letter to the Russian Foreign Minister, while maintaining the confidentiality of those documents.

Once that is done, I believe that there will be no good reason to seek further documents.

Tony Cordesman, the expert in Middle Eastern military affairs who was Senator MCCAIN's national security assistant, summed up this case admirably a couple of weeks ago:

Political campaigns are a poor time to debate complex military issues, particularly when the debate is based on press reports that are skewed to stress the importance of the story at the expense of objective perspective and the facts.

I ask unanimous consent the pertinent letters be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, October 26, 2000.

Hon. MADELEINE ALBRIGHT,
Secretary of State, U.S. Department of State, Washington, DC.

DEAR SECRETARY ALBRIGHT: We were extremely disappointed that the Department of State continues to refuse to give the Committee access to critical documents relating to the Gore-Chernomyrdin agreement.

Madame Secretary, this is simply unacceptable. All of the evidence in the public domain leads us to the conclusion that Vice President Gore signed a secret deal with Russian Premier Viktor Chernomyrdin, in which he agreed to ignore U.S. non-proliferation laws governing weapons transfers to Iran.

The text of the agreement signed by Mr. Gore and Mr. Chernomyrdin (as published in the New York Times), the Vice President pledges to ''avoid any penalties to Russia that might otherwise arise under domestic law.''

And, in your letter to Russian Foreign Minister Igor Ivanov earlier this year (published in the Washington Times), you state: ''We have also upheld our commitment not to impose sanctions for these transfers disclosed in the Annex to the Aide Memoire, Russia's conventional arms sales to Iran would have been subject to sanctions based on various provisions of our laws. This possibility still exists in the event of continued Russian transfers after the December 31 termination date.''

The administration's defense—repeated by the Vice President this morning on ''Good Morning America''—that the Russian transfers to Iran he agreed to were under ''pre-existing contracts'' simply does not wash. The date the contracts were signed is irrelevant. The Gore-McCain law covers the transfer of weapons after 1992. There is no ''contract sanctity'' exception in the law—it does not matter whether the transfers took place under new or pre-existing contracts. What matters, under law, is when the transfer took place.

The Administration's other defense—that the weapons transferred are not covered by the Gore-McCain law—is belied by the Administration stubborn refusal to share with the Committee the Annex that lists the weapons.

In essence, you are saying to Congress and the American people: ''Trust us.'' Considering the fact that almost everything we have learned about this secret deal has come from the news media and not the Administration, we respectfully decline.

Congress has a right and responsibility to review all the relevant documents, and to judge for itself whether the transfers the Vice President signed off on were covered by U.S. non-proliferation laws.

We expect the Administration to share all of the requested documents with the Committee no later than noon on Monday, October 20.

If the Administration continues to stonewall, and withhold these documents from Congress, then the Foreign relations Committee will have no choice but to issue a subpoena to obtain them.

Sincerely,

Gordon Smith, John McCain, Jesse Helms, Trent Lott, John Warner, Sam Brownback, Don Nickles, Fred Thompson, Richard Shelby, Richard G. Lugar.

U.S. SENATE,
Washington, DC, October 25, 2000

Hon. GEORGE P. SCHULTZ,
Thomas W. and Susan B. Ford Distinguished Fellow, Hoover Institution, Stanford University, Stanford, CA.

DEAR MR. SECRETARY: I read with interest your election-eve condemnation of an understanding that Vice President Gore and Russian Prime Minister Chernomyrdin reached some five years ago. I was surprised—and saddened—to see that you and other men who have served our nation with dignity and distinction would sign a letter that was promptly used in an effort to exploit a national security issue for partisan gain.

It is time to set the record straight. First, the June 1995 U.S.-Russia understanding prevented new Russian arms sales to Iran and thus enhanced the security of the United States and its allies. Second, the understanding did not circumvent, violate or undermine any U.S. law. Indeed, it appears to have led Russia to stay within the bounds of U.S. law regarding conventional arms transfers to Iran. Third, although the executive branch was under no legal obligation to submit the June 1995 understanding to the Congress as an international agreement, it did make public the broad outlines of the understanding and provide classified oral briefings at least to one committee.

One highly respected expert in this field is Mr. Anthony H. Cordesman, who was national security assistant to Senator John McCain when his employer and then-Senator Al Gore wrote the Iran-Iraq Arms Non-Proliferation Act of 1992. Mr. Cordesman now holds the Arleigh Burke Chair at the Center for Strategic and International Studies. Earlier this month, he wrote an analysis of Russia's conventional arms transfer to Iran. The opening of that study strikes me as especially worthy of your consideration: ''Political campaigns are a poor time to debate complex military issues, particularly when the debate is based on press reports that are skewed to stress the importance of the story at the expense of objective perspective and the facts. Iran does represent a potential threat to US interests, but it has not had a major conventional arms build-up or received destabilizing transfers of advanced conventional weapons.''

If you remain uncertain regarding any of the points I have made, I invite you to consult such sources as Mr. Cordesman's CSIS study, Iranian Arms Transfers: The Facts, the public testimony this morning of Deputy Assistant Secretaries of State John P. Barker and Joseph M. DeThomas before the Senate Committee on Foreign Relations, and even my own opening statement at this morning's hearing.

Sincerely,

JOSEPH R. BIDEN, JR.,
U.S. Senator.

Mr. BIDEN. Madam President, I don't know a lot about matters over which I don't have jurisdiction as a Senator. So I don't expect all Senators to know as much about sanctions as the Senator from Oregon and I because we spend probably 20 percent of our time working on that in the Foreign Relations Committee. My friend from Massachusetts forgot more about HCFA than I will ever know. It took me a while to know what HCFA was. They set the rates for everything, and it affects the American people a heck of a lot more than sanctions policy.

There are discretionary sanctions available to the President of the United States. I emphasize ''discretionary.'' The comment made by the Secretary of State refers to those discretionary policies.

The PRESIDING OFFICER. The distinguished Senator has utilized the 8 minutes he requested.

The Senator from Massachusetts is recognized.

THE TEXAS RECORD

Mr. KENNEDY. Madam President, I want to address the concerns of my friend, the Senator from Texas, in her comments earlier. I want to make very clear I have no complaint against the State of Texas. It has an outstanding history and has produced some great leaders, including Sam Houston, Sam Rayburn, President Johnson. My complaint is not against Texas at all, it is against the clear misstatements of Governor Bush about his Texas record. The facts are there. I am not attacking the State of Texas. I am sure many citizens of Texas share my concerns about the United States.

It is proper and necessary to talk about these issues. They are important. They are important in the national Presidential debate because they aren't being addressed by this Congress. The Republican leadership has blocked responsible action on education. For the first time in 35 years, Congress has failed to reauthorize ESEA. We are now 4 weeks late in passing an education funding bill. Since the majority has stifled any debate on education in this Congress, it is appropriate and necessary to speak on the Senate floor about how education will be treated in the next Congress under the next administration. The American people deserve a Congress that will act on education, not ignore it.

When we think about what will happen to education next year, we must look at the Presidential candidates and how they will address education. It is essential to look at the record of Governor Bush, the Republican candidate for President. That is what I have done.

On the children's health issue, when the Congress passed the CHIP program in 1997, we put affordable health insurance for children within reach of every moderate- and low-income working family in America. Yet George W. Bush's Texas was one of the last States in the country to fully implement the

law. Despite the serious health problems faced by children in Texas, Governor Bush fought to keep eligibility as narrow as possible.

In fact, the Bush campaign's defense of this unacceptable record is almost as telling as the record itself. According to the New York Times, the Bush campaign acknowledged that Governor Bush fought to keep eligibility narrow, but that he did so because he was concerned about costs and the spillover effect on Medicaid. This so-called spillover effect is the increase in enrollment of children in Medicaid that occurs when the Children's Health Insurance Program is put into effect. Vigorous outreach efforts are made by state governments to identify children who qualify for the new program—but the same outreach identifies many other children who should have already been enrolled in Medicaid.

In other words, Governor Bush not only opposed expanding eligibility for the new CHIP program—he was also worried that the very poorest children—those already eligible for Medicaid—might actually receive the coverage to which the were clearly entitled. That is not just what I am saying. That is also the conclusion of the New York Times when it reviewed the facts. It's no wonder that Governor Bush's Texas Administration was cited by a federal judge for its failure to live up to a consent order to let families of poor children know about their eligibility for Medicaid and about the health services to which they were entitled.

An article in Time magazine says it all. It is titled, ''Tax Cuts Before Tots. Candidate Bush is pushing his compassion, but poor kids in Texas have not seen much of it.'' And under a box entitled ''Lost Opportunity? Bush and Poor Kids,'' the article makes four key points:

> [Bush] helped to secure tax cuts by underfunding Medicaid, causing a $400 million shortfall in the program. He delayed the state law to expand Medicaid coverage for 303,000 new kids. They went five years without health insurance. He fought efforts to require automatic coverage for families forced off welfare rolls.

Now, my Senate colleagues from Texas offered all sorts of explanations for Governor Bush's miserable record on health care for children. They said that the court case I referred to was begun before Governor Bush took office. That is true. But the consent decree settling the case was agreed to by Governor Bush's administration in February of 1996. And the latest action by the federal judge was based on the Bush's administration failure to live up to the consent decree that it had agreed to. The Bush administration did not keep its word. Children were not its priority.

Defenders of the Governor say that Texas could not implement the CHIP program promptly because its legislature only meets every two years. But other states have legislatures that meet only two years, and they were able to get their programs going more promptly. In fact, Texas was the next to last state in the entire country to approve a Chip plan—the next to last state.

Governor Bush's misstatements on his Texas record do not end with uninsured children. In the debates, Vice President GORE pressed Governor Bush on the Texas record on the uninsured. Governor Bush said that Texas was spending $4.7 billion a year for uninsured people. But it turns out that actually only one-quarter of that amount was being spent by the State of Texas. The vast majority of the spending was by hospitals and doctors for charity care, and by county governments, not by the state.

On the Texas record on the uninsured, Governor Bush claimed that the percentage of the uninsured in Texas had gone down, while the percentage of the uninsured in America had gone up. In 1998, the overall percentage of the uninsured dropped by identical amounts both nationally and in Texas—4.9 percent in Texas and 4.9 percent nationally. But, because of Governor Bush's inaction on children, the percentage of children in Texas who were uninsured dropped only half as much as the drop nationally—10 percent nationally and only 5.2 percent in Texas. When Governor Bush took office, Texas ranked second from the bottom of all 50 States in covering children and citizens of all ages. Today, after six years under his watch as Governor, Texas still ranks second from the bottom.

There is still time for the truth to be told. I am hopefully that every American will examine the records of the two candidates carefully. On health care, there should be no question at all as to which candidate stands with the powerful special interests and which candidate stands with the American people. The choice is clear. Governor Bush stands with the powerful, and AL GORE stands with the people.

I reserve the remember of my time.

The PRESIDING OFFICER. The distinguished Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, once again I would like to make the record clear. Since the distinguished senior Senator from Massachusetts focused on health care and children's health care, I would like to talk about the Texas record. I would like to talk about Governor Bush's leadership on health care for our children.

Under Governor Bush, the percentage of Texans without health insurance has gone down while the number of Americans without health insurance has gone up.

I also think it is worth mentioning that the Governor, along with the bipartisan legislature, took all of Texas' tobacco money, $17.4 billion in tobacco money, and allocated almost every single penny—in fact, every single penny that was not put aside for education programs to try to encourage young people not to smoke has gone for health care, health care for children, health care for indigents. The money, wisely, was put into trust, and every county in Texas reaps the benefit of that trust fund because the interest on the trust fund is spent in each county for indigent health care.

So I think Governor Bush and the Texas Legislature are to be commended for focusing on health coverage for the people of Texas and for the children of Texas. In fact, under the leadership of Governor Bush, Texas spent $1.8 billion in new funding for health care for the uninsured. He also increased funding for childhood immunizations by $330 million, resulting in an increase in the percentage of immunized children from 45 percent to 75 percent.

Mr. President, although I have to say, once again, I do not think it gets anyone anywhere to talk about the record in Texas, and misrepresent that record, I think it is very clear that Texas is one of the leading States in our Nation in taking care of children, in improving its public education system, and it has been a focus of Governor Bush and our Democratic speaker and our former Democratic Lieutenant Governor; We now have a Republican Lieutenant Governor. We have improved health care and education.

Mr. KENNEDY. May we have order, Mr. President? The Senator is entitled to be heard.

The PRESIDING OFFICER. The Senator from Massachusetts is absolutely correct. The Senate will be in order so the distinguished Senator from Texas can be heard.

The Senator from Texas.

Mrs. HUTCHISON. So I think Governor Bush's record is clear. I think the great speaker, Pete Leahy, working with the Governor, Bob Bullock, and Rick Perry, working with the Governor, have done very well in health care for the children and for the uninsured in Texas. Just as we are proud of the improvements in our public education system—and certainly we recognize every State has problems. I do not think it does much good to talk about the records of different States. But I do think if you look at the record of Governor Bush in Texas on these issues, you will be impressed that it was a priority and that we have been successful in improving public education, in covering our children under the SCHIP program, making more people eligible for these programs, and immunizing our children so they would be protected from the normal childhood diseases.

I stand by my Governor and by my State. Once again, I do hope we can stop the misrepresentation of the record.

Mr. SESSIONS. Mr. President, will the Senator yield for a question? Does the Senator from Texas yield for a question?

Mrs. HUTCHISON. I will be happy to yield to the distinguished Senator from Alabama.

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

Mrs. HUTCHISON. In Texas, actually——

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

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

I thank the Senator for the question.

BANKRUPTCY

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

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

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

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

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

The bill does include a half-hearted, loop-hole filled homestead provision. It will do virtually nothing to eliminate fraud. With a little planning—or in some cases, no planning at all—wealthy debtors will still be able to hide millions of dollars in assets from their creditors. For example, Allen Smith of Delaware—a state with no homestead exemption—and James Villa of Florida—a state with an unlimited homestead exemption—are treated differently by the bankruptcy system today. One man eventually lost his home. The other was able to hide $1.4 million from his creditors by purchasing a luxury mansion in Florida.

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

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

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

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

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

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

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

IMMIGRATION

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

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

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

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

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

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

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

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

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

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