

about H-1B visa, and I believe that this legislation is very important. We live in a high-tech society. We want to move forward to try to meet our obligations. But let's not think we are going to lay over on these issues, which are issues of basic fairness, because of threats on the other side that we are not going to be able to do H-1B. Basic fairness dictates that we do both of them. And, we can if the Republicans would just allow us to move forward.

Mr. KENNEDY. I agree. I think we can and we should do both of them. We can do them very quickly. We have had the hearings in the Judiciary Committee. The Judiciary Committee members understand these issues. They can help provide information to our colleagues if they are in doubt. But the compelling need for action in these areas is just extraordinary.

I hope my friend and colleague from Nevada is not going to just end with this challenge. I hope he will continue to work, and I certainly will join him, as many colleagues will, and try to get action. We are unable to get the action today, but we have time remaining. I want to say I look forward to working with him to make sure we get action one way or another, hopefully with the support of the Republican leadership. But if we are not able to have that support, I hope at least they will get out of the way so we can give justice to these very fine individuals.

I thank the Senator.

Mr. REID. I close by publicly expressing my appreciation to the Senator from Massachusetts for his clear and consistent understanding of what fairness is. Also, I assure him that we have just begun to fight.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

HOW WE CAN MOVE BEYOND THE FALSE DEBATE AND ON TO REAL SALMON RECOVERY

Mrs. MURRAY. Mr. President, for several years the people of the Pacific Northwest have been working to save several wild salmon and steelhead runs that are currently threatened with extinction.

Today, the administration presented a number of proposals for how we can recover these species.

Specifically, the administration released its draft biological opinion for technical review by the four affected States and the region's tribes.

The administration also released an updated All-H paper—also known as the Basin-wide Recovery Strategy.

This paper details proposals in the areas of hatchery reform, harvest levels, hydroelectric power generation, and habitat recovery.

I take this opportunity to talk about how we can work together to restore the threatened and endangers species of the Columbia Basin.

From the ancient history of Native Americans to the explorations of Lewis and Clark nearly 200 years ago, the natural bounty of the Pacific Northwest has always been a source of pride.

We have been blessed with great rivers—including the Columbia, the Yakima and the Snake. Over the years, we have drawn from these rivers.

Dams have provided us with vital hydroelectric power—forever improving the quality of life in our region and providing an engine for our robust economic development.

These rivers have helped generations of farmers from Longview to Walla Walla by providing water for irrigation. And, they have provided a watery highway, allowing us to bring our products to market.

Clearly, Washington state has benefited from our rivers and natural resources.

I am proud that today we are home to the best airplane manufacturer in the world. We are home to the best software company in the world. We grow the best apples. Mr. President, our future is bright.

But Mr. President, this progress has come at a price. Our wild salmon stocks are struggling. In fact, the National Marine Fisheries Service has listed 12 wild salmon and steelhead stocks in the Columbia basin as threatened or endangered.

In addition, several butt-trout and sturgeon populations are also threatened.

Let me be clear. Those listings mean that right now—we are on the path of extinction.

So the question before us is: Do we have the will to come together and choose a different path—the path of recovery?

I believe that we do. I believe that the ingenuity and optimism of the people of Washington State will allow us to meet this challenge.

And I am proud of the tough decisions that people all across my State—from farmers and Native Americans to sport fishermen and the fishing industry—have made so far.

But it will be difficult. Unfortunately, the current debate about saving salmon makes finding a real solution even more difficult.

The debate today is too short-sighted, it is too narrow, and it's too partisan.

When I say the debate has been short-sighted, I mean that this isn't an issue that's going to be resolved in one month or one year or even one generation.

We are dealing with an issue that has a long history.

In the Pacific Northwest, salmon are part of our heritage, our culture and our economy.

We know from the oral history of Native Americans the significance that salmon played in the lives of North-westerners as long as 12,000 years ago.

The question before us today is: Will salmon still spawn in these rivers in the next 1,000 years, the next 100 years, or even 10 years from now?

Salmon are a link to our past, and if they are going to be part of our future, we will have to find solutions that look beyond the next season or the next election.

I am committed to make sure we take the long view when it comes to saving salmon.

In addition, the debate has been too narrow. If someone from another part of the country heard the debate, they would think that only one thing affects salmon—dams.

We know that dams are just one of four factors that affect salmon. It may help to think of the challenge before us as a table—a table with four legs.

Each one of those legs must hold its share of the weight. If one leg is too short, the table will be out of balance.

We know that salmon are impacted by four variables. They are hydro-power, hatcheries, harvest, and habitat.

Let me start with hydropower—or dams.

Mr. President, I have long said that we need to develop and implement a comprehensive recovery strategy before we consider the removal of dams.

I am pleased that the administration has taken this first step forward and provided the foundation for such a plan.

I am also pleased that in doing so the administration is clearly moving us beyond the false debate of dams or no dams.

The issue has never been that simple. To be sure, the Ice Harbor, Lower Monumental, Little Goose, and Lower Granite dams have—like other dams throughout the region—hampered the ability of salmon to migrate from their original river homes, to the ocean, and back again to spawn.

The reality is that we have 12 listed species throughout the Columbia basin. Four of these stocks are in the Snake River. The other eight are on the Columbia and Willamette Rivers.

Removal of the Snake River dams is of minimal value to the recovery of the eight listed Columbia and Willamette runs.

Furthermore, while removal of the dams would benefit the Snake runs, NMFS has found removal may not be necessary for recovery and that removal alone would probably not be sufficient.

We still have to deal with the issues related to recovering these particular stocks and the hydro system needs to be examined and upgraded to ease fish passage to and from the ocean.

We need to address the challenges posed dams pose for fish survival.

We must employ a comprehensive, basin-wide approach that, regardless of the ultimate decision regarding the dams, addresses all of the complex issues surrounding salmon recovery.

Mr. President, I fear that some who have focused solely on dam removal have failed to consider what will be necessary under a comprehensive recovery approach.

We need to, as the administration's draft plan suggests, establish performance standards for recovery, and we need to achieve those goals.

Bypassing the dams will remain a subject to this debate if we fail to aggressively tackle the issues related to survival of fish through the hydro system. It is a reality we must deal with.

Next I'd like to turn to the second factor that affects salmon recovery—hatcheries.

We must minimize the impacts of hatchery practices that present challenges to the wild stocks, namely: the introduction of disease; competition for food; and dilution of the gene pool.

Further, as the administration suggests, there is a possibility that we could use hatcheries as a way to bolster weak stocks on a short-term basis by using a little common sense.

By choosing to utilize wild, native fish stocks, hatcheries can be transformed from a hindrance to recovery to a help.

Mr. President, reform of the hatchery program will be expensive. However, there is a fair amount of agreement on what reform is necessary.

The Northwest Power Planning Council's report, Artificial Production Review, has given us a basis for action. It is now an issue of finding the funds and prioritizing where these funds should be spent.

The next factor is harvest. This relates to several controversial issues that are subject to both international and tribal treaties.

The Pacific Salmon Treaty with Canada and the treaties with Northwest tribes clearly obligate us to recover salmon to harvestable levels. Under those treaties we, as Americans, have obligations we must meet. Already, many have sacrificed because of the declines in salmon runs.

The tribal fishermen who have depended on the salmon since time immemorial to feed their families and celebrate their culture has sacrificed.

The sports fisherman has sacrificed with the virtual elimination of chinook season.

The commercial fishing family in Ilwaco has sacrificed.

In a couple of years, after completing the buy-back commitments under the Pacific Salmon Treaty, there could be as few as 600 active non-tribal commercial licenses, compared to the roughly 10,000 licenses in the 1970s.

As we look forward at the sacrifices we will need to make in the future to

help recover the wild stocks, we should never forget those who have already seen their livelihood, tradition, family, and community impacted by the dwindling numbers of returning fish.

We need to promote selective fishing that allows the catching of non-listed species while providing for the release of listed ones.

We also need to continue to support efforts to reduce the number of federal and state issued fishing licenses by buying back those licenses.

The recently signed Pacific Salmon Treaty, which Vice President GORE played such an important role in finalizing, calls for exactly these types of measures.

We need to redouble our efforts to prevent overfishing and manage this resource in a responsible way.

Finally, as controversial and difficult as the issues related to the hydro system will be, habitat promises to be every bit as thorny and complex an issue to tackle.

Mr. President, in this equation, by and large, habitat equals water and impacts to water quality.

As anyone familiar with agriculture can tell you, especially in the West, water is gold. It is the stuff of life.

It makes or breaks communities, both their ability to maintain what they have and to sustain and manage their growth.

Water in the West is both the great opportunity provider and limiter. Our water law dates back to the earliest days of settlement, and it has struggled to meet the demands of the modern era.

We need to take steps now to prevent the continued destruction of critical habitat and work to restore habitat that has been degraded over time.

Mr. President, the key for fish, as it is for people, is access to cool, clean water. Fish require a sufficient quantity of unpolluted water; that means encouraging land use practices near critical river habitat that are consistent with the needs of the fish.

Mr. President, these are the four areas we must address. All four are important and must be part of the debate.

Addressing issues related to the hydro system, reforming hatchery practices, managing harvest, and husbanding important habitat will not be easy. But we don't have a choice. Allowing salmon to become extinct is not an option.

Mr. President, at the start of my remarks, I said that the debate so far has been too short sighted and too narrow, and I have explained how we can take a longer view and how we can look at the broad range of factors that affect salmon.

Before I close I would like to explain why I think that the debate over salmon recovery has been too political to the detriment of saving salmon and doing what needs to be done to keep the families in our region whole.

When partisan politics are injected into such a complex issue, it has the effect of dividing people—rather than bringing them together.

Unfortunately, we have heard too many people who only say what they don't want to happen, who only seek to place blame, who heighten the rhetoric, who lead by creating fear rather than hope, and who never commit to a plan.

That is not going to help us save salmon or the people in the impacted communities of the Pacific Northwest.

Saying "no" to everything, without offering a constructive plan, is not leadership. And it will take leadership to recover our salmon stocks and keep our commitments to the people of the Northwest.

Mr. President, I commit to work in a positive fashion with anyone who is genuinely interested in saving salmon.

If you are serious about solutions, I am ready to work together to find them. And I am willing to play my part in our shared responsibility.

I will continue to seek Federal funding to support new and continuing projects. I will strive to maintain my own communication with affected communities, individuals, and interest groups. In addition, I will promote better communication between federal agencies and other parties when this communication breaks down.

In short, I commit to being a positive partner with all those who understand the need for tough decisions and want to move forward to real recovery.

It is time to rise above the current debate, which traps people into false choices while letting the possibility of other solutions slip away from us.

Mr. President, this is not an issue that is going to be solved by November 7, 2000. This is an issue that will be with us for years—perhaps generations—to come.

What we need now are public servants and private citizens with both the will and the vision to sit down, roll up their sleeves, and figure out how to move forward.

Right now we are on the path to salmon extinction. Anyone who delays progress keeps us on that path. Anyone who divides rather than unites, brings extinction closer.

Mr. President, as we proceed on this issue, I wish to state my willingness to work with the next President, with the tribal governments, with my colleagues in the Congress, with the State and local governments, and with private citizens to address the important issues related to recovering wild salmon.

And we can make progress while maintaining our region's economic viability.

The opportunity the administration has given us today is to move forward in a constructive way.

They have presented a plan that moves beyond the debate about bypassing dams and onto the issues we really need to focus on.

While I may disagree with some of the specifics of this plan, it does provide a comprehensive roadmap for how we can resolve these difficult issues.

I believe if we take the comprehensive approach, we will save salmon and steelhead runs; we will be able to produce essential power; we will be able to meet the needs of our farmers, and we will keep water healthy for our children's children.

Mr. President, as I conclude I want to make one final point. This really isn't just about fish or dams. It is about the type of world we want to live in. We have a choice about the legacy we leave for our grandchildren.

The choice I have called for today is the choice to leave future generations clean rivers—full of salmon.

The choice I've called for today is the choice to show our grandchildren that no matter how big our difference may appear we can work together and be good stewards of our land.

That is the choice I hope we will make.

The other path leaves a far different legacy. A legacy that leaves our grandchildren polluted waters—resources divided from nature, and even worse—people divided from each other.

Mr. President, that is not the legacy I want to leave. We cannot shrink from this challenge.

Let's use today's reports as a tool to help us move forward toward real salmon recovery.

The PRESIDING OFFICER. The Senator from Illinois.

LATINO AND IMMIGRANT FAIRNESS ACT

Mr. DURBIN. Mr. President, I rise today in support of a bill that will correct severe injustices affecting thousands of immigrants to the United States, while at the same time strengthening their ability to contribute to the U.S. economy and to the struggling economies of their countries of birth.

A short time ago on the floor of the Senate a unanimous consent request was made by Senators KENNEDY and HARRY REID of Nevada asking that this legislation, the Latino and Immigrant Fairness Act, be brought to the floor for immediate consideration. It is very difficult to argue that we are so consumed with work in the Chamber of the Senate that we can't consider this legislation. In fact, we have done precious little over the last several days because of an honest disagreement between the leadership on the Democrat and Republican side.

I do believe this legislation should be brought on a timely basis for the consideration of the Senate. The bill in

question is the Latino and Immigrant Fairness Act. It has the support of an impressively broad coalition of groups and individuals, labor unions, business groups, human rights groups, religious organizations, conservative and progressive think tanks. Empower America supports this bill as pro-family and pro-market. The AFL-CIO supports it because it is pro-labor.

The administration is committed to its passage. Perhaps the most compelling reason for passing this bill is that it embraces the principles of fairness and justice that are of value to the American spirit and to the work we do in the Senate.

I recall, when we discuss the issue of immigration, one of my favorite stories involving President Franklin Roosevelt. President Roosevelt, of course, came from a somewhat aristocratic family in New York and was elected President in 1932. As the first Democratic President in many years, he was invited to speak to the Daughters of the American Revolution in Washington, DC. Of course, the DAR is an organization which prides itself on its Yankee heritage and the fact many have descended from those who came over on the *Mayflower*. They have a history of being somewhat skeptical of immigration policy in this country. When Franklin Roosevelt spoke to the DAR, his opening words set the tone. He introduced himself by saying: Fellow immigrants, a reminder to the DAR, a reminder to all of us, with the exception of Native Americans, who have been here for many centuries, we are all virtually immigrants to this country.

I am a first generation American. My mother immigrated to this country at the age of 2 from the country of Lithuania in 1911. My father's family dates back to before the Revolutionary War, so I really represent both ends of the spectrum of white immigration to America. This bill tries to address the basic principles of immigration fairness and justice which we have tried to hold to during the course of this Nation's history. I bring particular attention to the Senate to the plight of immigrants from Central America and Haiti who have been dealt a severe injustice during the past 20 years, one that would be directly addressed by this legislation.

In the recent past, thousands of people from Central America and Haiti have been forced to flee their homes in order to save their lives and the lives of their families. In Guatemala, hundreds of so-called "extra-judicial" killings occurred every year between 1990 and 1995; entire villages "disappeared", most probably massacred. In El Salvador, political violence was rampant—63,000 people were killed in the 1980's by a combination of leftist guerrillas, right-wing death squads, and government military actions. Iron-

ically, an end to twelve years of civil war did not mean an end to violent internal strife; the death toll in 1994 was higher than that was during the war. In Honduras, the Department of State's Human Rights Reports cite "serious problems", including extrajudicial killings, beatings, and a civilian and military elite that have long operated with impunity. In September 1991, Haiti's democratically-elected government was overthrown in a violent military coup de'etat that, over a three year period, was responsible for thousands of extra-judicial killings.

Current law creates a highly unworkable patchwork approach to the status of these immigrants, one that assaults our sense of fair play. Immigrants from Nicaragua and Cuba who have lived here since 1995 can obtain green card status in the U.S. through a sensible, straightforward process. Guatemalans and Salvadorans are covered by a different, more stringent and cumbersome set of procedures. A select group of Haitian immigrants are classified under another restrictive status. Hondurans by yet another. As if this helter-skelter approach isn't bad enough, existing policies also treat family members of immigrants—spouses and children—differently depending on where they live, and under which provision of which law they are covered.

The United States is known around the world as the land of equal opportunity, but the opportunities we are affording to Central American and Haitian immigrants who have lived in this country for years are anything but equal. The current situation is untenable. Why should a family that has set down firm roots in the United States after fleeing death squads in Nicaragua be treated differently under the law than another family from, say, El Salvador, who left that country for precisely the same reason. The point was made brutally clear when Amnesty International documented the case of Santana Chirino Amaya, deported back to El Salvador and subsequently found decapitated. This, and many similar stories, led to charges that the U.S. was engaged in a "systematic practice" of denying asylum to some nationals, regardless of the merits of their claims. A class-action lawsuit brought by the American Baptist Churches and other faith-based organizations on behalf of Salvadoran and Guatemalan immigrants made a similar case, and was eventually settled in favor of those seeking a fairer hearing.

Or consider the plight of Maria Orellana, a war refugee from El Salvador, who fled the country when soldiers killed two members of her family. She has lived the past ten years in the United States. Recently, the INS ordered her deported even though she is eight months pregnant and even