally inappropriately, totally recklessly, and totally unjustifiably, but, nevertheless, they are trying to do it.

I do not know if they think they can get away with it, but the bottom line is, I know the American people, and the American people will not let themselves be blackmailed. And the American people will tell their Members of Congress and tell the Europeans that if they think they can use the World Trade Organization, this supernational World Trade Organization, to influence the policy decisions of the American people with regard to immigration law or national security matters, they do not know the American people, Mr. Speaker, but we do.

So I think the Europeans have made a dreadful mistake. They have this trade commissioner, whose name is Sir Leon Britten. He is acting like a zealot on this issue. I do not know why. I will not speculate why he is acting like a zealot on this issue.

But despite the fact that it has been explained to him that under our immigration law the only foreigners who are excluded under that chapter are those who knowingly deal in stolen property from American citizens and have been given the right to divest of their stolen property and refuse to do so, this Sir Leon Britten, trade commissioner for Europe, continues to act irresponsibly on this subject.

I think it is time for the American people to start having their voices heard and they let their Members of Congress know it is time to let the Europeans know the character of the American people once again.

This Nation saved the Europeans twice in this century alone. And when we go to Europe, we see the thousands of graves, the thousands of markers of brave soldiers who gave their lives to save the European continent, and we are so proud of those soldiers.

And for the Europeans to be saying now that they can take this new organization, the World Trade Organization, which is supposed to deal and is explicitly limited to trade issues—for example, if a country unfairly puts tariffs on another country or excludes products of that country from another country, hurting the business of that other country, then that other country that is hurt is supposed to file a complaint and is justified in filing a complaint before the World Trade Organization.

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Whose businessmen according to our law are prohibited from making money from Castro's slave economy? The Europeans? No, the Americans. We are the ones telling our own business people, and we have made that bipartisan decision, but we do not want to make money, we do not want blood money from the Castro tyranny and the Castro slave economy. We do not want blood money from the Iranian terrorist state with all the oil in the world they can have. We do not want that blood money.

So if there is anybody who should be concerned about business being lost, it is Americans. And yet we because of ethics are saying we do not want that blood money, and yet if there has ever been proof that what the Europeans are doing is fully based on politics, irresponsible politicalization of the world trade body, they who are going in and making blood money, not only in Iran but in Castro's Cuba, they are the ones bringing this political complaint in front of the World Trade Organization.

This is outrageous as well as extraordinarily irresponsible, extraordinarily irresponsible on the part of the Europeans. We inform them and I am sure the American people will let their Members of Congress know that all of us should be telling the Europeans in the weeks and months ahead that this irresponsible action on their part is not going to succeed. It is going to reinforce the will and it is going to reinforce the commitment of the United States and the representatives of the United States to be able to control our sovereign policies with regard to national security and immigration. The Europeans will not dictate national security and immigration policy for our Congress, Mr. Speaker.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

## NEW TELEVISION PROGRAM RATING SYSTEM NOT PROVIDING ENOUGH INFORMATION FOR PARENTS TO MAKE CHOICES FOR THEIR CHILDREN'S TV VIEWING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. COBURN] is recognized for 5 minutes.

Mr. COBURN. Mr. Speaker, permit me to take a moment to clarify a statement that I issued yesterday criticizing NBC's broadcast of ''Schindler's List'' last Sunday evening which was broadcast during prime time viewing hours. I would want my colleagues of this body as well as this country to not have any mistake that I believe that this movie is a landmark movie, a remarkable movie that profoundly affected me as well as my wife and our family as we watched it. Indeed I instructed my daughters to view this movie and I have had many discussions with friends and neighbors alike about the atrocities of the Holocaust that were made aware to us and made apparent to us through this movie. I feel terrible that my criticism of NBC for airing this movie has been misinterpreted as a criticism of ''Schindler's List'' or the millions of Jewish people who died senselessly during the Holocaust. To all those that I have offended I offer an apology, and I personally apologize for appearing insensitive to the worst atrocities known to human kind.

As many of you know I am a practicing physician dealing with life and death issues almost every day. I have devoted most of my adult life to working with religious groups across the spectrum. Religious tolerance is the hallmark of my professional and personal life. However I continue to be disturbed by the new television program rating system recently implemented by the broadcast and cable television network.

Mr. Speaker, I have been the leader on this issue since I arrived in Congress. As many of you will recall I offered an amendment on the floor of this House to the Telecommunication Reform Act of 1996, an amendment that would encourage parental responsibility for what their children watch on television. My amendment which passed the House would have accelerated new TV program blocking technologies that were coming to the marketplace. I did not support the V chip technologies because it was an abdication for parents responsibility for what their parents watch.

The bottom line is that parents need enough information to make good decisions for their children. Our children in our country are in trouble, and part of it is because of parental failure. We must have parental guidance, but we also must protect those children who have no parental guidance.

## TRIBUTE TO TIM DUNCAN OF THE VIRGIN ISLANDS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands [Ms. CHRISTIAN-GREEN] is recognized for 5 minutes.