

as I regret his decision, I respect it. Public life offers great regards, but it also makes great demands—on the officeholder, and on his or her family.

The only consolation in seeing BOB KERREY leave this Senate will be watching what he does next with his remarkable life. There is still a lot left. I have no doubt he will continue to contribute in significant ways to our Nation. And until he goes, we will continue to look to him for unorthodox solutions and uncommon courage.

Mr. President, I yield the floor. 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. DODD. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. DODD. Mr. President, parliamentary inquiry, what is the business before the Senate?

The PRESIDING OFFICER. We are in morning business, with Senators being allowed to speak for up to 10 minutes.

EXPRESSING THE SENSE OF CONGRESS THAT ELIAN GONZALEZ SHOULD BE REUNITED WITH HIS FATHER, JUAN GONZALEZ OF CUBA

Mr. DODD. Mr. President, I rise to introduce a resolution on behalf of myself and my colleagues Senator BOXER, Senator FEINSTEIN, and Senator DURBIN. Because I have not solicited co-sponsors of this resolution, others may wish to add their names at a later time.

This resolution is virtually identical to a resolution that has been introduced in the other body by Congressman RANGEL of New York, along with a number of other Members of the House. I am told that support for that resolution is bipartisan in nature.

I am going to read the resolution into the RECORD. That is not a normal event, but I think the wording of it is so significant that it deserves to be read into the RECORD. The resolution deals with the case of 6-year-old Cuban boy, Elian Gonzalez, who we all know tragically lost his mother in that dreadful boating incident, an accident as they left Cuba and sought to come to the United States. Young Elian spent some time in the water alone and survived that tragedy. Today, after weeks of this going on, this matter has attracted national and international attention.

Yesterday, together with Senators LEAHY, BOXER, DURBIN, and HAGEL, I met for about an hour with the two grandmothers of this 6-year-old boy. I was convinced before the meeting—and even more so afterwards—that this is a matter which ought to be resolved im-

mediately by reuniting this young boy with his father in Cuba.

I am terribly upset and worried that this matter may end up as a subject of debate in the Senate. I have no intention whatsoever of pursuing the resolution that I introduce today. In fact, it is my strong desire not to pursue it—unless the Senate is forced to address legislation that would extend citizenship or permanent resident status to this young boy. Should such legislation come to the Floor of the Senate, then I will offer this resolution as an alternative.

My sincere hope is that the leadership of the Senate and of the House will think again before deciding to make this child a focal point in a debate about the current regime in Cuba. He really should not be, in my view. The Senate of the United States and the House of Representatives ought not to utilize this child as a way of advancing the debate on Cuba. This would be a great travesty, in my view. Confering, by special legislation, citizenship or permanent resident status on this boy would, I believe, set a dangerous precedent. It would violate longstanding legal processes. Furthermore, it would violate a cherished principle ingrained in the Constitution and laws of our country, and embraced by all of us here—namely, that the best interests of a child is normally served by that child being with his or her parents.

Tragically, this young boy lost his mother. His father, we are told, was a good father—and is a good father. This boy ought to be returned to his dad and be home with him, and the quicker the better. So I hope the matter will not come before the Senate.

I have great respect for our majority leader. Most of my colleagues know this. We have our disagreements, but the Senator from Mississippi, the majority leader, and I are good friends, and I cherish that friendship. I urge him to think again about this before deciding to ask this body to cast votes on extending citizenship to an infant. I do not think it is a wise move. I think it is wrong for the Senate to do so, and I hope a different decision will be reached and this matter is left to be resolved in the courts where it is now. That is the best way, in my view, to expedite this process so this boy can be returned to his father and cease to be a pawn in a larger geopolitical debate.

Let me, if I can, read the wording of this resolution because I think it might enlighten some Members who are not necessarily familiar with all the facts and details.

The resolution reads as follows:

S. CON. RES. 79

Whereas Elián González, a 6-year-old citizen of Cuba, lost his mother in a tragic boat accident and floated alone for days in treacherous conditions off the coast of Florida;

Whereas Elián González was found November 25, 1999, alive but physically and emo-

tionally drained, brought ashore and examined at a hospital, and released temporarily by the Immigration and Naturalization Service (INS) into the care of his great-uncle and cousins in the Miami area while it evaluated his case;

Whereas the natural father and sole surviving parent of Elián González, Juan González of Cuba, has repeatedly requested that the United States Government return his son to him immediately;

Whereas the President rightly determined that the fate of Elián González should be determined by United States statutes and regulations related to immigration cases involving children;

Whereas the INS, after interviewing Juan González twice in Cuba and carefully reviewing all relevant laws, rules, and evidence, correctly determined on January 5, 2000, that Juan González is a caring and involved father, that Elián González faces no credible threat of political persecution if returned to his father, and as a result, that Juan González possesses the sole authority of speaking for Elián González regarding his son's immigration status in the United States under Federal immigration law and universally accepted legal norms;

Whereas the INS resolved to return Elián to Cuba by January 14, 2000, to live with his father Juan González, in accordance with his father's request;

Whereas on January 12, 2000, the Attorney General fully supported the INS ruling, reaffirmed INS jurisdiction over the matter, and said that a decision by a Florida State court judge granting temporary custody of Elián González to his relatives in Miami, establishing a March 6, 2000, date for a hearing on permanent custody, and calling for the father's presence at that hearing had no force and effect;

Whereas only the Federal courts have the jurisdiction to review the Attorney General's decision;

Whereas what Elián González needs most at this time is to be with the father and both sets of grandparents who raised him so that he can begin the process of grieving for his mother, in peace;

Whereas despite the existence of important political disagreements between the Governments of the United States and Cuba, these differences should not interfere with the right to privacy of a 6-year-old child or his sacred bond with his father; and

Whereas any unusual or inappropriate changes to immigration law made by Congress to naturalize a minor without the parents' consent would have the effect of encouraging parents in other nations to risk the lives of their children under the false hope that they might receive special treatment outside standard channels for legal immigration: Now, therefore be it

Resolved \* \* \*

The resolve clause basically says Elian Gonzalez ought to be returned to his father.

I send this resolution to the desk.

The PRESIDING OFFICER. It is received and appropriately referred.

Mr. DODD. I appreciate that.

I stated the facts in that resolution.

Mr. President, let me state, again, this boy ought to be home with his father. We have a significant disagreement with the Government of Fidel Castro. Those disagreements are not going to be resolved by this case. But good families exist in countries with

bad governments. The idea that the family of Elian Gonzalez, because he lives under a repressive regime in Cuba, cannot be a good family is, on its face, false. There are plenty of good families all over this globe who live under governments that we do not approve of.

In this case, I believe—based on the examination by the Immigration and Naturalization Service of Elian Gonzalez' father, and based on all that is known about his grandparents and other family members—that such a family exists in Cuba. The evidence suggests that his father is not only fit as a parent, but caring and involved, as well. Despite the fact that he was divorced from Elian's mother, the evidence suggests that he shared with her the responsibility of raising this young boy. Therefore, I think it is in the interests of this child that he be returned to that family as quickly as possible.

That really ought to settle this matter. Based on what we know today, his father loves him, and wants him back. That is a desire that every American parent can understand and share.

But what has happened here, apparently, is that the hatred on the part of some for an old man in Cuba—Fidel Castro—is interfering with the love of a father and a son. If there is a debate—and there is between our two Governments—let that debate be conducted by adults.

Let us debate the embargo. Let us debate the issue of food and medicine. I note, as I stand here, the Presiding Officer has been an enlightened and thoughtful participant in that discussion, as we are trying to work our way through what is the best way for us to try to repair this relationship between the Governments of Cuba and the United States that has gone on for 40 years, to bring about the kind of change in Cuba that would bring freedom to the people of Cuba.

We have said repeatedly that our argument is with Fidel Castro and his government, not with the Cuban people. Yet, unfortunately, in this discussion, it appears that for some the debate is with the Cuban people if Elian Gonzalez is denied the opportunity to return to Cuba to be with his father.

I hope, again, as I said a few moments ago, that this matter will not come to the floor of the Senate for debate, that the leadership, in its wisdom, will decide to move on to other matters—the bankruptcy bill, the budget matters that we need to discuss, the Elementary and Secondary Education Act, a Patients' Bill of Rights, and a minimum wage increase, to name just a few. There is a long list of issues for us to debate and discuss. But we ought not to debate the custody status of a 6-year-old child who, in the opinion of all who have taken a look at this issue from a neutral and responsible position, have concluded that

Elian Gonzalez ought to be home with his father in Cuba. We ought to instead allow the current legal process to work so that a decision on this boy's fate can be rendered expeditiously and, hopefully, in favor of reuniting him with his father.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I say at the outset, I agree completely with the Senator from Connecticut. I ask unanimous consent that if my name is not shown as a cosponsor—

Mr. DODD. It is.

Mr. DURBIN. Thank you.

I am proud to be a cosponsor of Senator DODD's resolution.

What a curious footnote in the history of this world that this Senate Chamber would focus its debate and the attention of the media in this country on a little 6-year-old boy from Cuba.

But if you scan history, you will find similar cases where one person being caught in the vortex of controversy becomes the focal point. In this case, the focal point is a 6-year-old boy named Elian Gonzalez, and at issue is the foreign policy between the United States of America and the Nation of Cuba.

Yesterday, Senator DODD was kind enough to invite me, as well as three other Senators, to meet with the grandmothers of Elian Gonzalez. I sat and listened for an hour as they explained their family circumstances and answered our questions. It really brought me back to that moment in time many years ago when I was a practicing lawyer in Springfield, IL, and spent many days involved in family law. It was not the most enjoyable part of my legal practice.

In fact, many times those cases, involving divorce and child custody and child support, unfortunately, brought out the very worst in people. Those battles over children became proxy battles over a failed marriage. It saddened me, as I am sure it saddens many who are involved in this.

As I listened yesterday, I understood that these two grandmothers were basically making the case that they had a good family to offer in Cuba, a good family for Elian Gonzalez. I thought they made their case convincingly. The fact that this young boy, after his parents were divorced, was the subject of joint custody is, in and of itself, a telling fact. It is rare. There are people who fight in court for years and spend thousands of dollars over the question of joint custody.

In this case, Elian Gonzalez' mother decided that she could trust her former husband, the father of Elian, so much so that she left him with his father 5 out of 7 days each week. That simple fact told me a great deal about whether or not Elian Gonzalez' father was a fit parent. In the eyes of Elian's mother,

the former wife of Elian's father, he certainly was a fit parent.

But then I have to tell you that some of the things said to me by these grandmothers were so touching. Consider Elian's maternal grandmother who came to the United States. Think about what she has been through. In just a few short weeks, she saw an effort by her daughter and Elian, along with a man, to come to the United States. I am not sure how much she knew of this in advance. In fact, she indicated to us she did not know that they were going to take off for the United States.

Then she was told her daughter was involved in a ship sinking, that her daughter drowned at sea, that this little 6-year-old boy watched his mother drowning at sea, that he grabbed on to a life preserver and hung on, some say for days, before he was rescued, and then was swept up into the caring arms of those who rescued him, brought to the United States, and given to a great uncle, who I am sure cares for him very much.

But since he arrived in the United States, this little boy, no more than a first grader, has been the focus of such attention. They have heaped gifts on him, puppies and gifts and trips to Disney World. The cameras swirl around him as he walks across the backyard and plays with a ball or pets his little puppy.

I remember things similar to that in my practice of law. We used to call it Disneyland daddy. If you are only going to get this little boy for a weekend, you will give him the world. You will take him to the ice cream shop as often as he wants to go, buy some toys, take him on a nice vacation, create an atmosphere in his mind that is idyllic. That is what has happened to Elian Gonzalez. In an effort to show love and caring, he has had all these gifts heaped upon him by his great uncle and his family. Yet I believe, as the grandmothers do, that the most basic thing Elian Gonzalez needs is his last surviving parent. He needs his father's loving arms more than he needs a trip to Disney World.

I think with his father and the rest of his family in Cuba, they could start to try to reconstruct this little boy's life and to say to him that though you have seen more tragedies in your few years than many people do in a lifetime, we will stand by you. We will give you the support to make your life whole again. That should be what this debate is all about.

I think the Immigration and Naturalization Service has it right. They asked the first question: Who will speak for this boy's interest? They concluded it would be his natural father. Then they asked the second important question: Is this natural father a fit parent? They interviewed him twice, went to Cuba to do it. They asked a lot

of people about his background and came back and said, yes, he is a fit parent. He had joint custody of the little boy. The mother entrusted the boy to his father many, many times.

They concluded, and properly so, that Elian Gonzalez should be allowed to return home to Cuba, but unfortunately that is not the end of the story because this little boy is caught up in a foreign policy debate that has been going on for more than 40 years in America. During my time in college, I lived with a Cuban American expatriate who explained to me what it was like to be forced out of Cuba, to be forced out of your home, to give up everything, by the Castro regime, by this Communist leader who refused to recognize the most basic human rights. I heard firsthand from this roommate of mine in college what his family went through, the sacrifice, the deprivation, the loss of things they would never see again.

I always understood the feelings as best I could, not having lived them personally, of that generation of Cuban Americans who escaped to America's shores to finally get away from Castro and to have a chance at their own life and democracy. I have seen what they have created in south Florida and many other places around the United States. I am very proud that this group of immigrants to this country has made such a valuable contribution to our Nation, but like most immigrants, they never forget their homeland. That is not to say they don't love the United States, but they never forget their homeland of Cuba. They stay intensely involved in the foreign policy debate in Washington about the future of Cuba. They have become quite a political force in Florida, perhaps in national politics.

They feel—and I share their feeling—that the people of Cuba deserve better than Fidel Castro. They deserve a democracy. They deserve an opportunity to live in freedom. They remind us of that frequently. I share their belief. I think they are right. But I have to say I believe they have taken the wrong tack when it comes to Elian Gonzalez. It is much more compelling to most American families that this little boy be reunited with his family than it is that he be in the midst of a foreign policy debate. Some Members of the Senate have suggested that next week we will stop the business of the Senate and we will focus the attention of this deliberative body on a 6-year-old Cuban boy named Elian Gonzalez. They have proposed, in one of the rare instances in American political history, that this little boy will have conferred upon him American citizenship—frankly, citizenship without even asking.

We presume in most courts of law that a 6-year-old boy can hardly make a big decision about his life. He is too easily swayed by emotions and doesn't

have the maturity to decide. They want to make the decision for him. They want to decide that he is an American citizen.

I am reminded of an experience I had not long ago in Chicago. I went to a Mexican restaurant. After I finished my meal, a fellow came up to me from the kitchen. He was wearing a cook's clothes. He said: Can I talk to you for a minute, Senator? I said: Of course. He said: I am almost 65 years old. I was born in Mexico. My dream, for as long as I have lived, is to be a citizen of the United States of America. Here is my application form for naturalization.

He had taken it and encased it in plastic; it meant so much to him. He said: This means so much to me, but the Immigration and Naturalization Service system is so slow and so bureaucratic and the new laws coming out of Washington make it so difficult, it has been over 2 years, and I am waiting for my chance to raise my hand and swear my loyalty to the United States of America. He said: Senator, I am afraid I will die before that happens. That would break my heart and the hearts of my family.

I think about him, and I think of hundreds of thousands like him who have come to this country and followed the orderly process to become citizens. They have had to wait. They have had to go through a tangle of bureaucracy. They are hoping they will get the chance to raise their hands and become naturalized citizens.

My mother was one of those. She was an immigrant to this country from Lithuania. In her 20s, after being married, she became a naturalized citizen. I have her naturalization certificate above my desk here in Washington. I am very proud of that.

But you won't hear any efforts on the floor of the Senate for the hundreds of thousands of people who are longing for this chance to become Americans, waiting for the naturalization process to be completed. No, we will focus on one 6-year-old boy from Cuba. Why? Because he makes an important foreign policy point. I don't believe it is fair to him, only 6 years of age. Nor is it fair to the hundreds of thousands who are waiting patiently for us to say that he will move to the front of the line and become a citizen without even asking for it. That doesn't speak well for this country and our respect for the law.

I have compassion for this little boy and what he has been through. Do I believe he could live in the United States and enjoy freedom in this country? Certainly. But as Senator DODD and others have said, there are many good families living in countries with bad governments. Though Elian Gonzalez, by the matter of fate, was born in Cuba under a repressive regime, I don't doubt for a minute that he has a loving family who can give him so much in his life as he grows up. If we are going to

have compassion for children and particularly immigrant children, let me tell you, the Senate has a full agenda. I returned 2 weeks ago from Africa where there are literally over 20 million AIDS orphans. These kids need the same compassion and concern.

The PRESIDING OFFICER (Mr. SESSIONS). The time of the Senator has expired.

Mr. DURBIN. I ask unanimous consent for 5 additional minutes.

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

Mr. DURBIN. I thank the Chair.

There are many millions of children around the world who deserve our concern and our compassion. I hope those who are expressing this feeling about Elian Gonzalez will not stop at that, will decide that we can do more to help many others in small ways and large ways combined. I hope next week the leadership of the Senate does not bring this matter before us. I will oppose it. I will support the resolution from the Senator from Connecticut. I think it is sensible. It answers the basic question with the most basic family value. Where should Elian Gonzalez be? He should be with his father, his last surviving parent. The trauma that he has been through I think, I hope he can endure. I hope he will be a strong little boy. I hope he will grow up and reflect on his experience in the United States, remembering that there were people who loved him in this country as well, and there certainly are.

Let me close by saying that I hope Cuban Americans will consider this for a moment. I don't believe the action they have taken relative to Elian Gonzalez has increased the popularity of their cause at all. Many people are confused and bewildered that they would fight a foreign policy battle on the back of a 6-year-old boy.

I think we should learn a lesson from history. There was a time when Eastern Europe was under Soviet domination.

There was a time when we considered them to be victims of a Communist regime. We decided in the latter part of the last century that the best way to change that government and that mindset in Eastern Europe was to open the doors wide, let them see the rest of the world, let them trade with the United States and Europe, and let them understand what democracy was all about, let them see what freedom meant in their daily lives, and, you know, it worked.

We saw the Berlin Wall come down. We saw countries such as Poland, under Soviet domination for 40 years, emerge into a democracy and an economy that is an inspiration to all. Can't we learn the same lesson when it comes to Cuba? If we open the doors and allow Cubans to come to the United States to visit, to work, to trade, to engage in cultural and educational exchanges, is

there anyone who can doubt that will lead to a new Cuba? Is there anyone who doubts that kind of exchange, instead of this isolationism, will force the political change we have been waiting for for over four decades?

I don't think that change will come about by granting citizenship to Elian Gonzalez. That one little boy will become just a tragic footnote in history. He has endured enough in his short life. I hope this Senate doesn't add to the burden he now has to carry—the memory of seeing his mother drown at sea. I hope the leadership of the Senate will think twice before they allow us to become party to what has become a sad chapter in the history of this country.

I yield the floor.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 106-120, appoints the following individuals to serve as members of the National Commission for the Review of the National Reconnaissance Office: The Senator from Colorado (Mr. ALLARD), Martin Faga, of Virginia and William Schneider, Jr., of New York.

#### APPOINTMENTS BY THE DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 106-120, appoints the following individuals to serve as members of the National Commission for the Review of the National Reconnaissance Office: The Senator from Nebraska (Mr. KERREY), and Lieutenant General Patrick Marshall Hughes, United States Army, Retired, of Virginia.

#### APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appoints the Senator from New York (Mr. MOYNIHAN) to read Washington's Farewell Address on February 22, 2000.

#### UNANIMOUS CONSENT AGREEMENT

Mr. REID. Mr. President, I ask unanimous consent that Senator GRAMS of Minnesota be allowed to speak in morning business when the Senator from Nevada has completed his statement.

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

#### THE HIGH COST OF CAMPAIGNS

Mr. REID. Mr. President, about a year ago, I was still celebrating my

victory from the election of 1998. It was a tough election. The reason I mention that today is because in the small State of Nevada, with less than 2 million people, the two candidates running for the Senate spent over \$20 million. We had less than 500,000 people who voted in that election but we spent over \$20 million. We spent approximately \$4 million in our campaign accounts, and then each party spent about \$6 million. So it was a total of \$20 million, plus an undisclosed amount of money that was spent by people who represented the National Rifle Association, the truckers' association, and other groups. These independent expenditures on both sides were something that added to the cost of that election in Nevada.

The reason I mention this is when I first came to the Senate, I had an election I thought cost too much money. It cost about \$3 million. In this election I spent over \$10 million—that is, counting the money spent mostly on my behalf and on behalf of the others in that election cycle.

Something has to be done to stop the amount of money being spent on these elections. We know that on the Presidential level, Senator MCCAIN, who is running for the Republican nomination for the Presidency, is spending a lot of his time talking about the need for campaign finance reform. I admire and appreciate the work of Senator MCCAIN in this regard. On the Democratic side, both Senators Bradley and Vice President GORE are talking about the need for campaign finance reform. Those who support campaign finance reform got a real boost, a real shot in the arm, in the last few days when the U.S. Supreme Court, in a case that came out of Missouri, rendered a 6-3 opinion. In effect, that opinion said in the case of *Shrink v. Missouri Government* that the Court had a right to set maximums as to how much somebody could spend. The Court held that the Missouri law imposing a little over a \$1,000 limit on contributions to State candidates did comply with the Constitution, despite a challenge claimed that the limit was so low it affected the ability of interested people to give to the candidate of his choice.

The reason this case was so important is that everybody has been waiting for almost 25 years to determine what the Court would do about *Buckley v. Valeo*, were the Court held that political contributions are speech protected by the first amendment. Though certain limits could be enforced, the Government could not put too many restrictions on when and what a person could spend on political candidates. Some hoped and wished the *Shrink* case, cited by the Supreme Court, would throw out all the limitations and, in effect, there would be a free-for-all as to how much money could be raised, and there would be no restric-

tions as to from where the money would come. The *Shrink* case, while it didn't cite all the problems with campaign finance money, decided there could be limits established in campaign finance spending. That is an important step.

I think what we need is to have elections that are shorter in time. We have to have limitations on how much people can spend on elections. We can't do anything in light of the present law with having individuals spend unlimited amounts of money until we pass a constitutional amendment, which has been pushed by Senator FRITZ HOLLINGS for many years. In spite of our being unable to stop people from spending personal moneys of unlimited amounts, the Court clearly said limits can be set. I think this should add impetus to the Presidential campaign now underway. What Senator MCCAIN is saying is that we should go with the Feingold-McCain bill that is going to stop the flow of soft money, corporate money, in campaigns. That seems to be something that certainly can be done. We know in the past it has been done in Federal elections, and this should be reestablished.

So I hope Senator MCCAIN, Bill Bradley, and Vice President GORE will continue talking about this. I hope it becomes an issue in the Presidential campaign, which will be shortly upon us.

I do appreciate the Supreme Court. There are some who come here and berate them very often. I think it is time we throw them a bouquet. This was a tough opinion, decided by a 6-3 margin. I think this is important. Justice Stevens noted:

Money is not speech, it is property. Every American is entitled to speak, but not every American has the same amount of property.

That is something I hope will be carried over into future discussions by the Supreme Court in reviewing *Buckley v. Valeo*, as to what it means regarding whether or not free speech is the ability to spend as much money as you want in a campaign. I don't think it is. I think the Supreme Court will agree with me.

In short, the Supreme Court did the right thing. It should give us, as a body, the ability to change the law and revisit some of the things taking place in America today. What Senator FEINGOLD and Senator MCCAIN have tried to do is the right approach. We should do that. All the arguments made about how it would be unconstitutional to do that certainly fail in light of what the Supreme Court recently decided.

#### THE FREEDOM OF ACCESS TO CLINIC ENTRANCE ACT

Mr. REID. Mr. President, prior to coming here I was a trial lawyer. I started out representing insurance companies. I was a defense lawyer representing insureds who were involved