

short and long-term solutions to the crisis in farm labor.

Our bill will allow farmworkers who have a proven history of agricultural employment to eventually adjust to legal status in this country. Serious agricultural workers who are willing to commit to work several years in agricultural employment will receive non-immigrant status and the rights that go with it.

If employment requirements are met, workers can eventually adjust to permanent resident status, allowing them to remain in the U.S. year-round. Utilizing the skills of the existing farmworker workforce, a majority of whom are undocumented status in the United States, would reduce the number of temporary H-2A workers needed. It allows hardworking farmworkers seeking to better themselves and their families the opportunity to earn the right to legal status.

At the same time, the current temporary farmworker program—called H-2A—will be reformed to make it more responsive, affordable and usable by the average family farmer who needs temporary help to produce and harvest agricultural crops and commodities. The need and risks of illegal immigration are removed.

Our bill provides a system or registry where our unemployed U.S. workers can go to find out about job openings on our U.S. farms. Any legal U.S. resident who wants to work in agriculture will get the absolute right of first refusal for any and all jobs that become available. After the Department of Labor determines that a shortage of domestic workers exists, farmers would be able to recruit adjusted workers. If a shortage of adjusted workers is found, farmers could then utilize H-2A workers. This ensures that employers hire workers already in the U.S. before recruiting foreign guest workers.

Our bill also improves the conditions of the farm workers' lives and provide them the dignity they deserve. These needed benefits include providing a premium wage, providing housing and transportation benefits, guaranteeing basic workplace protections, and extending the Migrant and Seasonal Workers Protection Act to all workers.

To add more protections for the health, safety, and security of farmworkers, our bill establishes a commission that would study problems with farmworker housing. Our bill also directs the Department of Labor and Department of Agriculture to study field sanitation, childcare and child labor violations, labor standards enforcement and to ultimately make recommendations for long-term changes and improvements.

I am very concerned that workers are protected, but let's not forget that growers have been victimized by this process too. In order to feed their families—and yours—the growers need to harvest their crops on time, meet their payroll, and ultimately maintain their bottom line. Without achieving those

things, farms go out of business and the jobs they create are lost along with them. So it is in all of our best interests—workers, growers, and consumers alike—that growers have the means by which to hire needed legal workers.

While I don't have a crystal ball to predict the future of the indefensible status quo, I can tell you that we will have a major economic and social crisis on our U.S. farmlands if there is not an improvement over the current process.

Let's not keep making fugitives out of farmworkers and felons out of farmers.

I urge my fellow colleagues to join Senators GRAHAM, CRAIG, CLELAND, MCCONNELL, COVERDELL, MACK, COCHRAN, HELMS, GRAMS, CRAPO, BUNNING, VOINOVICH, and me in support of this important bipartisan legislation.

CHILDREN'S MARCH FOR GUN CONTROL

Mr. LEVIN. Mr. President, yesterday, students from around the country came to Washington to ask for help. Students participating in the Children's March for Gun Control marched hand-in-hand to Capitol Hill with a simple demand: to keep them safe from guns.

Members of Congress should tune out the NRA, and start listening to these children—who have to face the fear of guns everyday. The children from across the country are pleading that Congress create an environment free from fear and violence. These children are armed, not with firearms, but with letters, urging Congress to end the epidemic of gun violence that claims the lives of thousands of their peers each year.

Yet, while Congress should be passing comprehensive legislation to prevent school shootings like those in Conyers, Littleton, Springfield, Edinboro, Jonesboro, West Paducah, Pearl and the many others, it cannot even muster enough votes to take UZIs and AK-47s out of the hands of 15 year olds. After Columbine, the Senate took a few steps to protect children from gun violence. We passed legislation to prohibit juveniles from owning semiautomatic weapons and large capacity ammunition devices. We passed an amendment to require that handguns be sold with trigger locking devices to protect children. And we passed an amendment to close the gun show loophole, ensuring juveniles and others cannot use these shows as a convenient way to circumvent the safeguards applied to normal sales through licensed gun dealers.

That legislation was a first step, but it still falls short of closing loopholes which allow our youth easy access to deadly weapons. For example, one of our most important tasks yet will be to ban handguns and semiautomatic assault weapons for persons under 21 years of age. Yet, even the most minimal effort to end gun violence has been stymied in the House of Representa-

tives, where they have passed no gun safety legislation. And any effort to come to some agreement has been repeatedly stalled by the Republican leadership.

It was great to welcome such a group of dedicated young people to the nation's Capitol. I encourage them to keep up their effort and to speak out for those children who have been silenced by guns. Over time, these children are sure to accomplish what other nations have done: end the plague of gun violence.

LONG-PENDING JUDICIAL NOMINATIONS BEFORE THE SENATE

Mr. LEAHY. Mr. President, I thank the Majority Leader for the proposal he made to the Senate last night on moving a portion of the Executive Calendar. I would like to see those nominees he mentioned confirmed as well as the others on the calendar. I want to work with him to have them all considered and confirmed. I want to be sure that the Senate treats them all fairly and accords each of them an opportunity for an up or down vote. I want to share with you a few of the cases that cry out for a Senate vote:

The first is Judge Richard Paez. He is a judicial nominee who has been awaiting consideration and confirmation by the Senate since January 1996—for over 3½ years. The vacancy for which Judge Paez was nominated became a judicial emergency during the time his nomination has been pending without action by the Senate. His nomination was first received by the Senate almost 45 months ago and is still without a Senate vote. That is unconscionable.

Judge Paez has twice been reported favorably by the Senate Judiciary Committee to the Senate for final action. He is again on the Senate calendar. He was delayed 25 months before finally being accorded a confirmation hearing in February 1998. After being reported by the Judiciary Committee initially in March 1998, his nomination was held on the Senate Executive Calendar without action or explanation for over 7 months, for the remainder of the last Congress.

Judge Paez was renominated by the President again this year and his nomination was stalled without action before the Judiciary Committee until late July, when the Committee reported his nomination to the Senate for the second time. The Senate refused to consider the nomination before the August recess. I have repeatedly urged the Republican leadership to call this nomination up for consideration and a vote. The Republican leadership in the Senate has refused to schedule this nomination for an up or down vote.

Judge Paez has the strong support of both California Senators and a 'well-qualified' rating from the American Bar Association. He has served as a municipal judge for 13 years and as a federal judge for four years.

In my view Judge Paez should be commended for the years he worked to