Department to simply not issue any regulatory provisions that touch upon these objectionable issues. As I understand it, the ninety-five percent of the remaining regulations that deal with other issues are acceptable to the Indian tribes. The Department should publish those as final and withhold from publication of the eight provisions that are objectionable. I would inquire of the Chairman of the Committee on Indian Affairs as to the nature of the eight objectionable provisions.

Mr. CAMPBELL. The tribal representatives have provided the Committee with a list of eight issues. They have asked the Department to agree to not publish any regulatory provision which: limits the reallocation authority of a Self-Governance Tribe/consortium by requiring that reallocation of funds may only be between programs in annual funding agreements; limits the local decision-making of a Self-Governance Tribe/consortium by requiring that funds in an annual funding agreement shall only be spent on specific programs listed in such funding agreement; prohibits Tribal Base funding from including other recurring funding within Tribal Priority Allocations; requires renegotiation or rejection of a previously executed Self-Governance Compact or Funding Agreement or a provision therein; prohibits a Self-Governance Tribe/consortium from investing funds received under Self-Governance Compacts in a manner consistent with the ''prudent investor'' standard; requires any Self-Governance Tribe/consortium to adopt ''conflict of interest'' standards which differ from those previously adopted by its governing body; applies project-specific construction requirements to a tribal assumption of project design and other construction management services or of road construction activities involving more than one project; or fails to provide that ''Inherent Federal functions'' for purposes of the published regulations shall mean those Federal functions that cannot be legally transferred to a Self-Governance Tribe/consortium.

Mr. MCCAIN. I want to inquire of the chairman on one of these eight impasse issues. Is it your understanding that the Department would have the regulatory authority, in one of the objectionable regulatory provisions, to delete unilaterally certain provisions in the various Compacts of Self-Governance that the Department has signed with various tribal governments and that have existed as long as nine years? I thought we expressly indicated in 1994 when we gave permanent authority to the Tribal Self-Governance Demonstration program that these Compacts and Annual Funding Agreements are to be bilateral agreements reached on a government-to-government basis that cannot be unilaterally amended by the Department?

Mr. CAMPBELL. The Senator is correct. In 1994, the Congress received a series of complaints from Indian tribes that the Department was attempting to unilaterally amend agreements it had previously reached with Indian tribes who were assuming functions previously carried out by Federal officials. The Congress had to remind the Department in 1994 that it must treat the agreements it reached with Indian tribes as bilateral accords that cannot be amended except by mutual consent. Now, the Department is insisting on a regulation that would permit it to unilaterally revise agreements it had previously reached on a bilateral basis with individual Indian tribes. The American Indian and Alaska Native organizations find these and the remaining seven regulatory provisions objectionable, and I agree with them.

Mr. MCCAIN. I hope the Department will withdraw its proposals to regulate in each of these eight areas. The negotiated rulemaking process works best when it is based upon consensus, and in these eight instances the Department has failed to make its case for regulations.

Mr. INOUYE. I thank my colleagues. I share their concerns. I am hopeful that in bringing affected parties together we can resolve these differences.

Mr. CAMPBELL. I thank the Senator and will work with him on this issue in the days and weeks ahead.

FLEXIBLE TRADE POLICY TOWARD CUBA

Mr. AKAKA. Mr. President, I rise to discuss American relations with Cuba. Recently, I had the opportunity to travel to Havana with Senators BAUCUS and ROBERTS. We spent ten hours with Fidel Castro, in what has been characterized by the press as a marathon meeting. But more importantly, we had meetings with dissidents and Catholic Church representatives.

It was my first time in Cuba, and I went there with no pre-conceived notions although I did have the opportunity to be thoroughly briefed prior to our departure.

I returned from Cuba convinced that lifting the trade embargo and restrictions on travel, especially for educational exchanges, are extremely important steps in an effort to foster economic and political liberalization in Cuba. They are important steps but not for the reasons which are generally assumed.

As one Cuban told us, ending the American economic embargo on Cuba will not produce economic change. The Castro government has no interest in economic reform—even along the lines of that now seen in China or Vietnam. As the Minister of Economics and Planning explained, there is no program for privatization in the economy, insisting that capitalism does not work but ''pure socialism'' does. The government allows some private investments, mainly in farming, but the intent of the State is still to control the economy. Indeed, President Castro told us that he believed Cuba could not survive if it was a member of the International Monetary Fund and called the IMF the ''world's most subversive organization.''

While this was denied by the Foreign Minister, I came away convinced that the government does not want the American embargo on Cuba lifted because the lack of economic ties allows the government to blame the United States for its own economic failures. If the embargo was lifted, Cuba's leaders might find another excuse for their failed policies but it might make it harder for them to find widely acceptable excuses.

The Cuban people have voted already for change. Many have fled to the United States. One Cuban told us that social and economic differences are increasing. The population has declined over the last decade in part because people sadly see no future for their children. The average Cuban salary is said to be $11 per month. The Castro regime was described to us by those we spoke to in Havana as a dying dictatorship: aging, inefficient and corrupt.

In this environment we should not exaggerate America's influence. Castro will do everything to limit it. But we can start to build a basis for a future relationship with the Cuban people after Castro. The Congress can demonstrate our good will by a partial lifting of the trade embargo. We can demonstrate our good faith by allowing freer movement of Americans to Cuba and to do what we can to encourage Cubans, especially school children, to visit the United States on exchanges. The Congress should promote cultural ties and try to direct assistance to the Cuban people.

None of this will be easy. Nothing Castro said indicated to me that he was willing to permit, for example, Cuban school children to attend American elementary and secondary schools or colleges in significant numbers. Nothing Castro said indicated to me that he was willing to allow American aid, including medical supplies, to be given directly to the Cuban people.

But even if the hand of friendship is rejected, I believe we should still offer it. The future of Cuba is not Castro. President Castro said one clear truth: Cuba still suffers from an inherited history of four centuries of colonialism. Unfortunately, he does not understand that his form of paternal dictatorship perpetuates the same horrors he claims to abhor.

VICTIMS OF GUN VIOLENCE

Mrs. BOXER. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who