

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

The clerk will report.

The bill clerk read as follows:

The Senator from Alaska (Mr. STEVENS) proposes amendments numbered 103, as modified, 112, and 113, en bloc.

Mr. STEVENS. I ask unanimous consent that reading of the amendments be dispensed with.

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

The amendments (Nos. 103, as modified, 112, and 113), en bloc, are as follows:

AMENDMENT NO. 103 AS MODIFIED

(Purpose: To provide funding for annual contribution to public housing agencies for the operation of low-income housing projects)

On page 30, between lines 5 and 6, insert the following:

COMMUNITY DEVELOPMENT BLOCK GRANTS
(INCLUDING TRANSFER OF FUNDS)

Of amounts appropriated for fiscal year 1999 for salaries and expenses under the Salaries and Expenses account in title II of Public Law 105-276, \$3,400,000 shall be transferred to the Community Development Block Grants account in title II of Public Law 105-276 for grants for service coordinators and congregate services for the elderly and disabled: *Provided*, That in distributing such amount, the Secretary of Housing and Urban Development shall give priority to public housing agencies that submitted eligible applications for renewal of fiscal year 1995 elderly service coordinator grants pursuant to the Notice of Funding Availability for Service Coordinator Funds for Fiscal Year 1998, as published in the Federal Register on June 1, 1998.

AMENDMENT NO. 112

(Purpose: To express the sense of the Senate that a pending sale of wheat and other agricultural commodities to Iran be approved)

At the appropriate place in title II, insert the following new section:

SEC. . SENSE OF THE SENATE: EXPRESSING THE SENSE OF THE SENATE THAT A PENDING SALE OF WHEAT AND OTHER AGRICULTURAL COMMODITIES TO IRAN BE APPROVED.

The Senate finds:

That an export license is pending for the sale of United States wheat and other agricultural commodities to the nation of Iran;

That this sale of agricultural commodities would increase United States agricultural exports by about \$500 million, at a time when agricultural exports have fallen dramatically;

That sanctions on food are counterproductive to the interests of United States farmers and to the people who would be fed by these agricultural exports;

Now, therefore, it is the sense of the Senate that the pending license for this sale of United States wheat and other agricultural commodities to Iran be approved by the administration.

AMENDMENT NO. 113

At the appropriate place in title II, insert the following:

SEC. . LIMITATION ON FISHING PERMITS OR AUTHORIZATIONS

Section 617(a) of the Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999

(as added by section 101(b) of division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105-277)) is amended by inserting—

(a) “or under any other provisions of the law hereinafter enacted,” made “after available in the Act”; and,

(b) at the end of paragraph (1) and before the semicolon, “unless the participation of such a vessel in such fishery is expressly allowed under a fishery management plan or plan amendment developed and approved first by the appropriate Regional Fishery Management Council(s) and subsequently approved by the Secretary for that fishery under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)”.

Mr. STEVENS. Parliamentary inquiry: Does that include the substitute replacement for the amendment already adopted, No. 103?

The PRESIDING OFFICER. Yes; it does.

Mr. STEVENS. I ask unanimous consent that these amendments be considered en bloc and agreed to.

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

The amendments (Nos. 103, as modified, 112, and 113) were agreed to.

Mr. STEVENS. I ask unanimous consent it be in order to reconsider the amendments en bloc, and that the motion be laid on the table.

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

The motion to lay on the table was agreed to.

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

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

Mr. STEVENS. Mr. President, I ask unanimous consent the measure pending before the Senate be temporarily set aside so we can have consideration of the Cuba rights resolution. I would like to turn the management of that over to Senator MACK of Florida.

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

The Chair recognizes the Senator from Florida.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GORTON. Mr. President, I ask unanimous consent to proceed as in morning business.

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

THE MISGUIDED ANTITRUST CASE AGAINST MICROSOFT

Mr. GORTON. Mr. President, on Monday, my friend and colleague, the senior Senator from Utah, Mr. HATCH, came to the floor to respond to a statement that I gave a week or so earlier on the Justice Department's misguided antitrust case against Microsoft.

Mr. President, this has become something of a habit for the Senator from Utah and myself. We have debated that lawsuit since well before it was commenced, more than a year ago.

I am happy to state that I want to start these brief remarks with two points on which I find myself in complete agreement with Senator HATCH. First, during a speech on Monday, he joined with me in asking that the Vice President of the United States, Mr. GORE, state his position on whether or not this form of antitrust action is appropriate. I centered my own speech on the frequent visits the Vice President has made to the State of Washington and his refusal to take any such position. The Senator from Utah said:

Government should not exert unwarranted control over the Internet, even if Vice President Gore thinks that he created it.

I am delighted that the Senator from Utah has joined me in that sentiment. Now there are at least two of us who believe that the Vice President of the United States should make his views known on the subject.

Secondly, the Senator from Utah, in dealing with the request by the Department of Justice that it receive a substantial additional appropriation for fiscal year 2000 for antitrust enforcement, stated that he is concerned about the value thresholds in what is called the Hart-Scott-Rodino legislation relating to mergers and feels that the minimum size of those mergers should be moved upward to reflect inflation in the couple of decades since that bill was passed, therefore, questions at least some portion of the request for additional appropriations on the part of the Antitrust Division.

As I have said before, I believe that it deserves no increase at all, that the philosophy that it is following harasses the business community unduly, and inhibits the continuation of the economic success stories all across our American economy but particularly in computer software.

Having said that, the Senator from Utah and I continue to disagree, though I wish to emphasize that my primary disagreement is with the Antitrust Division of the Department of Justice of the United States and this particular lawsuit.

The disagreement really fundamentally comes down to one point: Antitrust law enforcement should be followed for the benefit of consumers. The Government of the United States has no business financing what is essentially a private antitrust case. If there

are competitors of Microsoft who think they have been unsuccessful and wish to finance their own antitrust lawsuits, they are entitled to do so. The taxpayers of the United States, on the other hand, should not be required to pay their money for what is a private dispute, primarily between Netscape and Microsoft.

That remains essentially the gravamen of the antitrust action that the Justice Department in 19 States is prosecuting at the present time.

There is only the slightest lip service given in the course of that lawsuit or by the senior Senator from Utah to consumer benefit. This is not surprising, Mr. President, because there is no discernible consumer benefit in the demands of this lawsuit.

Consumers have been benefited by the highly competitive nature of the software market. They are benefited by having the kind of platform that Microsoft provides for thousands of different applications and uses on the part of hundreds of different companies all through the United States.

This is not a consumer protection lawsuit. I may say, not entirely in passing, that I know a consumer protection lawsuit when I see one. I was attorney general of the State of Washington for 12 years. I prosecuted a wide range of antitrust and consumer protection lawsuits. But every one of those antitrust cases was based on the proposition that consumers were being disadvantaged by some form of price fixing or other violation of the law. I did not regard it as my business to represent essentially one business unhappy and harmed by competition for a more effective competitor.

The basis of my objection to this lawsuit is that it is not designed for consumer protection. It is designed to benefit competitors. Some of the proposals that have appeared in the newspapers for remedies in case of success, including taking away the intellectual properties of the Microsoft Corporation, perhaps even breaking it up, requiring advance permission on the part of lawyers in the Justice Department for improvements in Windows or in any other product of the Microsoft Corporation, are clearly anticonsumer in nature.

The lawsuit is no better now than the day on which it was brought. It is not designed to benefit consumers. It ought to be dropped.

I am delighted that at least on two peripheral areas of sometime controversy, the Senator from Utah and I now find ourselves in agreement. Regrettably, we still find ourselves disagreeing on the fundamental basis of the lawsuit. I am sorry he is on the apparent side of the Vice President of the United States and the clear side of the Department of Justice of the United States.

I expect this debate to continue, but I expect it to continue to be on the

same basis. Do we have a software system, a computer system in the United States which is the wonder of the world that has caused more profound and more progressive changes in our society than that caused in a comparable period of time by any other industry, or somehow or another do we have an industry that needs Government regulation? I think that question answers itself, Mr. President, and I intend to continue to speak out on the subject.

EXPRESSING THE SENSE OF THE
SENATE REGARDING THE
HUMAN RIGHTS SITUATION IN
CUBA

Mr. MACK. Mr. President, I ask unanimous consent that S. Res. 57 be discharged from the Foreign Relations Committee and, further, that the Senate now proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 57) expressing the sense of the Senate regarding the human rights situation in Cuba.

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

Mr. MACK. Mr. President, I ask unanimous consent that there now be 1 hour, equally divided, on the resolution and that the only amendment in order be an amendment to the preamble which is at the desk.

I further ask unanimous consent that following the debate time, the resolution be set aside and the Senate proceed to a vote on the resolution, at a time to be determined by the two leaders.

I finally ask that following the vote on the adoption of the resolution, the amendment to the preamble be agreed to and the preamble, as amended, be agreed to.

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

Mr. MACK. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Florida may proceed for 15 minutes.

Mr. MACK. Thank you, Mr. President.

Mr. President, I am pleased to have this opportunity today to speak about Cuba and why the United States must make every effort to pass a resolution in Geneva at the U.N. Human Rights Commission condemning the Cuban Government.

The reality which I seek to convey today is very simply stated. Fidel Castro continues to run Cuba with absolute power, based upon the failed ideals of the Marxist revolution that he led 40 years ago. He is a tyrant, a dictator, and an enemy of freedom, democracy, and respect for basic human dignity.

As many of my colleagues know, I have been reflecting on my Senate ca-

reer lately as I weighed my decision on seeking another term. Let me share one of those memories with you right now.

It was October 19, 1987, when I announced my candidacy for the Senate. I traveled to Key West, the southern most point in the Continental United States, to make my announcement. I chose this location for one simple reason. I knew my passion for foreign policy arose from a deeply held conviction that America's freedom could not be taken for granted, that our freedom was not complete so long as others suffered under the yoke of tyranny. Only 90 miles from where I declared my aspiration to be a U.S. Senator in order to take part in the fight against the enemies of freedom, Fidel Castro ruled with a failed ideology and a cruel iron fist.

It seems that I have been in the Senate for a long time—10 years—but if I were to travel to Key West today, I am sad to say, I could still point toward Cuba and ask the same questions I did on October 19, 1987: What does it mean to live in peace if there is no freedom to worship God, no freedom to choose our livelihood, no freedom to read or speak the truth or to live for the dream of handing over a better life to our children and our grandchildren? Peace without freedom is false. The Cuban people are only free to serve their masters in war and in poverty.

Mr. President, I have many good friends in the Senate, and I have great respect for my colleagues. We share so much of our lives with each other each day. And even though we are divided on many issues, in our hearts there can be no division on our feelings for the suffering people of Cuba. The island so close to our shores serves as a tragic reminder of the human cost of tyranny and oppression and that freedom is not free.

Let me propose today that Fidel Castro has not changed in 10 years; in fact, he has not changed in 40 years. In the history books, 40 years can be covered in a single sentence. But in Cuba, it can also be an eternity.

I think about the 12 years since I made that speech. How many people have suffered and died needlessly in 12 years? How many screams of agony have reached for the heavens from Havana in 12 years? How many tears of sorrow and anguish have fallen in 12 years? I fear we will never know the true scale of suffering, even though it takes place so close to our shores.

Some of us have served in the Senate for a few years, some of us for 10 or 12, and some of us have been here for 30 years or more. Think what it must be like serving instead in one of Fidel Castro's prisons for all that time. In Cuba you could be imprisoned simply for doing what we do each day, and that is engage in the debate of ideas. Think about how different our lives