SENATE—*Friday, May 24, 1996*

The Senate met at 11:30 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we thank You for the gift of imagination that You have entrusted to us. With our imaginations You have enabled us to form, hold, and achieve images of what You can make possible. Coupled with the gifts of hope and expectation, You help us imagine Your best for us and for our Nation.

Now at the beginning of this new day, we form and hold a positive picture of this Chamber filled with Your presence. Knowing that we are accountable to You for every thought that we think and word that we speak, we contemplate how we should act and react under the guidance of Your spirit. We hold the image of how You want us to relate to each other as fellow Americans who believe in You and want Your vision for our Nation. We sense the civility and the greatness of character You want from us. Help us to express to others the same kindness, graciousness, and respect that we have received from You.

So renew our dedication to You. We are daughters and sons in Your eternal and inclusive family, and in loyalty to You we commit ourselves to work for Your glory and the good of our beloved Nation. I pray this in the name of Jesus. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able and acting majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you very much, Mr. President.

SCHEDULE

Mr. LOTT. The Senate will be in for a period of morning business today until the hour of 1 p.m. with Senators permitted to speak for up to 5 minutes each. The Senate may also consider any legislative or executive items cleared for action. However, there will be no rollcall votes today.

As a reminder to all Senators, the next rollcall vote will occur on Tuesday, June 4, at 2:15 p.m. and be on the motion to invoke cloture on the motion to proceed to S. 1635, the Defend America Act. When the Senate completes its business today, it will stand in adjournment for the Memorial Day recess until Monday, June 3.

Mr. LOTT. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BALANCED BUDGET AMENDMENT, WELFARE REFORM, AND THE MINIMUM WAGE

Mr. DOLE. Mr. President, since the American people put the Republicans in control of Congress, I think there has been a consensus—Democrats, Independents, Republicans—that we should balance the budget. We have succeeded now in making a balanced budget, which is supported by 80-some percent of the American people, a national priority. Perhaps no policy is more important than the personal economic future of Americans, the future of our children and the future of our Nation.

Last year, under Republican leadership, Congress did pass a budget that would be in balance by the year 2002. President Clinton vetoed that budget and denied America the brighter future that would have resulted in higher standards of living, more real economic growth, lower interest rates, reducing what Americans will pay for home mortgages, car loans, and student loans, and an increase in the savings rates, higher productivity, and relief from the crushing burden of debt.

But notwithstanding that, the President and his allies in and out of Congress who talk about a balanced budget say we ought to have a balanced budget. They may have a different way to arrive at one. So I think there is a fairly strong consensus at least that we should balance the budget. We just have not been able to come together on how we do that. We have tried private negotiations at the White House with myself and the Speaker and the majority leader in the House. They went on day after day, week after week, 55 hours of face-to-face meetings. We could not come together.

So my view is that since almost everyone agrees we should balance the budget at least by the year 2002, we should take the next logical step and do what it takes to make certain that we fulfill our commitment to pass a constitutional amendment to balance the budget.

Last year, we had a month-long debate. We talked about all the pros and cons of a balanced budget amendment to the Constitution. The final vote was 65–35. It was actually 66–34. Then I changed my vote to "no" so that I could use the parliamentary procedure to have a reconsideration of this vote, and I said sometime this year.

All we were doing, if you recall, was sending this to the States where three-fourths of the States would have to ratify the amendment before it became part of the Constitution. So we were, in effect, leaving it to up to the people or leaving it up to the legislative body closer to the people whether or not this particular balanced budget amendment to the Constitution should be ratified and be made a part of the Constitution.

I have made a number of statements both in the Chamber and in public that we would take up the balanced budget amendment again, and since my departure is imminent, I want to keep my word and keep my commitment, although I have no illusions about the outcome. So during the week of June 3, it is my intention to fulfill the commitment I made to hold another vote on the balanced budget amendment.

As I said, I am not under any illusions, but I think there is a great deal at stake. I think we have an obligation to future generations of Americans to make the effort. Only one man stands between the balanced budget amendment and the American people, and that is President Clinton. I hope President Clinton will change his position on the balanced budget amendment. I believe the upcoming vote will give President Clinton the opportunity to demonstrate the kind of leadership the American people want, but I am certain it will succeed only if the President lends his support, his unqualified support to the effort. Only the President can help encourage Democrats who voted for it in the past and then voted against it last year to give us the necessary 67 votes to send this to the States for ratification.

Again, let me make it clear. We are not making the final judgment when we send an amendment to the States for ratification. It takes three-fourths of the States. It would not be easy, but my view is we can send it back to the people, back to the people's representatives, closer to the people, and this also, of course, will give my colleagues who have supported the amendment in the past but voted against it last year another opportunity to come home again, an opportunity to do the most important thing we can be asked to do, and that is to make a positive difference.

So I hope that President Clinton could repair the damage. I know he

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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urged and probably persuaded at least six of our colleagues to vote "no." It is not very often we get a second chance to do the right thing, but we are going to offer that chance to the President and to others. I assume the vote will be the same, or maybe even one or two less, but this is a bipartisan effort.

I want to underscore that. One of the leaders in this effort has been Senator PAUL SIMON from the State of Illinois, who is retiring from the Senate at the end of this year. He has been working day after day, month after month, year after year for a balanced budget amendment to the Constitution. He did not dream it up last year or the year before. As long as I have known PAUL SIMON, he has been supporting a balanced budget amendment, and so has the Senator from Idaho, Mr. CRAIG, and they have worked closely together.

At one time, we thought we had as many as 72 votes, but when the vote was taken, it was only 66. So my view is it is bipartisan. It comes down to one simple question: Do we trust the American people? Do we trust the State legislatures? I think if we do, then we will send this amendment to the States and let them take a look at it. The Founding Fathers did not give Congress the power. They reserved that power to the States and the people. For most of us who say we are for a balanced budget, this is an opportunity to give our States, whether it is Kansas or some other State, members of my legislature, an opportunity to say, well, it is good; it is bad; it should not be done.

So, I will let my colleagues know, and I will advise the Democratic leader on the precise time. But it will be sometime, probably, I would guess, along about June 4. But I will let my Democratic friend, the leader of the Democratic Senate, Senator DASCHLE, know a precise time. As I understand, there is no debate. So any debate will happen before. There will not be any agreement on any debate, but bring it up, vote, and then move on to something else.

Let me also say that I was prepared last night—because the President made a statement in Wisconsin to send him the welfare bill and he would sign it—and I may later today ask unanimous consent to bring up the welfare bill and pass it, send it to the House. This is apparently a bill the President wants. I do not assume there would be any objection on the other side. But, if the President is serious, we are serious. We will get serious in a hurry.

I will ask consent, we will send it to the House, and the House, of course, with the Rules Committee, they do not have to wait 4, 5, 6, 10, 12 days on an issue like this, they can do it in 3 or 4 hours.

So, if the President is serious about this, if he will just notify my colleagues on the other side of the aisle not to object, we may pass a welfare bill here very quickly.

I have also been asked, and I have not discussed it with the majority leader—the majority whip, Senator LOTT, about when we would bring the minimum wage vote to the floor. I do not have a problem with bringing it to the floor at any time. In fact, we offered my colleagues on the other side an agreement which, had they accepted, we would bring it up as soon as we came back from the Memorial Day recess, but it was rejected.

It still seems to me that we ought to be able to bring it up; whenever they want to they bring up an amendment, we bring up what we want to bring up as an amendment. We do that frequently around here. We have two different views. I think there should be an increase in the minimum wage. I think we couple it with—we have talked about it some, about a teenage provision, where you want teenagers to work, the so-called training wage. We might increase those who are not covered, by a small amount, for businesses that are small businesses.

I have talked about this to Senator DASCHLE. I think there are a couple areas we may be able to agree on. There may be others who have other amendments we may not be able to agree to. But it seems to me, if we are serious about it, we ought to bring it up and do it very quickly. We have had enough debate on the action. We would be prepared to take care of that also on the week of June 3.

Mr. FORD. Will the distinguished majority leader yield for a question?

Mr. DOLE. I will be happy to yield.

Mr. FORD. When the majority leader says "the minimum wage bill," does that mean the bill that was sent over to us from the House; that would be a stand-alone offer?

Mr. DOLE. We have the right to amend.

Mr. FORD. I understand you have the right to amend it, but it will stand alone, it would not be included in the package as in the debate we had here previously in the Senate?

Mr. DOLE. I would be happy to work out something along that line with the Senator from Kentucky.

Mr. FORD. Rather than have four or five votes and then have a vote on the whole package, including the coupling as the Senator said, that we could have the stand-alone votes—I think we are very close to making some kind of agreement.

Mr. DOLE. I would want to consult, obviously, with my colleagues. But my view is there will be a minimum wage increase. It will pass the Congress. It will have some amendments that maybe are not totally pleasing to everybody in the Senate on either side of the aisle. In fact, maybe even the minimum wage is not totally pleasing to everybody on either side of the aisle. But I think, given the strong bipartisan vote in the House, and I think there is support, bipartisan support, for an increase on this side, the question is what do you add to it to get it passed?

Mr. FORD. The only question I was concerned about is that originally we had four or five individual votes and then that would have been included in a total package, with the coupling of maybe a poison pill or two there, that the President may not particularly like and said he would have to veto that with that pill. If we get the House bill and then that is a stand-alone, and we get the amendments and let the Senate work its will, I think we are getting very close to an agreement on minimum wage. I thank the majority leader.

Mr. DOLE. I will be happy to take it up with the leadership on my side and, hopefully, be able to go to the Democratic leader and the Senator from Kentucky with some proposal to be accepted.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for not to exceed 5 minutes each.

Who seeks recognition?

The Senator from Louisiana.

WELFARE REFORM

Mr. BREAUX. Mr. President, I think our Democratic leader is on his way. I will certainly yield to him at the time he comes for any remarks he would like to make. But I would like to just take some time in his absence to comment on one of the comments made by the majority leader, Senator DOLE, regarding welfare and welfare reform.

I think there is a growing consensus on behalf of both sides of the aisle that a welfare reform bill is achievable. It is achievable in this Congress this year. I think we are getting very, very close. The President of the United States has said some favorable things about the welfare plan that has been proposed by the Republican Governor of Wisconsin, Senator Thompson. I think the President made it very clear on the previous bill, the so-called Dole-Gingrich welfare reform bill that the President vetoed, that he vetoed it for a very specific reason. He vetoed it because it did not provide for adequate health care for children and he vetoed it because it did not provide for additional child care funding for children of welfare parents.

The President's stated position on welfare reform is that it should be tough on work but also should be good for children. I think that is the right approach. I do not think there is anyone in America who wants to be tough

on welfare who wants to be tough and unfair to innocent children who did not ask to be born into this world.

Yes; be tough on the parents. Yes; put time limits on welfare. Yes; cut able-bodied parents off of welfare if they refuse to work. But let us make sure that this Nation, as great as it is, takes care of innocent children who did not ask to be born.

So I think the President made it very clear he would support his understanding of what was in the Wisconsin plan if it, in fact, took care of children by providing Medicaid or health care for those children and also additional child care funding. That is why he vetoed the previous welfare bill that had been sent to him, because it simply did not provide for those two major ingredients.

If the Wisconsin plan meets those standards, I think it is one that can be signed. I think the comments of the President yesterday while he was in Wisconsin really said exactly that, that he would support a welfare reform even if it's a Republican plan, or a Democratic plan; it doesn't make any difference who has authored it. But he also said, "So, what I say, if this is Senator DOLE's plan"—meaning a plan that provided for health care for children and for child care funding for children, that, if that is in the plan, "I think what he ought to do is pass his plan through this Congress before he leaves the Senate and I will sign it." That was a statement that I agree with, that, if a plan is presented that provides medical care for innocent children and if it is a plan that provides for child care funding so the parents can go to work, then it is a plan that, indeed, the President would want to sign.

So I think we are close. I commend the latest plan that I saw coming from our Republican colleagues for the closeness that it allows the two bodies to get together on an agreement. What I point out is that my review of what they are trying to do with their plan is, I think, very positive, in the sense that it does some things in the direction of providing more for child care, a very positive thing; it has tough new work rules in the Republican proposal, and that is good; it has a larger contingency fund for States in an economic downturn, and that is good. So there are a number of really good things in the new Republican plan that moves it closer to what we as Democrats have been trying to get accomplished.

But there are, I think, some deficiencies. I think these deficiencies are not such that they cannot be corrected, but the deficiencies, I think, are significant. For instance, they provide no vouchers for children after the parents have been cut off of welfare assistance.

What do you do, I would say to our colleagues, when you tell a parent you are not going to get any more assistance after 2 or 3 years—what are you going to say to a 2-year-old child, a baby, an infant, or a child that has no way to support itself and gets sick? Are we not going to have any help for innocent children? I think that is wrong.

Be as tough as we possibly can on parents and make them go to work and say, "If you don't go to work, you are going to lose your benefits," and say, "There is a certain time limit that you have to get to work if you are capable of doing it." But, unfortunately, there are going to be some who do not meet those standards and unfortunately they are going to be some children who are going to be innocent victims unless we find a way to take care of them. I suggest if we do not take care of them in the short term we are going to be spending a great deal more money in the long-term taking care of medical problems.

So I suggest that we ought to bring up the welfare bill as soon as we can. Do not tie it down with other things that are still in dispute, like Medicare or Medicaid or other controversial issues. Let us face it. If we can get an agreement on welfare, let us do it and let us quit arguing about who will get the credit. There is enough credit for everybody. Everybody will win if we come to an agreement that makes sense. But everybody loses if we continue to fight it from a political standpoint and not address it from a humanitarian standpoint. Let us be tough on reform, but help children.

I am encouraged we are getting closer on welfare reform. I will again say the new proposal from the Republican side is a very positive step. This allows us to sit and negotiate over just a couple of items and be able to say, "Yes, we can produce a bipartisan welfare plan which will be good for the country."

I hope we can do it very quickly. I think it can be a product this President will sign very quickly. So what if you have a signing ceremony and Senator BOB DOLE comes down and President Bill Clinton comes down and signs the same piece of legislation. Is that not good for this country? Is that not why we are supposed to be here? I think the answer is yes.

Mr. President, I yield the floor and suggest the absence of a quorum, since no one is apparently waiting to speak.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, I see no colleagues on the floor today. We do not have record votes. I expect there are very few Senators here. I know we are in a period for morning business with a 5-minute limitation. I ask unanimous consent to be allowed to speak for 20 minutes in morning business.

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

Mr. DORGAN. If the minority leader or others come and need to take some time, I will be happy to accommodate them.

UNITED STATES TRADE RELATIONSHIP WITH JAPAN

Mr. DORGAN. Mr. President, I wanted to come to the floor of the Senate today and talk a bit about trade. The Senate last evening passed a budget, and there was a lot of discussion about deficits. Actually, we had three budgets considered by the Senate, none of which balances the budget in the year 2002, despite the fact it was alleged that all of them did. That is because the only way any of them—whether it was the President's, the centrist's, or the GOP budget—portrayed a balance in 2002 was by using the Social Security trust funds.

We do have a fiscal policy deficit, and there is reason to talk about that. But that deficit has been coming down and coming down rather substantially for a number of reasons. There is another deficit in the twin deficits we face in this country that no one talks about. Virtually no one talks about the trade deficit. I do not quite understand why no one talks much about this, but it is every bit as serious a problem for this country as the fiscal policy deficit. It relates to jobs and opportunity that are lost in this country. It relates to jobs moving from our country to other countries.

So I want to spend a little time talking about the trade deficit. Previously I did talk about it more generally. Today I want to talk about one portion of it. That is the portion of the trade deficit that relates to our trade with Japan. In future presentations I will talk about trade with China, Mexico and Canada and other aspects of the trade deficit as well. I want to talk today about the trade deficits we have had generally in our country and specifically about the largest deficit that we have, which is with the country of Japan.

This chart shows the merchandise trade deficit in our country, and it shows in 1995 it set a record of $175 billion. All of this is red ink. This is what the chart shows, massive quantities of trade deficits year after year. They are not accidental. They are the result of a trade strategy that is not working and a trade strategy that bleeds economic opportunity away from our country.

As I begin, I want to say the Clinton administration has been better than the previous two administrations in dealing with this issue, but it does not solve the problem. They are more aggressive with China and they have been more aggressive with Japan, but the

fact is our trade strategy has not been working, under Republican or under Democratic administrations.

Here is what our trade deficit looks like. Our merchandise trade deficit hit $175 billion last year. The fact is, we need to take a look at our trade relationships. We need to develop long-term trade policies that make sense for our entire economy—business, labor, agriculture and industry. We need to bring new and, in my judgment, innovative approaches to this problem to try to figure out how do we eliminate these trade deficits.

The fact is, our Nation's trade deficit cannot be solved by a one-size-fits-all solution in the global economy. If we are going to solve this problem, we have to understand what causes these trade deficits. We need to understand the bilateral relationships we have with the other countries that make up these deficits.

I want to talk specifically about the largest trade deficit we have in the context of these trade deficits. It is our trade relationship with Japan.

Japan is our second-largest trading partner, but we have the single largest merchandise trade deficit with them. This issue is not just about theory. It is about baseball bats. It is about apples. It is about rock-and-roll music. It is about automobiles. It is about VCR's. It is about computer chips and about fair trade between us and Japan.

As the world's two economic powerhouses, the United States and Japan trade with each other. We have a joint responsibility to bring about some kind of economic balance between us. Trade and growth ought to be two-way streets. They are mutual, and they are reciprocal. Our trade relationship with Japan has not been mutually advantageous.

No Nation can benefit from a trade strategy in which you have recurring consecutive deficits year after year. Our trade balance looks like this: 37 percent of the merchandise trade deficit in our country comes from our relationship with Japan, nearly a $60 billion trade deficit.

The bottom line is that we must change that circumstance. Our country cannot continue to have a trade relationship with Japan that has these kinds of deficits. The only other country that approaches that is our deficit with China. We have a fairly large deficit with Canada and Mexico combined: over $30 billion. This cannot continue.

The next chart shows the yearly trade deficits with the country of Japan. If you take a look at this sea of red ink in our trade relationship with Japan, you can only conclude that our trade relationship with Japan has not been mutually beneficial. 1995 was the 31st consecutive year of trade deficits that we have had with the country of Japan. In fact, the last time we had a trade surplus with Japan was 1964.

This chart shows that last year was the third highest trade deficit we had with the country of Japan. This will not go away by wishful thinking. Oh, some months there is a story in the paper that says it has improved; some months there is a story saying it gets a little worse.

This chart shows exactly what our trade relationship with Japan is. It is a one-way relationship that substantially benefits them and hurts us by draining jobs and opportunity and economic growth in our country.

Our country cannot continue to have this kind of a structural trade deficit with Japan year after year after year. In the past 5 years alone, we have racked up a quarter of a trillion dollar trade deficit with one country.

You can make a case on the fiscal policy of the budget that is money we owe to ourselves. Really, that is only partially true. But, you cannot make that kind of case on the trade deficit. Any trade deficits we have in the aggregate are going to be paid for by a lower standard of living in America.

The next chart shows the trade flow between us and the country of Japan. This past year our imports from Japan include automobiles, vehicles, machinery, electrical equipment, VCR's, television sets, manufactured articles. $123 billion has been sent to America from Japan in the past year. That is right: $123 billion.

What are we sending back? We are sending grains, cereals, meats, food, wood, mineral fuels, coal, some oil, and some aircraft. There was $64 billion of goods shipped from America to Japan. So we purchase $123 billion from Japan, and they purchase $64 billion from us.

The important part of this relationship is that most of what we are purchasing from Japan represents manufactured goods, high-technology goods, the kinds of things that relate to jobs. Much of what they consume from us is not the product of manufacturing.

We appreciate very much the fact that they buy our grains, and I want them to buy a lot more. They have an obligation to buy a lot more. I appreciate that they buy our steak, our beef, our pork. They ought to buy more T-bone steaks and send it to Tokyo. The fact is, there is more demand for beef in Japan than can be served by the quantity of beef they now allow in.

But the fact is, we need some more balance in both the overall trade flow and also the kinds of goods that are moving between our countries. We need to also be sending to Japan the product of our manufacturing goods.

The next chart shows the market share that the United States has of selected industries in Japan. It is pretty interesting. It shows our market share in the world as a United States producer and then our market share in Japan. None of this is accidental.

Paper and paper board: We have a 14 percent world share; we have 2 percent of the Japanese market.

Aerospace: We are better than most, we have a 69 percent world share; 44 percent in the Japanese market.

Automobiles and vehicles: We have a 16 percent share of the world market; a 1 percent share of the Japanese market. Is that an accident? While we are driving Hondas and Nissans and Toyotas, is it an accident that we only have 1 percent of the Japanese market? No. I am going to talk about why that is the case. It is a deliberate restriction on American products going into Japan.

Machine tools: 6 percent of the world market; 1 percent of the Japanese market.

Pharmaceuticals: 27 percent of the world market; 7 percent of the Japanese market.

Office machines: 29 percent of the world market; 10 percent of the Japanese market.

The point from this chart is that the Japanese systematically keep from their marketplace the kinds of things that we are shipping around the rest of the world because they want to restrict what they buy from us. Yet, they want to continue to expand the amount they sell to us. What does it mean? It means that we have a very large trade deficit with the country of Japan.

The next chart reviews a little about the trade agreements that we have had. Some say, well, we have all these trade agreements. We have GATT, we have bilateral agreements, we have all kinds of agreements that are going to be opening up segments of the Japanese market.

During the past 3 years the Clinton administration has been very aggressive. They have negotiated 21 separate agreements with Japan. Included in these are two of the general framework agreements, and a variety of industry-based agreements with Japan. They contain everything from intellectual property to medical technology, from autos to auto parts and air cargo.

The purpose of these agreements is to try to make consistent and measurable gains in getting American products into the Japanese marketplace. I think President Clinton has been aggressive on this. I appreciate that. Former Ambassador Mickey Kantor has been the most aggressive of all of our trade ambassadors.

But at the same time, we ought to understand that this progress is painfully slow and terribly inadequate. We are not solving the problem. This was especially evident to me, at least, in a statement made by Japan's Vice Minister of International Trade and Industry about a month before President Clinton recently went to Japan. Yoshihiro Sakamoto told the Foreign Correspondents Club in Tokyo:

> It is no longer relevant to negotiate and have an agreement on issues related to global industries in a limited bilateral context between Japan and the United States. The

era of bilateralism is over. Any such friction from now on will have to be solved in accordance with the World Trade Organization . . .

In other words, he is saying about this big surplus they have with us, or our big trade deficit with Japan, that the days are over when we are going to negotiate with them to get more of our cars into Japan or more of our electronics equipment into Japan. Now he says we are going to be dealing with the WTO under GATT.

The fact is, the World Trade Organization simply does not even address or relate to the kinds of barriers that we face in getting American products into Japan. I can understand why Japan really wants to deal through the World Trade Organization rather than bilateral negotiations. They have decided that it is the best route for them because we have painted ourselves in a corner with this thing called the General Agreement on Tariffs and Trade.

The WTO, the World Trade Organization, primarily deals with tariffs and quota barriers. The problem is that Japan has a whole range of non-tariff barriers that keep American products out. I am going to describe a few of them. These barriers have nothing to do with the WTO and GATT. We cannot solve them through the WTO and GATT. But nonetheless, Japan keeps a wide range of products out. It restricts dramatically a wide range of American products going into Japan.

Perhaps a couple of Japanese agricultural tariffs will best illustrate the circumstances that I am talking about.

Beef. I do not know if many have been to Japan. The Presiding Officer has been to Japan. If you go to Japan to buy a T-bone steak in Tokyo. It costs you $28 to $30 a pound. Why? Because there is not enough beef in Japan.

We negotiated with Japan to get more American beef into Japan. You would have thought when it was over you that we had won the Olympics. You had people doing cartwheels and praising Hosanna and doing feasts and fiestas. What a wonderful thing it was that we would get more American beef into Japan.

We have such low expectations of the trade relationship with Japan. When you strip away what is actually in the agreement, you find that there is a 50-percent tariff on all the beef that goes into Japan. In other words we were successful in getting them down to a 50-percent tariff applied to American beef going into Japan. And, there is going to be a reduction, they say, of that 50-percent, down 2 percent a year.

But, if you have 120 percent growth in the volume coming in the reduction does not happen. So, you still have a 50-percent tariff on beef going into Japan. All the folks that did cartwheels about the major breakthrough should take a second look. This was on the front pages some years ago as a major breakthrough in beef going to go into Japan. Guess what? We still have a 50-percent tariff on American beef going into Japan. Despite that the cattle organizations think it is great we are sending more beef to Japan and so do I.

But, what low expectations we have if we believe it is fair for a trading partner like Japan to say to us, "You want to ship us hamburger or T-bone steaks, guess what? You have a 50-percent tariff." That is exactly the kind of thing they have done to us over and over and over again. It is exactly why our trade deficit with them has grown.

I will not describe the situation with pork but it is almost exactly the same thing. The implication was that we have solved a problem and we get more pork into Japan. Yet the fact is they put up a nontariff barrier.

In my judgment it is a fundamentally outrageous trade policy to say to us, "We want to ship you all our cars, we want to ship you our VCR's, ship you what we produce, but when you want to send American goods to Japan we want to narrow your market and restrict your opportunities."

The next chart shows some of these foreign trade barriers. I have a copy of the booklet put out by the U.S. Trade Representative offices showing trade barriers. It shows the trade barriers we face when American producers and workers try to send their products to Japan. This book says:

Whereas previous administrations had reached bilateral and multilateral agreements with Japan, long-term access to Japan's markets for foreign goods and services has remained elusive. While Japan has reduced its formal tariff rates to imports to very low levels, invisible non-tariff barriers such as nontransparency, discriminatory standards and exclusionary business practices maintain a business environment protective of domestic companies and restrictive of the free flow of competitive goods into the Japanese domestic market.

That says we are losing American jobs and sapping America's economic strength. Our jobs are going overseas. Why? Because Japan is sending their manufactured products here and we cannot get enough of our manufactured products into Japan.

The next chart shows the barriers to getting the products into Japan. There are many of them. The intricate trade and customs bureaucracy that stalls products when they get to Japan. Then there is overregulation and excessive inspection, restrictive standards, discriminatory pricing and procurement, state trading authorities, and something called the Keiretsu system. Most Members of the Senate understand that this Keiretsu structure in Japan would be illegal in the United States. It is a whole series of integrated business relationships and cross ownership that simply prevents us from getting into and competing in the Japanese market.

There are plenty of examples of that. Automobiles, for example: If you do not have dealers or existing dealers who are licensed to sell your cars, you cannot get sell your cars. The nontariff barriers of getting goods into Japan is legendary even for companies constantly trying to do that.

I mentioned apples. It took us 20 years of negotiation and study and review before Japan would accept apples from Washington State—20 years. When it comes to accepting the international phytosanitary standards on fruits and vegetables the best the USTR can say is, "Progress has been slow." That radically understates the circumstance, when it takes 20 years to get an apple into Japan.

Go to Japan today to Tokyo, and see some kids play on a high school playground. See if you see an aluminum baseball bat. You hear the ping of aluminum baseball bats in America these days. It seems a lot of the kids want aluminum bats rather than wood, but do you hear that sound hitting a softball or baseball. You will not hear it in Japan because in Japan if a Japanese high school wants to buy a baseball bat, the bat has to have the Japanese Industrial Standard seal of approval.

While there are no formal prohibitions on aluminum baseball bats, no one has been able to get the Japanese Industrial Standard seal of approval on an aluminum baseball bat. That means there are no aluminum baseball bats in Japanese high schools. It does not relate to tariffs or quotas. It relates to something called the Japanese Industrial Standard seal of approval.

Now with all the international intrigue in all of the high-level negotiations, we run up a massive trade deficit with Japan and we are told, "Well, our marketplace cannot accept enough T-bone steaks or any aluminum bats, or it take 20 years to get an apple through to be eaten by a Japanese consumer."

Japanese do not recognize the copyrights on sound recordings made outside of Japan prior to 1971. Now, the Presiding Officer, being from Montana, knows that the best music in our country came in the 1950's and 1960's. Because of the circumstances of the nonrecognition of copyrights on sound recordings in Japan, none of this good old rock and roll music is protected in the Japanese market. All of it is available to be used for nothing. That is another example of a circumstance of doing business in Japan.

Even earthquakes do not seem to shake their resolve to prevent outside interests from coming in with goods and services. The Kobe earthquake prompted some Swiss dogs to be sent to help find people buried in the rubble. Those Swiss dogs were held up at the airport in quarantine. Special emergency equipment was delayed in customs to respond to the Kobe earthquake and foreign teams of emergency doctors came to Japan to help and could not practice because they did not

have Japanese licenses. That is the kind of bureaucracy that we face in trying to get foreign goods and services into the Japanese markets.

Next, finally, I will talk about some myths about the United States trade deficit with Japan. The first myth is this is something we do not have to talk about and that it is self-correcting. It will go away.

It is not going away. It is getting worse. It is a deliberate managed trade strategy by Japan to enhance their economy at our expense. It means fewer jobs in our country. It means economic opportunity lost. It means a lower standard of living in America.

The second myth is that the trade deficit can be solved through the World Trade Organization. Anybody that believes that needs to go find some bridges to buy this afternoon. It will not happen. The World Trade Organization is not going to solve this problem.

Another myth is that bilateral trade deficits do not matter. It is only the aggregate that matters. That would be true for some other country that would have equal trade surpluses to offset against such a deficit. That argument has no relationship to this. We have a constant recurring trade deficit that is hurting this country and the largest deficit is with the country of Japan. It is deliberate. It is not getting better. It is getting worse.

It does not matter what we trade with Japan, some say. Nonsense. Japan is one of our largest trading partners. As I have indicated, for over 30 years, every single year, we have had a trade deficit. More importantly, they are sending us finished products, the product of labor and manufacturing and good jobs, and all too often they are unwilling to buy from us the product of our manufacturing. They are interested in buying our coal and other things that are not a product of manufacturing and do not create as many jobs in our country.

Another myth is that the deficit can be solved by macroeconomic policies. The deficit is not going to be solved by macroeconomic policies. Our trade deficit with Japan is a structural problem, and the imbalance in our economies is a result of a continuing trade deficit, not a cause of it.

We have cut our Federal budget deficit substantially in recent years. Yet, we have still seen a massive surge in Japanese imports during these years.

Some say, well, it is the currency exchange rate that caused the deficit. That is simply not true. As the currency exchange rate moved in one direction or another, our trade deficit has frequently moved exactly the opposite direction that you would expect. This trade deficit is not going to be solved by macroeconomic policies.

Some say that the Japanese market cannot absorb more American goods. That, of course, is the biggest myth of all. This is another version of the myth that we cannot compete in the Japanese marketplace because we do not understand the Japanese market. The fact is that the American products produced here do well whenever they are available to Japanese customers. The problem is getting into the Japanese marketplace to make them available to the Japanese customers.

Now, it is true that, on a per capita basis, the Japanese import as much from the United States as the United States imports from Japan. But that is one of those statistics that conceals rather than reveals. If we turn this around, we would find that, on a per capita basis, Japan exports four times more to the United States than we export to Japan. That is a statistic that just confounds an issue rather than clarifies an issue.

The fact is, whenever the Japanese market has been opened up to an opportunity to trade more and import more from the United States, the United States has experienced a substantial growth in sales to Japan. Our problem is that opportunity has not existed very often with Japan, and that is the reason for our recurring trade deficit.

The final chart talks about solving our trade deficit with Japan. What do we have to do to resolve this? First of all, you stop ignoring it. Do not have 200 days of discussion on the floor of the Senate about the fiscal policy deficit and then completely ignore a trade policy deficit that is even higher than the fiscal policy deficit. Don't ignore one that will inevitably be repaid some day by a lower standard of living in this country. This is another part of the twin deficits that hurt our country, and we have to deal with it.

We have to continue and expand bilateral framework talks with Japan, and push them hard. We have to say to Japan: You have a responsibility to us. A trade relationship is a two-way relationship, and we will no longer countenance a relationship in which you do well at our expense. We will not continue, in the next 30 years, a continuing trade deficit with Japan.

Second, we must monitor market access and enforce agreements, and do it aggressively. None of this talk and fluff. Go at this aggressively and insist on market access, demand market access for American workers and for the products of American businesses in Japan.

We need to involve and aggressively represent U.S. business, agriculture, and labor interests in trade disputes. We have been wallflowers in our trade relationship with these folks. We sit around and twiddle our thumbs and act nervous and sweat all day wondering what we can do. It is very simple.

What we say to countries like Japan is: We enjoy your products, Americans deserve to have opportunity to purchase your products, but we demand, as a part of that, that you open your markets to us. If you are saying to us, "We want to ship our cars, VCR's, and television sets to America to sell, but we will not allow American products into Japan in any significant quantity," then we say, "Sell your cars in some other country. Sell your cars in Kenya. See how many cars you sell in the Kenyan market."

If you want to sell in this market, you are welcome to. Then we hold up a mirror and say, "Treat us as we treat you. If you want access to our market, you will have it on the condition that we get access to your market." Anything short of that, in my judgment, is unacceptable to this country.

We also have to work with our trading partners to open Japanese markets. Other countries suffer the same problems. We have to work with them to respond.

We need to require full reciprocity and full market access. That is the mirror approach, saying, if you want to be in our markets, we expect and demand to be in yours.

Finally we have to make solving the trade deficit a national priority. I intend to offer, next week, a piece of legislation that would establish a commission to move quickly to develop national recommendations on how we aggressively involve ourselves in resolving this trade deficit and bringing this trade deficit down. We need balanced trade, not just with Japan but with China, Mexico, Canada, and other countries as well.

I am not saying, in any way, that Japan is not a valued trading partner of ours. I am saying that our trade relationship with Japan has not been mutually beneficial. It is not helping this country. It is hurting this country. We ought to decide, as a country, that we want to have a strong manufacturing base that helps create good jobs here in our country. We ought to decide we do not want to put a wall around us. We want to be willing and able to compete with anybody who wants to ship their goods into our country, provided they are produced with a living wage paid somewhere else, produced under circumstances that do not pollute the environment, do not exploit child labor, and so on. Even while we do that, we as a country ought to insist that other countries allow us the same access to their markets.

It is interesting, if you go back to the Second World War and chart the 50 years since the Second World War, you will find that 25 years after the Second World War we won everything economically. And, we did it with one hand tied behind our back. Our trade policy was a foreign policy, and nobody made any bones about it. It was designed to help other countries. But we could beat other countries without any problem. We were the biggest, the strongest, the

most, the best. We could outcompete and outsell and beat any country in the world on almost any level economically.

As a result, during those 25 years, American wages continued to rise and workers benefited from our economic opportunities and the economic strength that we had. In the first 25 years, wages went up like that. Then in the next 25 years, in that second half of the 50 years, wages began to stagnate for most Americans. What happened? What happened was that those we used to treat with a trade policy that was really a foreign policy have become tough, shrewd economic customers and tough competitors—Japan, Germany, and others.

What has happened was we began to bleed strength out of this country with these kinds of trade deficits that we have seen. These were recurring, consistent, yearly trade deficits that sapped this country's economic strength.

Our trade policy should no longer be a foreign policy. They ought to be economic policies that say to other customers and other trade partners in other countries, who are tough competitors, that we will give you certain access to our marketplace because we want to have a free and open marketplace. It should say we want to give consumers access to a wide range of products from around the world. But all of you—Japan, China, Germany, and others—have a responsibility in return. This responsibility finally is going to be one that America insists upon. The responsibility is to allow the American worker and the American producer into your marketplace to compete on the same basis as you compete in our country. We expect it, and, more importantly, we demand it, and we are going to do things necessary to enforce it.

I come from a State that requires that we find foreign homes for a lot of what we raise. I understand that. There is our grain, beef, and a lot of agricultural produce which move overseas. I appreciate the fact that we have trade relationships with countries that are willing to purchase these commodities. But it is not gratuity that suggests to me that Japan and China ought to buy more agricultural products, not less, from us.

When we run up trade deficits, or when Japan and China run up a trade surplus with us and then go elsewhere to buy grain or shop elsewhere to buy airplanes, there is something fundamentally wrong with our trade relationships. I hope that we will decide that this kind of trade strategy that we have had under Republicans and Democrats for three or four decades is robbing our children of the kind of economic future they ought to have in our country. It has been shifting our Nation from a high-wage nation to a low-wage nation. It has been a major contributor to our fiscal policy deficits because it has zapped our economic strength and it has slowed our economic growth.

I hope all of us will decide to do something about this. As I said, I want to introduce some legislation next week to form an emergency commission to try to deal with recommendations on how this country confronts this trade deficit. I am going to make presentations similar to this on our trade deficit with China, which is $34 billion a year and growing, and on our trade deficit with Mexico and Canada, which combined is also nearly $34 billion a year and growing.

I hope, perhaps at the conclusion, all of us will have some more information and some more facts about a problem that I think is a serious problem for our country and one that literally begs for attention. It demands a solution if we as a country are going to remain an economic power in the world in the decades to come.

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

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

THE BUDGET

Mr. PRESSLER. Mr. President, I rise to say a few words about the budget that this body enacted last evening. I voted with pride for the Domenici-Dole budget because it places our budget in balance by the year 2002.

This budget is the first real budget, with real numbers in it that will lead us to a balanced budget, that has been passed since I came to the Congress in 1974. We finally have passed a real budget with real numbers in it that will lead us to a balanced budget.

Also, this budget contains welfare reform, real welfare reform, that will lead us to workfare following the Wisconsin plan. We passed the same thing last year. It was vetoed twice by the President. But even he now says he has endorsed most parts of the Wisconsin plan. So even though our budget last year was not enacted, it has had some dramatic results. Even the liberal Democrats are now talking about a balanced budget for the first time. They are at least pretending to be interested. The President gave his radio address on the need for welfare reform following the Wisconsin plan which, under Republican Gov. Tommy Thompson, has become a model to get people onto workfare.

So this is very, very important for our country. In fact, a balanced budget is the most important thing we can do because it will provide for low interest rates and a stable dollar, and that will help us export more. A balanced budget will help college students who have student loans because it keeps interest rates down and the payments can be less. It helps homeowners who have home mortgages in terms of their interest. It helps small business people because of lower interest rates and a stable dollar for exports. It helps agriculture. In fact, it may be the most important farm bill.

I supported the freedom-to-farm bill with pride, and I was a part of the leadership team that brought us the freedom to farm bill. But if we can export, commodity prices will take care of themselves. In fact, we have some of the highest commodity prices in history.

Mr. President, we have a serious problem with cattle prices at this time. I just finished a conversation about the need for the Clinton administration to enforce the antitrust actions and the price-fixing actions if American consumers are not getting the advantages of lower beef prices—and they are not. Some people say we need more investigations and studies. We do not need more investigations and studies. We need action by the Clinton administration and the Justice Department to enforce the antitrust laws and the price-fixing laws that we have in this country. That will help beef prices. That will help our cattle.

Mr. President, I grew up on a farm, and I used to raise cattle. We would go out to western South Dakota and buy 400-pound feeder calves and bring them back to eastern South Dakota, feed them for a year, and sell them. I kept records on my 4-H beef cattle, and I know how tough it is to make a profit on feeder cattle. I know that a lot of our cattlemen today are losing money and are losing their farms because of low cattle prices. There have been a number of steps taken. But they have all been on the edge.

The real issue is price. I feel strongly that the great packer concentration is causing price-fixing, and we need antitrust action by the Clinton administration. They have the authority. The law is on the books. We should do it now.

So, Mr. President, in conclusion, let me say that I voted with pride for the Dole budget that passed the Senate because it has welfare reform in it that will lead to workfare.

It will fundamentally change the welfare system in our country to workfare. It will save taxpayers' money. It will mean that actual welfare recipients will do even better. This is a good budget that will lead us to $1 billion in 2002. I hope the House of Representatives and the White House accept the budget this year.

I thank the Chair, and I yield back my time.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WELFARE REFORM

Mr. DASCHLE. Mr. President, before we leave for the Memorial Day recess, I wanted to make a couple of comments if I could with regard to the current situation on welfare reform. I did not hear all of his remarks, but I know that the Senator from South Dakota just made a reference to welfare in the budget. A number of colleagues on both sides of the aisle have addressed the issue this morning—Senator BREAUX, and I believe, the majority leader did so as well. I think it is fairly clear that Democrats and Republicans want welfare reform. I do not know of anyone who supports the status quo.

There has been a lot of talk about reform principles over the last several months. The President reiterated the basic principles just last weekend. And on Tuesday, my colleague, the majority leader, announced his principles. The legislation to reform welfare has come a long way in the last 12 months. Senator BREAUX and Senator CHAFEE have worked over the course of the better part of a year now to achieve a bipartisan compromise on welfare reform, and frankly I applaud them for their effort and for the contribution they have made to this debate.

On the House side, Representatives TANNER and CASTLE have done much the same thing, and for them, too, there has been a good deal of attention for the work product they have produced. On Wednesday, Republican House and Senate Members introduced legislation very close to those bills. So in large measure, many of the extreme provisions of the legislation offered in 1995 are no longer evident in the welfare reform proposals that are currently being considered. If you look at the proposals, what is remarkable is the degree to which there is common ground. That common ground is really based on a number of principles that apparently are shared now by the vast majority of Republicans and Democrats.

First, able-bodied welfare recipients ought to work. I do not think there is much disagreement about that. Second, welfare receipts ought to be limited in time. Now, there is some disagreement with regard to the length of time perhaps, especially on my side of the aisle, but I do believe there is a broad, bipartisan consensus in the middle that there ought to be a time limitation. Adequate funds for child care need to be provided as well. You cannot ask a family to go take that new job, to leave the security of the welfare infrastructure and then to expect them to leave children in the living room unattended. We talk about making sure that families have the ability to be families, to take care of their children. If they are going to work, somebody has to take that responsibility while they are gone.

I also recognize, and I think most colleagues do, that there is a broad consensus about how we treat illegal noncitizens. They should not receive welfare, period. I do not think there is much disagreement with regard to welfare receipt for illegal noncitizens. Child support enforcement laws need to be strengthened. There are still too many deadbeat dads out there who ought to be sought out and ought to be made to live up to their responsibilities.

We need to provide more flexibility to States. The President has provided now, I am told, over 60 waivers in States across the country. No greater level of flexibility has ever been given by any administration to States to find ways to address the welfare issue from their perspective more effectively than has this administration.

Finally—and I think there is some disagreement on this—there is a growing consensus that children, infants, and toddlers especially, those most vulnerable, need to be protected; that welfare reform should not be about punishing kids. It ought to be about giving them as much empowerment, as much opportunity to be cared for, to be educated, to be fed, to be clothed, and housed in a way that will ensure that they are not on welfare someday. We need to break this generational linkage. The only way we are going to do that is to empower children and find ways to ensure that they are not punished as we continue to find a more viable approach to our welfare system.

The President said yesterday that he would like to enact welfare quickly. In fact, he said he would like to see it happen before the majority leader leaves the Senate.

Mr. President, I think there ought to be bipartisan agreement to that effect. Let us try to do that. I listened carefully to the speech by the majority leader in Wisconsin, and he said, "When I say real welfare reform, I mean requiring every able-bodied welfare recipient to find work within 2 years."

The Republican bill introduced yesterday goes beyond that particular requirement for work, and it is something we are going to have to be able to address. There are no exceptions, except for mothers with children under age 1. What about disabled people? Should they be required to find a job in 2 years? What about those caring for a disabled child? What about those who are caring for a disabled spouse? Do we require the same of them that we require for able-bodied people in normal circumstances?

That is something I am sure in a bipartisan way we can resolve to everyone's satisfaction, but clearly those are a series of questions that in our view have to be addressed in a way that will allow us to pass meaningful legislation sometime soon.

I do hope we can act on it soon, but we also need to read the legislation that has been introduced. It was not available yesterday. We do not know if it will be available today. There may be other areas in the bill where the provisions do not match the principles that appear to be the common ground that binds Republicans and Democrats. But clearly there is a desire, and I think that desire is becoming more pronounced, more articulate in a more specific way than at any time in recent memory.

I agree with much of the majority leader's speech in Wisconsin, not just the quote to which I just made reference. He did not speak as an extremist partisan leader. He spoke of, and I quote, "The American ideals of freedom and human dignity, opportunity and personal responsibility." He is right.

The President has articulated in much the same way what this ought to be about. Now it is our responsibility to ensure that welfare reform does not aim at the mother but hit the child.

Much has been said about reform. Little has been said about protecting children. We all want to make sure that they are protected, that they do not pay for the mistakes or the circumstances of their parents. Somehow there ought to be a way to protect children as we attempt in a positive way to construct a welfare infrastructure that allows us to make fundamental change.

If our Republican colleagues are serious about welfare, then we ought to schedule it. We ought to schedule it quickly. We could agree today to take that legislation up before the Senate as early as June 4 when we come back. Let us set aside this so-called Defend America Act. Let us bring welfare reform to the floor and let us begin to address it. We can compare our provisions. We can agree on principles. We can decide how we answer the questions that I have addressed, but let us move it.

Let's drop the partisan ploy to combine welfare and Medicaid. There is no consensus on Medicaid. There is a consensus on welfare. Not proceeding on June 4 means that perhaps there are some who are not serious about whether or not we ought to move in an expeditious way, that we may not be able to get this bipartisan consensus in a timeframe that will allow the majority leader to demonstrate his leadership as he has in the last couple of days.

So I hope that we could get some agreement to take up welfare reform at the earliest possible date. I would be prepared to work with the majority leader to find a way to ensure that Senators have an opportunity to voice their objectives and their goals as well as their opposition to specific ideas that may be debated. That is what a good welfare debate is all about.

But I can guarantee this. There would not be any long, unnecessary, extended debate. We could resolve this matter. We could send it on to the President. We could find the President and the majority leader in agreement, and move on to other issues that may separate us and continue to require the debate that I know they will. Medicaid and Medicare may be two examples. But we can do welfare. We can do it the week we get back. We can do it in a matter of a limited period of time. That is possible. I hope we could find a way, in a bipartisan agreement, to make that happen sooner rather than later.

I yield the floor.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The senior Senator from Montana.

Mr. BAUCUS. Mr. President, what is the pending business?

The PRESIDING OFFICER. We are in morning business with Senators allowed to speak up to 5 minutes.

Mr. BAUCUS. I thank the Presiding Officer, my colleague from Montana.

MFN STATUS FOR CHINA

Mr. BAUCUS. Mr. President, I rise to discuss the question of most-favored-nation tariff status for China.

Our goals in China policy over the next 10 years are more important than our goals for the next 2 months. But we must begin with the next 2 months and MFN status, because we can not do much at all unless we avoid disaster in the short term.

We Americans should begin by understanding what MFN status is, and what it is not. MFN is not a special favor and it does not mean "best country." It traditionally meant that we would give a country the same tariff rates everyone else got. But today, MFN is closer to "Least" than "Most" favored nation.

Only seven countries—Afghanistan, Cuba, Cambodia, Laos, North Korea, Vietnam, and Yugoslavia lack MFN status. And the House, as well as the Senate Finance Committee, has already passed a bill to get Cambodia off that list.

By contrast, 31 countries get tariffs below MFN through the Caribbean Basin Initiative, the Andean Trade Preference Act, the NAFTA, and the United States-Israel Free-Trade Agreement. And when we renew the Generalized System of Preferences, the total will rise to 151 countries and territories with tariffs below MFN.

So giving China MFN status is nothing special. Now look at revoking MFN. It raises tariffs from Uruguay Round to Smoot-Hawley rates. That brings our average tariff on Chinese goods from 4.6 to 40 percent. To choose some of China's largest exports, Smoot-Hawley tariffs raise the duty on silk blouses tenfold, from 6.5 to 65 percent. On radio-tape players, from 1 to 35 percent. On toys and stuffed animals, zero to 70 percent.

This would make trade with China impossible. China would lose about $44 billion of exports, nearly a third of its total sales to the world. China's inevitable retaliation would cost us $14 billion in direct exports, plus much of our $17 billion in exports to Hong Kong.

The consequences would be staggering. China would suffer a humanitarian crisis, as millions of workers in coastal export factories lose their jobs overnight. That is why the dissident Wei Jingsheng hopes we will not revoke MFN status, and says that "the direct victims of such measures are the already poverty-stricken Chinese people."

They would not be the only victims. The damage to Hong Kong would be tremendous. The United States would lose hundreds of thousands of export jobs. Retailers and the millions of people they employ would suffer a massive disruption of toy and apparel imports just as they are buying stocks for the Christmas season.

And although MFN is a trade policy, the malign effect of revoking it would go far beyond trade and jobs. It is hard to see how we could continue working with China in areas of mutual interest. And the consequences in politics and security—from our ability to manage the nuclear aspirations of North Korea, to preventing weapons proliferation in the Middle East, to the U.N. Security Council and beyond—would be immense.

That brings us to the larger and more important question—what we hope to achieve in China policy generally. And again, start with the facts.

China is the world's most populous country. It has nuclear weapons and the world's largest army.

It is a major industrial contributor to global climate change and pollution of the oceans. And it is the world's fastest growing major economy. So in the coming decades, China will have significant effect, for good or for ill, on economic, environmental and political developments in Asia and around the world.

If China is hostile—or, short of outright hostility, refuses to recognize the standards of behavior most countries accept, and approaches the world with an angry nationalism—hopes for peace and prosperity recede.

And as the first half of this century showed, a weak, poor, and fragmented China is equally dangerous.

It becomes a source of revolution. It sends refugees across the world. And it attracts the greed and aggression of its neighbors, as it did Bolshevik Russia and Imperial Japan.

So we should do what we can to avoid either extreme. That is a difficult foreign policy problem which requires patient, continuous engagement. We should work with China wherever possible. And issues from environmental protection, to adoption of Chinese orphans, to security in Korea show that it is often possible.

We also have disputes with China, on intellectual property protection, treatment of dissidents, and weapons sales. And we must address these disputes in a calm but serious way. The U.S.TR's announcement of sanctions for violations of the 1995 Intellectual Property Agreement today is a good example.

But whether we are talking about mutual interests, or disputes, there is really only one way to succeed. That is by staying engaged and remembering our long-term goal of a world a bit more peaceful and more prosperous.

Barring a cataclysmic event that makes engagement impossible—an unprovoked attack on Taiwan, for example—revoking or conditioning MFN will not help achieve that goal. Rather the reverse, to put it mildly. And if such an event were to occur, a policy based on MFN would be far too weak.

In fact, there is no situation to which revoking MFN status would be the appropriate response. And thus, after 6 years, it is time to end the debate. It has become simply an artificial, annual crisis at a time when we have all too many real ones.

So this year, the administration should show strength and confidence in its basically sound policy.

We should not revoke MFN status. We should not try a split-the-baby half measure like revoking MFN for state-owned industry or bringing China back to Tokyo round tariffs. Nor should we use new conditions to postpone the decision a few months or a year. We should just leave MFN alone.

And next year, we should move on. It is time to bring China out of the Jackson-Vanik amendment, extend MFN permanently, and close this debate for good.

VOLUNTARY ENVIRONMENTAL SELF-AUDITING

Mr. LOTT. Mr. President, this week the Senate Judiciary Subcommittee on Administrative Oversight and the Courts held a hearing on voluntary environmental self-auditing. The hearing was held to explore the State experience with laws to encourage self-audits and why it is necessary to enact Federal legislation to complement these State laws.

I want to take this opportunity today to share with you the importance of what was said at this hearing.

First, an explanation of what voluntary environmental self-auditing is; why companies do it; and what the problems are.

In the past 10 years, the number of environmental statutes and regulations that impose compliance obligations, and the corresponding increase in civil and criminal penalties and sanctions for violations of those obligations, have dramatically increased. Furthermore, thanks in part to these laws, social mores that value environmentally responsible business practices also compel environmental awareness by businesses. In response to these developments, more and more companies use environmental self-audit programs as a tool to ensure compliance with this complex and litigious system.

Generally, an environmental audit is a means of reviewing a business in order to get a snapshot of its overall compliance with environmental laws and to troubleshoot for potential future problems. EPA defines an audit as a systematic, documented, periodic, and objective review by regulated entities of facility operations and practices related to meeting environmental requirements. Audits can include inspections of equipment to ensure that permit requirements are being met; assessment of future and present risks of regulated and unregulated materials used at the facility; and assessment of day-to-day operation of its environmental management structure and resources. Some companies have compliance management systems that can include day-to-day, even shift-to-shift voluntary activities to assure compliance.

No State or Federal law requires companies to undertake comprehensive environmental self-auditing. This is a voluntary, good business practice initiated by companies that are taking extra steps to be in full compliance with environmental law.

There are no guidelines or standard practices—audits vary considerably because they are done voluntarily and because they must accommodate the individual needs of companies or specific facilities to be most effective. They are typically much more extensive than an inspection by a State or Federal regulator because they are done more often and because companies simply know much more about their operations and permit obligations than the regulator can.

So, a company conducting its own audit can identify and correct a much wider range of potential violations.

Sounds like a great idea, doesn't it?

Unfortunately, many companies do not do voluntary self-audits because the information contained in the audit document can be obtained by regulators, prosecutors, citizens' groups, or private citizens and used to sue the company.

Remember that we have an incredibly complex compliance system. A recent survey by Arthur Anderson Environmental Services and the National Law Journal found that nearly 70 percent of 200 corporate attorneys interviewed said that they did not believe total compliance with the law was achievable—due to the complexity of the law, the varying interpretations of the regulators, the ever-present role of human error, and the cost. Because of this complexity, it is possible and logical that companies that take on the task of self-evaluation will find volations—that is what we want them to do. Find problems and fix them without waiting a year for a government inspection. Unfortunately, the audit documents are a vehicle for anyone to use to sue. Companies completing environmental audits develop documentation of their instances of noncompliance or areas of potential concern. These documents, if made public, are a roadmap for third parties or governments to use to sue the company even if the problem has already been corrected and no environmental harm has occurred.

Companies are already vulnerable to extensive liability under environmental laws. Under the Clean Air Act amendments of 1990, for example, the maximum civil penalty that may be assessed is now $25,000 per day per violation. EPA's fiscal year 1994 enforcement and compliance assurance accomplishments report shows that 166 civil judicial penalties were brought in 1994 totaling $65.6 million. On average, that is about $400,000 a case. Administrative penalty orders for the same year numbered 1,433 actions, which totaled $48 million.

That's a lot of money and a pretty powerful disincentive to self-auditing.

Seventeen States have recognized this disincentive to self-auditing and have enacted laws to fix the problem so more companies will self-audit.

Mississippi is one of those States that has acted on this issue.

These laws typically do two things:

First, provide a qualified evidentiary privilege for internal company audit documents, and second, grant penalty immunity to companies that conduct audits, voluntarily disclose any violations they discover in their audit, and promptly clean up or fix the violation.

In other words, if you are a responsible company that does self-auditing to find out where you have problems, and you tell the State authority that you found it and fixed it, you are rewarded by not having to pay a fine and by getting protection from use of an internal company audit in court.

Better environmental compliance using a voluntary flexible approach: this is what we all—both Republicans and Democrats alike—believe to be the new environmentalism.

This is common sense—companies have an incentive to find and fix their problems right away.

That's better for the environment: State officials benefit because they can establish cooperative relationships with companies instead of the current adversarial enforcement first system; Taxpayers get better return from their tax dollars because enforcement resources can be redirected toward the bad guys who are not following the law; and of course, best of all, we are all rewarded with greater compliance with environmental law.

These laws are not about secrecy and letting polluters off the hook—you'll hear that from the opponents of these laws.

Opponents will say that these laws make it more difficult to prosecute and that they will interfere with enforcement actions or compromise the public's right to know.

Not true. These laws protect only the voluntary self-audit document—they do not protect any information required by law to be collected, developed, maintained, reported, or otherwise made available to a government agency. The opponents are saying that protection of the audit document will allow bad actors to hide violations and endanger human health. Of course, that is not true: you gain nothing from these laws if you are using an audit for a fraudulent purpose, or if you find a violation and don't fix it, or if you have a pattern of repeat violations.

If you're cheating, you're out, as it should be. These laws are about a new way to do things with all the safeguards you would expect a State legislature would insist upon to protect its citizens.

Again, 17 States think this is a better way to get things done. And by the way, 25 other State legislatures are considering this voluntary self-audit legislation—that is a grand total of 42 States.

I'd say this is a definite trend.

We need to enact similar legislation on the Federal level to complement and assist these States with full and effective implementation of this concept. This is what the hearing was all about: the need for Federal legislation.

Why not let the States continue to show us innovative ways to achieve environmental progress? Because the way our system of environmental law is set up, EPA retains the right to enforce the law after it delegates program authority to a State. This means that without a Federal law granting a qualified privilege and immunity for voluntary self-audits, the EPA can take separate enforcement actions—or overfile—regardless of any State action. So, a company that wishes to take advantage of a State audit law which provides it with enforcement protections from State action, is not protected from Federal enforcement actions.

Why would a company voluntarily disclose violations to a State when the

feds can come after them for the same thing? It would be asking them to be hit with a lawsuit.

EPA has been very clear about its intent to scrutinize actions in States which have enacted laws and in States which are currently addressing audit bills in their legislatures. EPA has set up a task force to monitor the approval of State delegated programs under the Clean Air Act for States with voluntary environmental audit statutes. The Agency has indicated that approval of certain State programs may be delayed or denied because of their State audit privilege statutes. EPA has used this threat to withhold Federal program delegation in order to influence pending State legislation.

This is an astonishing breach of States' rights, if you ask me.

Threatening States because of laws their citizens' representatives have enacted. Governor Merrill of New Hampshire said it best in responding to EPA's opposition to that State's law:

> I reject the suggestion that States like New Hampshire must recognize the primacy of Federal laws in order to successfully design and implement effective environmental laws. In fact, States have proven time and time again that the Federal Government does not know best and does not get the job done for the citizens of the several States. I hope that the EPA does not intend to minimize the independent sovereign rights of States to adopt and enforce environmental laws that protect our environment and add to our quality of life.

Full use of these State laws will never happen in this adversarial climate and an opportunity to encourage this creative and cost-effective approach to environmental problems will be missed if we do not take action on the Federal level.

Even the Clinton administration has recognized the value of promoting environmental self-auditing, having issued a policy statement in December 1995. It is a good step forward by this administration; unfortunately, it does not really do the job.

Basically, the administration policy says if companies come forward and voluntarily disclose violations, then EPA will not prosecute them as aggressively as they could otherwise. Not a real bonus. No evidentiary protection, no protection against citizen suits, and it is only a policy, not a rule, so it does not have the force of law nor does it have any impact on what the Justice Department or the FBI can do.

A nice gesture but that's about it.

The hearing makes a compelling case for enactment of Federal legislation. Senators BROWN and HATFIELD have introduced legislation, S. 582, to encourage environmental self-auditing by setting up parallel protections and incentives on the Federal level that parallel those on the State level.

Enactment of S. 582 will allow these 17 States to fully implement their laws. We here in Congress can put our money where our mouth is by enacting the kind of flexible, voluntary environmental statutes that we have all been talking about for a year. And it presents the EPA with the opportunity to work with instead of against our States. This is the best reason yet to pass the Brown-Hatfield bill.

We all get better environmental compliance.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Thursday, May 23, 1996, the Federal debt stood at $5,120,583,551,676.66.

On a per capita basis, every man, woman, and child in America owes $19,329.45 as his or her share of that debt.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Mississippi.

Mr. LOTT. Mr. President, I thank the Democratic leader for being here. We do want to engage in some unanimous-consent requests and hear his response. I am pleased that we are able to make these offers today.

UNANIMOUS-CONSENT REQUESTS—H.R. 3415, S. 295, AND H.R. 3448

Mr. LOTT. Mr. President, I begin by asking unanimous consent that the majority leader, after notification of the Democratic leader, may turn to the consideration of H.R. 3415 regarding the gas tax repeal, and that it be considered under the following time restraints, 1 hour on the bill to be equally divided in the usual form, no amendments or motions be in order, and following the conclusion of time, the bill be read for a third time, and final passage occur without further action or debate.

I think, since we are entering the Memorial Day week, we could come together on an agreement on a number of unanimous-consent requests here, particularly this one. It would be very helpful to the American people if we could send this gas tax repeal to the President of the United States. He would be able to sign it right here at this critical moment as Americans are traveling all over our country. And, therefore, I make that unanimous-consent request at this time, Mr. President.

I further ask immediately following the disposition of H.R. 3415 the Senate turn to consideration of S. 295 regarding labor-management—that is the TEAM Act, cooperation in the workplace—that no amendments or motions be in order, and there be 2 hours of debate to be equally divided in the usual form, and following the conclusion or yielding back of time, the Senate proceed to third reading, and final passage occur all without action or debate. Again, that is the so-called TEAM Act, and it be brought up with no amendments.

I ask unanimous consent that following the disposition of S. 295, the Senate proceed to the consideration of H.R. 3448 regarding the minimum wage, and it be considered under the following time restraints: 1 hour on the bill to be equally divided in the usual form, one amendment in order to be offered by the majority leader or his designee, one amendment in order to be offered by the Democratic leader or his designee; that the amendments be offered in the first degree and limited to 1 hour each, to be equally divided in the usual form, no motions be in order other than motions to table, and following the disposition of the amendments and the conclusion of time the bill be advanced to third reading, and final passage occur all without further action or debate.

Therefore, I ask unanimous consent for all of those I listed.

Mr. DASCHLE. Mr. President, the distinguished majority whip and I have had the opportunity to discuss these matters now on several occasions and I appreciate his candor and the opportunity we have had to discuss ways with which to bring these bills to the floor.

I have indicated to him that on several of these bills my Democratic colleagues hope to offer amendments. It is not our desire to extend debate, to my knowledge, on any of these bills. Our hope, however, is that on the gas tax bill we have the opportunity to offer an amendment which would ensure that consumers benefit from this reduction in the gas tax. This unanimous-consent agreement would not allow for that. We have other amendments that we would like to be able to offer.

Because of our desire to offer amendments and our difficulty in having that right under this unanimous-consent agreement, I have to object.

The PRESIDING OFFICER. The objection is heard.

Mr. LOTT. Mr. President, if I could inquire of the Democratic leader, I know that the majority leader has indicated that he would be willing to work with the minority in developing the concept where the gas tax repeal would be subject to some amendments, including a technical amendment to be offered by the majority leader regarding previously purchased gas, an amendment to be offered by the Democratic leader or his designee, and then one to be offered by the majority leader or his designee. I know you have a

Senator that has been working on trying to come up with a way to guarantee the people actually get this gas tax repeal.

I am willing, on behalf of the majority leader, to modify that unanimous-consent request to include those amendments on the gas tax, if that would be helpful.

Mr. DASCHLE. I want to consult with a couple of my colleagues prior to the time we enter into that agreement at this time.

The majority whip has provided us, I think, with an opportunity here to reach an agreement, at least on that particular bill. If it were in concert with the minimum wage bill to be taken to the floor at approximately the same time—that is, within the same day or the day following—I think we might have an agreement that those two bills could be put on the calendar and brought up as soon as we come back. I would be interested in working with my distinguished colleague to see if that might be accomplished.

Mr. LOTT. If I could inquire of the Democratic leader, with regard to the gas tax, I know he would want to consult with others, the outline I offered, the technical amendment, and an amendment by either the Democratic leader or his designee or the majority leader or his designee with regard to the gas tax, that would probably be something?

Mr. DASCHLE. We have a couple of different approaches that our colleagues have considered with regard to ensuring that the benefit actually be provided to the consumer. One involved an accounting mechanism, that I would allow that to happen. Another involved a straight tax credit. I would have to make some determination that my colleagues have an interest in offering both amendments. If that were the case, I would have to come back with an alternative which would allow the consideration of at least those two amendments. This unanimous-consent agreement only allows for one amendment. That is something we would have to work through.

Certainly, the offer is—I take it in good faith. I think I would be in a position to respond in the not-too-distant future to that particular unanimous-consent agreement.

Mr. LOTT. I think we could probably work out the addition or another amendment if that would help us reach an agreement.

Mr. DASCHLE. I think it might.

Mr. LOTT. I want to emphasize again, and I know the Democratic leader understands this, it would really be good if we could get an agreement on this and find some way to move it quickly for the benefit of all American people. We would have liked to do it now before Memorial Day or as soon as we can. We think that would be a very, very positive thing for the American people and for the economy.

Now, on the TEAM Act, is there something more that the Senator from South Dakota would want on the TEAM Act? We do not include any amendments here, but we are anxious to have this issue considered. As the saying goes, "Let's talk." We would like to see if we can talk about how we get this done and encourage talk between employers and employees. Do you have any alternative you would like to suggest with regard to the TEAM Act?

Mr. DASCHLE. As I say, I think there are a number of amendments, or perhaps just one substitute amendment that we would like to offer. We have not had the opportunity to come to closure on that. I do think that also could be agreed upon in the not-too-distant future, perhaps as early as the week we get back. That is the timeframe for the number of amendments we would want to offer. I suspect that one, perhaps a couple of amendments, would be all we have a need to offer, but we would certainly want to be able to amend the bill as it is currently presented.

Mr. LOTT. The Democratic leader will give us a response on that.

Mr. DASCHLE. I sure will.

Mr. LOTT. We will ask for a modification with regard to the minimum wage that would go something like this, if I could go over it. We will give this to the minority leader at the conclusion of our exchange here. We could also probably get approval from the majority leader. We ask consent for the following disposition of S. 295: That the Senate proceed to the consideration of H.R. 3448, which is the House-passed bill regarding the minimum wage, and it be considered under the following restraints. One hour on the bill to be equally divided in the usual form; one amendment in order to be offered by the majority leader or his designee; one amendment in order to be offered by the Democratic leader or his designee. That the amendments be offered in the first-degree, and 1 hour each to be equally divided in the usual form; no motions in order other than a motion to table, and following disposition of amendments and closing of time, the bill be advanced to third reading, and final passage occur without further debate occurring.

Again, I am trying to see if we cannot find a way to make all three of these very important issues be considered by the Senate. We could get the gas tax up, in a way that three or perhaps four amendments could be offered. The TEAM Act, if the Senator from South Dakota has a suggestion of an amendment on that, perhaps we could work it out, and we also offer this additional proposal with regard to minimum wage.

I think if this package is going to come up, actually, the majority members would like to have an opportunity to offer an amendment, perhaps, in that area. Before we got a complete agreement here, I want to make sure the majority leader is totally satisfied with the response that we get here, and also that our people are comfortable with that arrangement. Would that help with regard to the minimum wage?

Mr. DASCHLE. The distinguished Senator from Mississippi has given us an opportunity here, I think, to move the minimum wage bill. As he is fully aware, this minimum wage package includes quite an elaborate array of tax provisions for small business.

A number of our colleagues, as I understand it, on both sides of the aisle have expressed some interest in taking a closer look at those provisions, with an expectation that they may want to modify them or add to them. It is largely a concern for that aspect of the legislation that would cause me to be somewhat concerned about whether one amendment would allow an adequate opportunity for our colleagues to address the tax provisions.

So we will have to consult with our colleagues, and I am sure the majority whip may find the same need, as he just has indicated, to consult not only with regard to the minimum wage provisions, but the tax provisions as well. We are getting closer. Clearly, this is encouraging. I hope that in the not-too-distant future, we can come to some resolution. This is another step in the right direction. I appreciate the offer made by the whip, and we will respond as soon as possible.

Mr. LOTT. Mr. President, again, with regard to the minimum wage, of course, we do have an interest in the tax provisions passed in the House. I know members of the Finance Committee want to take a look at it. Hopefully, within the next 10 days they can do that.

The idea is, surely, to try to help the small businesses that could be impacted in such a way that their profit margin could evaporate, or they could wind up laying people off. We do not want that. We are worried about the human impact, people at the entry level in small businesses that could wind up losing their job, or not getting that first job. We hope these tax provisions help soften that blow. We would like to make sure that that, in fact, is what happens. As the minority leader suggests, we may want to consider adding some more or taking some out on both sides of the aisle.

Mr. President, again, we have some important work to do in the remaining three legislative months of this year. We are very anxious, now that we passed a budget resolution yesterday, to get that conference completed and move on to the reconciliation bill, so that we can have Medicaid and welfare reform and other spending savings, so that we can give some tax relief to the American people.

In order to get all that done, including defense authorization, I know we need to clear up these issues. I know the minority would be inclined to offer amendments that would wind up bogging down other bills, and if we can find a way to break the legislative gridlock, in a cooperative way, and get the job done in the best interests of the American people, I think the American people would see that very positively. I want to see if we can find a way to make that happen.

Mr. DASCHLE. Mr. President, let me express enthusiastically my desire to work with the whip to make that happen. I only lend one small piece of advice if he is desirous of making that happen sooner rather than later. We could simply take the defend America bill off of the calendar for now—put it back on the calendar, I should say—or, obviously, we are back into a cloture vote at 2:15 on Tuesday. We can avoid that cloture vote and go right to these bills and debate them. I do not think there is any desire on our part to unnecessarily extend the debate. We do have some amendments, as I have indicated. I think we can resolve these matters one by one and have a very productive week when we get back. That might be time much better spent than to have additional cloture votes on the so-called Defend America Act. That is, obviously, a matter that my colleagues on the other side, the leadership, are going to have to decide. That would be a way with which to break the logjam and keep the process moving along. I look forward to working with the distinguished whip and the majority leader to see if we can resolve the matters in the not-too-distant future.

Mr. LOTT. Madam President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER (Mrs. HUTCHISON). The distinguished majority leader is recognized.

WELFARE REFORM

Mr. DOLE. Madam President, I will just say a word or two, and I will make a unanimous-consent request. Three days ago in Wisconsin, I outlined my welfare reform plan. Let me be as clear as I can about what it contains. There are five principal points.

I mean every able-bodied welfare recipient to find work within 2 years, or a shorter period of time if the State so desires.

I mean a real 5-year lifetime limit on welfare payments with few exceptions.

I mean making certain that illegal noncitizens are ineligible for all emergency benefits.

I mean giving States the ability to stop payments to unmarried teens.

And, above all, I mean trusting the Nation's Governors with the flexibility they need to establish the laboratories of our democracy.

I think it is fair to say that there are different approaches. Everybody wants welfare reform. I think the President and I have a different approach. It will be debated—maybe after my departure from the Senate—and I hope there is some way to work out welfare and Medicaid as a package and have that signed by the President.

We are witnessing in the inner cities out-of-wedlock births as high as 80 percent. Most Americans believe, I think, that able-bodied people on welfare should work if there are jobs, and the President indicated yesterday that, in effect, he said he would take our suggestions. I am not certain he has had an opportunity to read the bill. It was introduced a couple of days ago. If he does agree with my five positions, which I just stated—I do not think they are consistent with his views. In fact, I will indicate for the Record that he has a different view on almost each of the five.

Governor Thompson and four other Republican Governors wrote to President Clinton, "Without national welfare reform for all 50 States, the cycle of poverty goes on—for instance, the number of single women head of households in poverty has increased by 175,000 since you, Mr. President, took office."

No doubt about it, we must stop the plague of out-of-wedlock births in our inner cities, which is as high as 80 percent in some areas.

We must give all able-bodied Americans a chance at the American work ethic.

We must reform welfare. President Clinton is not doing this. As we all know, he has twice vetoed welfare reform passed by Congress. I wonder if he is willing to deny the American dream to another generation of Americans.

President Clinton yesterday suggested my five positions outlined above were very consistent with his. They are not. The President suggested that Congress pass my welfare reform plan and the he will sign it.

I am ready to move on my plan. I offer the following unanimous consent.

UNANIMOUS-CONSENT REQUEST—WELFARE REFORM

Mr. DOLE. Madam President, I ask unanimous consent that the Senate turn to the immediate consideration of the bill, which I now send to the desk re welfare, and it be considered under the following time restraints: 1 hour on the bill to be equally divided in the usual form; no amendments or motions in order; and that following the conclusion or yielding back of time, the Senate proceed to third reading and final passage to occur, all without further action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Madam President, reserving the right to object. The last time the Senate considered welfare reform, as you know and the majority leader recognizes, it took over 10 days. We had 200 amendments offered. The Senate conducted 42 rollcall votes in relation to that particular bill—all of this on a piece of legislation with close to 700 pages. I do not know if everybody had the opportunity to see the catalog effect that that bill has as you carry it to the desk. But this is the conference report from that bill. It is 693 pages long. There were a lot of amendments. Ultimately, as the leader recalls, there was a pretty broad bipartisan support for the bill, after all that work was done.

So I do not know that we might be able to agree to what he has suggested now.

But in light of what he has suggested, I ask unanimous consent that the majority leader amend his request to provide that the Senate turn to the consideration of the welfare bill as the first order of business on Monday, June 3, and that the motion to proceed to the missile defense bill be delayed until the completion of the welfare bill, so that we might finish it while he is still here.

The PRESIDING OFFICER. Does the leader modify his request?

Mr. DOLE. Madam President, I object to that. But I indicate that we have talked about minimum wage, we have talked about welfare reform, and we have talked about repeal of the gas tax, which we hoped to have done before the Memorial Day recess in order to save millions of Americans a lot of money. We did not quite get it done.

I am perfectly willing, if we can work out some agreement. My point is that the President says he likes this bill. He said, "Send that bill down here and I will sign it." He is going to have a week to look at it—the Memorial Day recess. It will be printed, and it will be available. I believe the Democratic leader will find that there are even more generous provisions in the bill that passed this body by a vote of 87 to 12, and it would have been 88 to 12 except Senator HATFIELD from Oregon was ill that day.

So we have tried in this bill to accommodate many of the concerns the Governors raised, from both parties. We believe it is a good bill. The President said it is a good bill. At least that is what he said Wednesday in Wisconsin. I am just trying to accommodate his wishes. But I cannot agree with all of the other matters pending.

We may decide on the missile defense, if we can work out some broad agreement to put it back on the calendar. I think we could dispose of the other three next week—the week we are back, the last week I will be in the U.S. Senate. It would certainly be agreeable with me.

So I will try to work with the distinguished Democratic leader.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Mr. DASCHLE. Regrettably, we object at this time.

MEASURE PLACED ON THE CALENDAR—S. 1823

Mr. DOLE. I ask unanimous consent that the bill which I introduced be placed on the calendar.

The PRESIDING OFFICER. Is their objection? Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DOLE. Madam President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations en bloc on today's Executive Calendar: Calendar Nos. 534, 580, 581, 582, 583, 584, 592, 593, 599, and 600.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DOLE. I ask unanimous consent the nominations be confirmed en bloc, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the nominations appear at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

AIR FORCE

The following named officer for appointment in the United States Air Force to the grade of brigadier general under the provisions of title 10, United States Code, section 624:

To be brigadier general

Col. William Welser III, 058-42-4623, Regular Air Force.

PANAMA CANAL COMMISSION

Markos K. Marinakis, of New York, to be a Member of the Board of the Panama Canal Commission.

AIR FORCE

The following-named officer for reappointment to the grade of lieutenant general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

To be lieutenant general

Lt. Gen. Richard B. Myers, 509-42-7092

The following-named officer for reappointment to the grade of lieutenant general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

To be lieutenant general

Lt. Gen. John P. Jumper, 226-60-7457, U.S. Air Force.

The following-named officer for reappointment to the grade of lieutenant general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

To be lieutenant general

Lt. Gen. Ralph E. Eberhart, 490-48-7375, U.S. Air Force

The following-named officer for reappointment to the grade of lieutenant general while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601:

Maj. Gen. Carl E. Franklin, 458-58-3551, U.S. Air Force

ARMY

The following-named officer for reappointment to the grade of lieutenant general in the U.S. Army, while assigned to a position of importance and responsibility under Title 10, United States Code, Section 601(a):

To be lieutenant general

Lt. Gen. Daniel W. Christman, 302-36-9745, U.S. Army

NAVY

The following-named officer for promotion in the Navy of the United States to the grade under title 10, United States Code, Section 624:

To be rear admiral

Rear Adm. (lh) James F. Amerault, 018-32-0491, U.S. Navy
Rear Adm. (lh) Lyle G.Bien, 504-58-1731, U.S. Navy.
Rear Adm. (lh) Richard A. Buchanan, 174-58-9136, U.S. Navy
Rear Adm. (lh) William V. Cross II, 190-34-1635, U.S. Navy
Rear Adm. (lh) Walter F. Doran, 104-36-4942, U.S. Navy
Rear Adm. (lh) James O. Ellis, Jr., 252-76-4995, U.S. Navy
Rear Adm. (lh) William J. Fallon, 155-34-0304, U.S. Navy
Rear Adm. (lh) Thomas B. Fargo, 559-66-9953, U.S. Navy
Rear Adm. (lh) Dennis V. McGinn, 020-34-1807, U.S. Navy
Rear Adm. (lh) Joseph S. Mobley, 559-56-1832, U.S. Navy
Rear Adm. (lh) Edward Moore, Jr., 430-82-0064, U.S. Navy
Rear Adm. (lh) Daniel J. Murphy, 546-68-6221, U.S. Navy
Rear Adm. (lh) Rodney P. Rempt, 571-60-5464, U.S. Navy
Rear Adm. (lh) Norbert R. Ryan, Jr., 201-34-4487, U.S. Navy
Rear Adm. (lh) Raymond C. Smith, Jr., 548-54-1889, U.S. Navy

RESTRICTED LINE

To be rear admiral

Rear Adm. (lh) George P. Nanos, Jr., 003-32-1992, U.S. Navy
Rear Adm. (lh) Craig E. Steidle, 056-26-0017, U.S. Navy
Rear Adm. (lh) James L. Taylor, 292-38-7610, U.S. Navy
Rear Adm. (lh) Patricia A. Tracey, 084-40-3579, U.S. Navy

SMALL BUSINESS ADMINISTRATION

Ginger Ehn Lew, of California, to be Deputy Administrator of the Small Business Administration.

[NEW REPORTS]

DEPARTMENT OF JUSTICE

J. Rene Josey, of South Carolina, to be U.S. Attorney for the District of South Carolina for the term of 4 years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

NOTE

On page 12440 of the RECORD of May 23, the statement of Mr. BOND on the introduction of S. 1816, the Wisconsin Works Act, was inadvertently attributed to Mr. GRASSLEY. The permanent RECORD has been corrected to reflect the following.

By Mr. BOND (for himself, Mr. COATS, Mr. ABRAHAM, Mr. GRAMM, Mr. ASHCROFT, Mr. CRAIG, Mr. COVERDELL, Mr. GRASSLEY, Mr. GREGG, Mr. SANTORUM, Mr. FAIRCLOTH, and Mr. NICKLES):

S. 1816. A bill to expedite waiver approval for the "Wisconsin Works" plan, and for other purposes; to the Committee on Finance.

THE WISCONSIN WORKS ACT OF 1996

Mr. BOND. Mr. President, I rise today to introduce a measure that will assist the President of the United States in carrying out a promise he made to the people of Wisconsin that he would approve the Wisconsin Works program. There have been some problems getting welfare actually acted on. I had a very nice letter from the President last year for the work that we did on the welfare reform bill. But that measure got vetoed and so did a subsequent measure.

Now, the President has said that he supports the welfare reform demonstration project in Wisconsin, known as Wisconsin Works. Well, today, on behalf of myself, Senators COATS, Abraham, GRAMM of Texas, ASHCROFT, CRAIG, COVERDELL, GRASSLEY, GREGG, SANTORUM, FAIRCLOTH, and NICKLES, I am submitting a very brief bill, which, in substance, says that when waivers are submitted by the Wisconsin Department of Health and Services to conduct a demonstration project known as Wisconsin Works, those waivers shall be deemed approved.

We have heard many stories about the need to reform welfare, Mr. President, and one of those stories that has been repeated recently is that of an experiment in Sedalia, MO, where applicants for food stamps were sent to an employer. Many of them took jobs, which is good. It moved them off public assistance. Those who were turned down because they were not capable could stay on public assistance. Those who refused to show up were taken off of the food stamp rolls. So there was an incentive for those who did not want to work. Two people went for the job, but they were turned down because they tested positively for drugs.

Under existing Federal law, the State of Missouri could not sanction those people, even though they were turned

down for a job because they tested positive for drugs. The simple point of that is that that creates the most perverse of incentives—the incentive for people who are on public assistance and who do not want to have to take a job to get on drugs and they can stay on the public assistance rolls.

That is the kind of thing that needs to be changed. That is why we need welfare reform. Today, Mr. President, I am simply acting to expedite one of the many waivers now pending from the States, which has been delayed, I understand from the Governors, an average of 210 days. This measure, if and when adopted, will deem the waivers submitted by the State of Wisconsin to be approved.

MESSAGES FROM THE HOUSE

At 12:54 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House had passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3448. An act to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 1822. A bill to amend the Food Security Act of 1985 to permit the Secretary of Agriculture to waive the prohibition on the termination of conservation reserve contracts for certain lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DOLE:

S. 1823. A bill to restore the American family, enhance support and work opportunities for families with children, reduce out-of-wedlock pregnancies, reduce welfare dependence by requiring work, control welfare spending, and increase State flexibility; read twice and placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. KASSEBAUM:

S. Con. Res. 63. A concurrent resolution to express the sense of Congress that the Secretary of Agriculture should dispose of all remaining commodities in the disaster reserve maintained under the Agricultural Act of 1970 to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by the prolonged drought conditions existing in certain areas of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 1822. A bill to amend the Food Security Act of 1985 to permit the Secretary of Agriculture to waive the prohibition on the termination of conservation reserve contracts for certain lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

THE CONSERVATION RESERVE PROGRAM CONTRACTS MODIFICATION ACT OF 1996

Mr. HARKIN. Mr. President, I am today introducing legislation to make a minor modification in the rules applicable to the early termination of Conservation Reserve Program contracts. This bill will provide greater flexibility in the management of CRP acreage and increase opportunities for livestock production using land that has been enrolled in CRP, while continuing to protect against soil erosion and to conserve the natural resource base.

The Federal Agricultural Improvement and Reform Act of 1996 established a new early termination option for holders of CRP contracts. Participants who entered into a contract before January 1, 1995, may terminate the contract at any time if the contract has been in effect for at least 5 years. Certain lands considered to be of high environmental value are not eligible for the early termination option. The act specifically disallows the early termination of contracts on land having an erodibility index of more than 15, a restriction that also was included in the rules for the early CRP termination option offered this spring through administrative action independent of the farm bill.

The restriction on early removal of the more highly erodible land from the CRP is obviously designed to reduce the potential for returning land to crop production where doing so presents a higher risk of damaging levels of soil erosion. Of course, a principal purpose of the CRP was to remove highly erodible land from production in order to conserve soil, so it is reasonable to ensure that early terminations of CRP contracts do not nullify the benefits of the CRP or negate the investment in conservation made by taxpayers through CRP payments.

While the prohibition against early termination of contracts on land having an erodibility index higher than 15 seems reasonable in general, it does not take much sense to livestock producers who would like to remove land from the CRP in order to use it for haying or grazing. The nationwide emergency release of CRP for grazing and haying has relieved a good deal of the concern regarding access to CRP acres for livestock feed—but only for this year. There is a real need for a longer term resolution of this matter.

My bill would simply allow the Secretary to waive the restrictions on the types of land that may be removed from the CRP under the early termination option if the Secretary determines that the land will be used only for haying, grazing or other use not involving the destruction of vegetable cover. By ensuring that the vegetable cover is not destroyed, protection against soil erosion will be maintained. In addition, any such waiver can be made only if the Secretary determines that the land will be used only in a manner that adequately protects the natural resource base. As discussed, the waiver authority contained in this bill is designed specifically to deal with the prohibition against early termination of CRP contracts on land with an erodibility index higher than 15. There may be some other instances in which a waiver meeting the requirements of this bill could be granted, but they would be tightly limited by the requirement that vegetable cover not be destroyed and that the natural resource base be adequately protected.

Mr. President, this bill is a commonsense solution that will provide more reasonable options to CRP contract holders for returning land to economic use while maintaining vegetable cover and protecting the natural resource base. I hope my colleagues will support this legislation and that it will be enacted at the earliest opportunity. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1822

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled,

SECTION 1. TERMINATION OF CONSERVATION RESERVE CONTRACTS BY OWNERS OR OPERATORS.

Section 1235(e) of the Food Security Act of 1985 (16 U.S.C. 3835(e)) is amended by striking paragraph (2) and inserting the following:

"(2) CERTAIN LANDS EXCEPTED.—

"(A) IN GENERAL.—Subject to subparagraph (B), the following lands shall not be subject to an early termination of contract under this subsection:

"(i) Filterstrips, waterways, strips adjacent to riparian areas, windbreaks, and shelterbelts.

"(ii) Land with an erodibility index of more than 15.

"(iii) Other lands of high environmental value (including wetlands), as determined by the Secretary.

"(B) WAIVER.—The Secretary may waive the application of subparagraph (A) to land if the Secretary determines that the land will be used only—

"(i) for haying, grazing, or other use not involving the destruction of vegetative cover; and

"(ii) in a manner that adequately protects the natural resource base of the land.".

ADDITIONAL COSPONSORS

S. 1386

At the request of Mr. BURNS, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 1386, a bill to provide for soft-metric conversion, and for other purposes.

S. 1578

At the request of Mr. FRIST, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 1578, a bill to amend the Individuals with Disabilities Education Act to authorize appropriations for fiscal years 1997 through 2002, and for other purposes.

S. 1714

At the request of Mr. BURNS, the names of the Senator from Kentucky [Mr. MCCONNELL], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 1714, a bill to amend title 49, United States Code, to ensure the ability of utility providers to establish, improve, operate and maintain utility structures, facilities, and equipment for the benefit, safety, and well-being of consumers, by removing limitations on maximum driving and on-duty time pertaining to utility vehicle operators and drivers, and for other purposes.

S. 1813

At the request of Mr. HELMS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1813, a bill to reform the coastwise, intercoastal, and noncontiguous trade shipping laws, and for other purposes.

S. 1818

At the request of Mr. FORD, his name was added as a cosponsor of S. 1818, a bill to amend the Employee Retirement Income Security Act of 1974 to provide for retirement savings and security.

S. 1819

At the request of Mr. FORD, his name was added as a cosponsor of S. 1819, a bill to amend the Railroad Retirement Act of 1974 to provide for retirement savings and security.

S. 1820

At the request of Mr. FORD, his name was added as a cosponsor of S. 1820, a bill to amend title 5 of the United States Code to provide for retirement savings and security.

S. 1821

At the request of Mr. FORD, his name was added as a cosponsor of S. 1821, a bill to amend the Internal Revenue Code of 1986 to provide for retirement savings and security.

AMENDMENT NO. 4038

At the request of Mr. FEINGOLD the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of amendment No. 4038 intended to be proposed to S. 1764, an original bill to authorize appropriations for fiscal year 1997 for military construction, and for other purposes.

SENATE CONCURRENT RESOLUTION 63—RELATIVE TO THE SECRETARY OF AGRICULTURE

Mrs. KASSEBAUM submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 63

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF DISASTER RESERVE FOR ASSISTANCE TO LIVESTOCK PRODUCERS.

In light of the prolonged drought conditions existing in certain areas of the United States, the Secretary of Agriculture should promptly dispose of all commodities in the disaster reserve maintained under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a) to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by the prolonged drought.

ADDITIONAL STATEMENTS

HOUSE SMALL BUSINESS TAX INCENTIVES BILL

• Mr. ROTH. Mr. President, I rise to address the Senate on a bill that overwhelmingly passed the House of Representatives this week. The vote was 414 to 10. The bill I refer to is the Small Business Job Protection Act of 1996.

The bill is a collection of tax incentives for small businesses. As every Member of this body knows, small businesses create the lion's share of jobs in America. The bill will lift some of the heavy tax burden borne by small businesses. To the extent we lift the tax burden on small businesses, these businesses will be able to continue to create jobs for Americans. Included in the bill are some proposals that were contained in the Balanced Budget Act of 1995.

First, an increase in the amount of equipment a small business can expense; the current annual amount of $17,500 would be gradually increased to $25,000.

Second, a package of proposals to simplify the pension tax rules. These proposals will bring more small businesses and their workers into the pension system; in addition, these proposals will enhance pension security for millions of American workers and their families.

Third, a series of proposals to reform the subchapter S corporation tax rules. Almost 2 million small businesses do business as subchapter S corporations.

This package of small business tax incentives is fully paid for.

Mr. President, I congratulate Chairman BILL ARCHER for successfully shepherding this package of much-needed tax relief through the House of Representatives.

In recent days, many of my colleagues have asked me about Senate action on this bill. When the bill arrives from the House, I expect the bill to be referred to the Finance Committee. Once referred to the Finance Committee, I anticipate taking action on the bill shortly after the Senate returns from the Memorial Day recess.

Mr. President, the Finance Committee, including longstanding members on both sides of the aisle, has a tradition of sensitivity to the needs of small business. I intend to continue that tradition with a Finance Committee imprint on the small business tax bill.

In addition, Mr. President, I am also considering adding measures to help create economic growth, promote savings and investment, and enhance economic opportunities for all Americans.•

A CRACKDOWN ON IMMIGRANTS IS RESTRICTING SCHOLARSHIPS

• Mr. SIMON. Mr. President, I cast one of the few votes against the immigration bill that passed the U.S. Senate recently. And I did it because part of the bill simply goes too far. We are in a period in which there is a great deal of mean-spirited and anti-immigrant sentiment, a mean-spiritedness and sentiment that does not serve the Nation well.

For example, my amendment to permit people who are illegal immigrants, and who are going to become citizens, to get student aid that is available to all American citizens, is just common sense.

We want these future citizens to be productive members of our society.

The bill that passed the Senate not only denies them that assistance, but can be the basis for deportation if they receive that aid for one year.

Two items have appeared recently that should cause us to reflect a little more.

One is an op-ed piece in the Chicago Sun Times, by a member of the editorial board, Tom Sheridan.

The other is an article titled "A Crackdown on Immigrants Is Restricting Scholarships" by Dirk Johnson that appeared in the New York Times. I ask that both articles be printed in the RECORD after my remarks.

Both suggest that we are being shortsighted in what we are doing.

I urge my colleagues to read these two items if they have not done so.

The op-eds follow:

FOREIGN TREASURES

(By Tom Sheridan)

First, an explanation. I'm half-Irish on my father's side. Third generation. My mother's ancestry is more muddled, though European. My wife is half-Italian (third generation), with the rest mostly German.

With that mix, our kids would be a diverse lot. But we also have children who are Filipino (first generation) Hispanic (second generation) and Asian.

What I've done to enrich the Sheridan family gene pool is nothing less than remarkable. It's the same way families—and Nations—are enriched: Each of us has ancestors who came from somewhere else.

All of which makes me very impressed with people becoming U.S. citizens these days. And damn glad I was born here and didn't have to take the citizenship test. I might not pass it.

A study question for the citizenship test: How many changes or amendments are there to the U.S. Constitution? Do you know? Without looking?

There's a lot of public yelping these days over immigration—legal and no-so-legal. Illegal immigration is just that—illegal—and should not be tolerated. Congress is right to clamp down on it.

But we seem to have confused the two. It has given us a sense of public schizophrenia. On one hand, the folks in Congress have passed legislation making it harder to immigrate—even legally. On the other hand, Immigration and Naturalization Service people are working doubly hard to help people become citizens.

Bills rolling through Congress would slow the immigration process. Included in the measure passed by the Senate this month are provisions to sharply limit federal benefits available to legal residents, even as they pursue the process of becoming citizens.

It means that legal immigrants couldn't apply for a student loan, a tuition grant (even based on merit) or federal job-training assistance. The penalty is deportation. Even if a legal immigrant gets help, and later seeks citizenship, the reward would be deportation.

Should we tolerate legal residents who perform acts of terrorism against the United States, or threaten its society with acts such as drug-smuggling? Of course not. But under the recent Terrorism Act, a legal resident who has been a successful member of society for years and ran afoul of the law would be deported.

That's hardly a welcoming gesture. It would make me wonder whether our nation, which has traditionally embraced all classes of people, really wanted me.

It screams election-year propaganda: "Look everybody; look how tough we are." Such tough talk is phony. But only three senators, including Illinois Sen. Paul Simon, saw it that way and voted against it.

All of which brings me to the act of becoming a citizen, which more than 19,000 people did through the Chicago INS office last year. Five times that many will take the oath to support and defend the United States this year.

Test question: What amendment addresses or guarantees voting rights?

Citizenship USA, an INS project, took over 18,000 square feet of the old Sears store on State Street on April 30. Workers are processing at least 800 people a day to work through a backlog of citizenship applications. In the 12-month period ending this fall, INS officials expect that an amazing 60,000 new citizens will have been naturalized in Chicago. That's wonderful.

The next celebration of citizenship will take place May 24 in the International Amphitheater, where 10,000 new citizens from scores of nations around the world will be sworn in.

Question: Why did the Pilgrims come to America?

Answer: For religious freedom. And a better life.

That's something we should keep in mind when we put up roadblocks to the process that enriches us as a nation. Immigration certainly enriched me.

A CRACKDOWN ON IMMIGRANTS IS RESTRICTING SCHOLARSHIPS

(By Dirk Johnson)

EDGAR, WI, May 9.—Vying to attend a prestigious camp for patriotic young Wisconsin scholars, one student's résumé sparkled above the rest: a 16-year-old who earned straight A's, played violin, spoke French and displayed an interest in government.

But the girl, Pang Thao, a junior at rural Edgar High School, has been rejected by the camp's sponsor, the American Legion Auxiliary, because she is not a United States citizen, even though she will become one in a matter of months.

"Rules are rules, and unfortunately she's not a citizen," said Eileen Knox, a spokeswoman for the Auxiliary. "There are lots of American-born girls who are still waiting in the wings, hoping they can be chosen."

The rejection of Pang, who immigrated with her parents when she was two months old, follows a similar incident in Texas earlier this spring. The Houston Stock Show and Rodeo awarded a $10,000 scholarship to a Texas honors student, only to withdraw the prize after learning the winner was not a United States citizen.

When it comes to anger toward immigrants and their children, a growing sentiment by almost any measure, Americans usually complain about unskilled and illiterate newcomers putting a drain on budgets and services.

But the rejection of the two young scholars, immigration advocates say, illustrates a wellspring of resentment against those who can compete, perhaps too well.

"On the one hand, we encourage assimilation and achievement," said Lucas Guttentag, a lawyer who specializes in immigration for the American Civil Liberties Union, "and we say we want immigrants to learn the values of American society. But then we turn around and exclude these people from the very institutions that imbue those values."

The tough immigration bill passed overwhelmingly by the Senate, for example, would deny college financial aid to legal immigrants who are not citizens.

For Pang, the talk of policy and politics can be reduced to something very basic. "There are a lot of people out there who don't like me," she said the other night, while on break from her job as a waitress at here parents' restaurant. "They don't know me. But they don't like me."

In fact, Mr. and Mrs. Thao were among the thousands of Hmongs driven by Communist forces from Laos for helping the United States in the Vietnam War.

Pang is an exceedingly polite teenager who seems to bend over backwards to avoid sounding like a complainer. But she hears plenty of the stereotypes about minorities: "They get more welfare. They don't pay taxes. They're not loyal to America."

She has found herself saying in a flash of defensive anger: "Man don't you understand, I'm here because of you. I'm here because my relatives and my ancestors helped the Americans in the war."

Her parents, Long, 38, and Chong Thao, 38, delayed starting the citizenship process until last year. "It is hard to let go when you come from another country," said Mrs. Thao. "It's a part of you. But over time, we understand. This is our home country now. We are Americans." They run the Thai Cafe in a strip mall in Wausau, a city of 37,000 in central Wisconsin with a sizeable Hmong (pronounced mung) population. Pang works nights and Saturdays.

Mrs. Thao also works full time as a caseworker for the Marathon County Welfare Department. In addition, the family raises ginseng in the fields around their farmhouse here, about 20 miles west of Wausau.

The family, with six children, struggles financially. But the parents remember life in the refugee camp in Thailand. "The refugee camp was hell," Mrs. Thao said. "Not enough food. Poor sanitation. Hot. A lot of sick children. Many died. We were lucky.

Pang and her parents have been careful not to criticize the American Legion. And they have expressed gratitude to the University of Wisconsin at Whitewater, which recently invited Pang to participate in an international conference there in June, as a consolation for her rejection at the Legion camp, Badger Girls State.

Those who defend the citizenship rule noted that favoritism for citizens goes back to the nation's founders. They point to the constitutional requirement that the President be born in the United States.

"Citizenship means something," said Mrs. Knox, of the Legion Auxiliary. "On Election Day, you cannot go to the polls and say, 'Well, I'm going to be a citizen next week.'"

The disappointment in the Thao family has been keen, although Pang, the oldest child, bristles at the notion of people feeling sorry for her. "I'm not complaining," she said. "I'm not whining, and I don't need anyone's pity." More than anything else about the citizenship issue, she said, she is bothered by the views of those who believe being born in the United States is a virtue. "I really dislike this idea of some people being superior over others," she said. "Most of the people here are just a mix of nationalities from somewhere else. The difference between me and you is the color of our skin and our background. And that's it."

At the time of the application for the camp, it appeared the citizenship approval might be granted in time. But the shut-down of some Government offices in the Washington budget dispute delayed citizenship applications and doomed those hopes.

"It's all right, Mom, it's really no big deal," Pang had said, knowing how badly her mother felt.

The students and teachers at Edgar High School, where minorities can be counted on the fingers of one hand, have supported Pang, said Mark Lacke, the school principal.

"She is a very bubbly, smart, popular girl," said Mr. Lacke, who had pressed the Legion to reconsider. If the Legion would not budge, Mr. Lacke asked if it would be possible for Pang to attend the camp as an observer, rather than as a delegate. The principal said he would drive the girl there himself, and the school would pay her expenses.

"They got back to me and said there was no latitude," he said. "There should have been some forum for an appeal here."

Pang, who will attend the University of Minnesota after she graduates from high school next year, plans to study architectural design. "The best schools are in the East, but they're really expensive," she said.

As Pang helped her harried parents clear tables and deliver orders, she spoke of the financial pressures at home, vowing to claim a piece of the American dream.

"After college," she said, "I'm going make big bucks, help my little sister get in to one

of those Eastern schools—one of us has got to."•

DEMOCRATS BLOCKING REPEAL OF THE GAS TAX

• Mr. ROTH. Mr. President, I am disappointed that again today, my colleagues on the other side of the aisle blocked efforts to start to relieve the tax burden on the American people by repealing the 1993 Clinton gas tax increase. I wish we would have been able to repeal this tax today before the American people set off to enjoy the Memorial Day weekend and the beginning of the summer driving season.

My colleagues on the other side of the aisle had agreed to pass the gas tax repeal if the House passed the minimum wage bill in a form acceptable to them. Well, Mr. President, the House did pass a clean minimum wage bill. Yet, rather than keep their promise and pass the gas tax repeal, my colleagues on the other side of the aisle have again blocked its passage. Time and again we have tried to accommodate them and time and again they have backed away from their promises. How are we to help the American people if my colleagues on the other side of the aisle continue to renege on their promises?

I would like to remind my colleagues, that when President Clinton raised taxes $268 billion in 1993, he said he was raising them on the rich. We knew then that that was not true. Now there is no doubt. President Clinton has raised taxes not only on the middle class but also on low-income families, and now my colleagues on the other side of the aisle are denying these low-income families tax relief. The truth is, Mr. President, that every person who drives a car, who buys groceries, who takes the bus, the train, or a plane has to pay this tax. These aren't all rich Americans. In fact, Americans who are hit the hardest by this regressive tax are people at the lowest income levels, those making less than $10,000 a year. Repeal of this regressive tax, therefore, would benefit all Americans, especially those with modest incomes.

It is a well-known fact that the 4.3-cents-per-gallon motor fuels tax not only disproportionately affects low-income people, but it also hits people in rural areas harder than it does those in more metropolitan areas. President Clinton knows this. In February 1993, just months before he signed into law the largest tax increase in history, said, and I quote, "For years there have been those who say we ought to reduce the deficit by raising the gas tax a whole lot. That's fine if you live in the city and ride mass transit to work. It's not so good if you live in the country and drive yourself to work." Despite this statement, the 4.3-cents-per-gallon tax increase was enacted. I agree with President Clinton's 1993 statement. People in rural areas should not be penalized because they live in areas that require them to use their cars and travel longer distances. For example, in my home State of Delaware, which contains many rural areas, the average family pays $463 in gas taxes per year. This figure includes both State and Federal gas taxes. When the 4.3-cents-per-gallon motor fuels tax is repealed, the average Delaware family's tax burden will be reduced by $48—a good first step.

The Clinton gas tax increase did not get a single Republican vote because Republicans believe in cutting wasteful Government spending, rather than increasing taxes to pay for more Government spending. So while in the scheme of Government programs the 4.3-cents-per-gallon gas tax may not seem to be a paramount issue, it represents what separates Republicans from the big Government spenders. While the President purports to favor balancing the budget, at best he would do so by matching big spending with high taxes. Our belief is that we should cut spending and lower taxes.

Mr. President, it is time to give Americans a break from taxes and big Government. I ask my colleagues on the other side of the aisle to allow the Senate to move forward, and stop blocking tax relief for working Americans.•

AMBASSADOR ROBERT KRUEGER

• Mr. SIMON. Mr. President, our former colleague in the Senate, Ambassador Robert Krueger, has been nominated to be Ambassador to Botswana after serving as Ambassador to Burundi. A report that he sent around to some friends about Burundi is worth reading for anyone interested in that troubled nation.

I ask that Ambassador Krueger's report be printed in the RECORD.

The report follows:

BURUNDI: AN OKLAHOMA CITY MASSACRE EVERY HOUR

(A Report by Ambassador Robert Krueger, April 24, 1996)

Summary: The situation in Burundi is more threatening to human life and democracy, with a greater chance for major conflagration, than at any time in the last two years. A European diplomat says that "if the world gives up on Burundi . . . perhaps a million may die" there. (End summary.)

On the weekend of April 19, Americans mourned again and reflected on the worst terrorist attack in our history: 168 people killed a year ago in Oklahoma City. Television cameras covered the scene; dignitaries spoke on the occasion; and citizens everywhere questioned how terror could strike so unexpectedly, shattering lives in an instant and a sense of security for years.

But if we adjust proportionately for the difference in populations, Burundi has an Oklahoma City-size massacre every hour of the day. Burundi's population is only about one-forty-second (1/42) that of the USA. Hence, 4 people being killed in Burundi are numerically equivalent to 168 killed in the USA. Regrettably, a reasonable estimate is that 100 people are killed daily in Burundi; or, four every hour, 24 hours a day.

Understandably, cameras in America focussed, on April 19, 1996, on Oklahoma City; or on Lebanon, where at least 75 were killed. And world attention naturally follows the camera. Yet, normally there are no international camera crews in Burundi. But the filling continues.

This cable is a reminder that in an obscure country in the heart of Africa, the killing is proportionately vastly heavier than what the cameras are covering; or, indeed, than in almost any place else in the world. And as the protagonist of Arthur Miller's play "Death of a Salesman" said, "Attention must be paid."

I recently sent a summary report (Secstate 80807) stating that I had perceived a steady destruction of democracy and an increase in mayhem during my almost two-year tenure as ambassador to Burundi. And the situation now seems to me worse than when the cable was first drafted several weeks ago. Even though I have not been in Burundi for the past 7½ months, and I must rely on the reports of various individuals whom I learned to trust when I was there, I am regrettably but firmly convinced that the situation in Burundi is at this moment more precarious, with a larger possibility of massive bloodshed, than at any time since my arrival in Burundi in June, 1994.

In 1994, and often in 1995, visitors would regularly ask, "Will Burundi be another Rwanda?" with, of course, all the fears of historically large genocide which the question carries. My response was "I won't predict for more than two months or so into the future; but, no, we will not have a Rwanda-type disaster in that period." And that much proved true.

But today, I find that the president of the large political party, Dr. Minani of Frodebu, has openly written in official public documents, just two weeks ago, that the believes Burundi is in a situation like that of Rwanda before April 6, 1994, the onset of the deluge. Other Burundi leaders and foreign diplomats with whom I have spoken sound more ominous tones than anything I had heard in Burundi during my time there.

"The center will not hold; Mere anarchy is loosed upon the world."—W.B. Yeats

While the international community and those who support democratic institutions in Burundi have both hoped that political centrists and moderates would gain greater control, the country has instead become increasingly polarized. As the poet Yeats said, writing of another revolution, "The center will not hold." Certainly it has not held in Burundi, and the risk is increasing of mere anarchy being loosed—if not upon the world—then at least upon Burundi and other countries in Central Africa.

The president and prime minister no longer travel together, and are said to be openly at odds. The prime minister's party, Uprona, has renewed its periodic call for the president's resignation. Moreover, the divisions are not only inter-party, but intra-party. Many Hutu members of parliament are now more sympathetic with Nyangoma than with their official leadership. And divisions among the Tutsi community—in the army itself, within Uprona, within the various minor parties—are forcing people more and more to the extremes.

PRIME MINISTER TELLS THE POPULACE TO DEFEND ITSELF AGAINST "ENEMIES"

As is well known, the prime minister several weeks ago called upon the population to

defend itself against its "enemies." But, as Dr. Minani pointed out in a recent Frodebu announcement, the Prime Minister did not define who those enemies were. That determination was left to the minds of the arming populace. Such calls to self-defense, it is reliably reported, have been repeated in the prime minister's visits to various locations in the countryside. Meanwhile, the FDD and other guerrilla groups have enlarged their attacks. And in face of an impotent civilian government incapable of protecting them, the majority of the population have sometimes given support to guerrillas even as they spread terror.

IMMOLATION AND MURDER

Consider some of the events of the last several weeks, reported to me from several sources that have proven reliable in the past.

(A) In an act of ethnic purification, over Easter weekend, 22 Hutu domestic workers were immolated in Nyakabiga quarter in Bujumbura by their Tutsi employers.

(B) Reportedly, 50 Hutus, including community leaders, were killed in the city of Gitega: all were members of Frodebu and related Hutu minor parties. The head of the agriculture department for that region and several teachers in secondary schools were among those murdered. The provincial governor has now fled, as have other Hutu political leaders from Gitega, the second-largest city in Burundi. To judge from recent government actions in other provinces, the civilian governor's departure will offer an excuse to replace him with yet another military governor.

(C) Even the national radio, known to favor Tutsi interests, and likely to underestimate the killing, has acknowledged that at least 300 people were killed in Gitega province between April 5–12.

(D) Tutsi extremists have driven the Red Cross from the city of Gitega so hat it will be unable to witness and possibly report on the carnage.

(E) The FDD attacked and killed a large number of Tutsi students in an urban center (the name of which I failed to record).

(F) After an attack by the FDD against the army, at Bukeye, on April 10 the army killed more than 30 Hutu civilians in revenge.

(G) An official in the security service has confirmed that members of the military are recruiting Tutsi civil servants and students, training them, and issuing them weapons for use against their "enemies" in the countryside.

(H) A university official has confirmed that a letter circulating now on campus has been signed by over 100 Tutsi students, urging their classmates to stop academic work and take up arms with them against Nyangoma and his allies (i.e. Hutus) in the Bujumbura quartiers of Mutanga Nord, Kinama, and the countryside.

(I) Lt. Col. Nzeyimana Dieudonne, a high-ranking officer in the gendarmerie, was assassinated on 20 April (reportedly by Sans Echec) in Bujumbura.

(J) The Hutu parliamentarian Gahungu Gerard, from the Province of Cibitoke—a moderate with a Tutsi wife, was killed by a gunman in Ngagara.

(K) On 20 April, at least 7 (perhaps more) Hutus were killed in the Bujumbura quartier of Nyakabiga, having been kidnapped and brought there from other parts of the city.

(L) Over 30 Hutus were massacred in the commune of Rutovo by Tutsi militias, assisted by the army.

(M) A secondary school (lycee) in Kayanza was attacked with grenades; two students were killed, others injured.

"Perhaps a million will die. . ."—a European diplomat

The above are a few illustrations of what is happening. They form but a fraction of the total picture. I have received reports of fighting during the past two weeks in Bubanza, Gatumba, Ngozi, Mutare, Karuzi, Gitega, Rutama, Bururi, and other locations. One reliable source said that at least 75–80% of the country is currently shaken by violence. A respected Western diplomat told me that every province except Bujumbura was now subject to attack by guerilla forces.

Perhaps most poignantly, I was asked by a very experienced European diplomat who once served in the USA and now serves in Burundi, "Please, I know the generosity of the American people. Do what you can to see that the USA remains concerned. I am afraid, (he continued) that most of the world is about to give up on Burundi. But if the world gives up, there is a risk that not just thousands, but perhaps a million will die in a rage that no one can justify."

I am not suggesting that I expect a million people to die. I do not. And I would be shocked if Burundi suffered carnage on anything approaching that scale. Nor do I believe Burundi has yet arrived at a situation similar to Rwanda on April 6, 1994.

But when I observe that the president of the majority political party and an experienced and balanced European diplomat foresee such possibilities, it should give us pause. Two years ago, very few people in Burundi used such severe terms. These two would not have. Today, many others might do so.

If asked whether I am predicting the imminence of a major civil war I would say: no. But with qualifications. During the months I was present in Burundi, I said confidently that no such event would occur within the next two months. I can no longer confidently say that. I don't know if the probability of such an event is 5%, 10%, 20% or higher. I do know it is no longer an impossibility.

Reports from every quarter describe the situation as more precarious than in 1994 or 1995. The capacity of the Burundi populace to absorb horrendous punishment and yet to persevere is awesome, but not infinite. I don't know the trigger point of national rage. And I have only the reports of others, not of my own eyes. But all their eyes see the situation as deteriorating more rapidly than before.

An unclassified cable is not the place to explore suggestions for possible ways to address all these problems. Yet, as ambassador, I want without delay and without reticence to offer a partial account of some of the events and attitudes that now prevail in Burundi. They sound the most threatening and dangerous toward peace, justice, democracy and human life that I have heard during the period that I have been privileged to serve as ambassador to Burundi.•

HOWARD STRINGER

• Mr. SIMON. Mr. President, recently Howard Stringer, chief executive officer of Tele-TV, received the First Amendment Leadership Award presented by the Radio and Television News Directors Foundation at their annual banquet.

In his remarks, he comments about the need for sensitivity and realism in dealing with the problems of television violence.

In working with television executives on this problem, I have found none superior to Howard Stringer. He is both sensible and sensitive.

I urge my colleagues to read his remarks, which I ask to be printed in the RECORD.

The remarks follow:

RADIO AND TELEVISION NEWS DIRECTORS FOUNDATION ANNUAL BANQUET AND CELEBRATION OF THE FIRST AMENDMENT

(By Howard Stringer)

This is an interesting moment for any broadcaster to accept an award attached to the 1st Amendment. Just weeks ago, President Clinton and a number of television executives assembled in The White House to collaborate on a ratings system which would measure and proclaim the intensity of sex and violence on their programs. The President endorsed the V-chip as a device that would, "hand the remote control back to America's parents." It would be one small step for broadcasters, but a giant step for viewers. Some observers found the quid-pro-quo a little cynical—free use of the spectrum for digital compression on one side, election year political advantage for the other, but all in all, surely a positive gesture.

Some observers are concerned that the government has at least nudged its unholy way into content. Remembering President Nixon's use of the IRS as a weapon against political enemies, some day a President could recognize that in the digital future, whoever controls the chip not only controls V for Violence, but V for Voters.

In the near term, I'm more worried that this new political contract will do two things. Firstly, it will engender cynicism if it has no impact at all, and secondly, it will let programmers off the hook, especially if by gladly accepting the V-chip they abdicate further responsibility for content.

The cynicism factor is no small consideration. Since I came to America, successive governments have trumpeted a grand solution to whatever ails the country. The war to end communism in Vietnam, the war on poverty, the war on hunger, the war on racism, the war on drugs, all created a level of expectation, only to be followed by let down. After World War II, America became, in Robert Samuelson's words, "a nation of enthusiastic problem solvers" with the expectation that everything could be easily solved. When solutions fail, he observed, we sink into an atmosphere of "free floating gloom." The ranks of the cynical grow ever larger.

In 1993 I attended hearings on Capitol Hill on the subject of violence. With the valiant exception of Senator Paul Simon, most of my interrogators clearly hadn't watched television, couldn't differentiate between network and cable, and weren't terribly interested in debating the issue on its merits. One Congressman told me that he was going to vote for the V-chip because he was fed up with network news reporters attacking Congressional junkets.

On the evening after the hearings, I received a telephone call from that remarkable reporter, Jimmy Breslin. He told me he'd just spent the night in Bedford Stuyvesant, where kids were out on the streets, armed to the teeth, dealing in drugs, joining gangs and dropping out of school. "Trust me" said Breslin, "those kids aren't watching your network." Of course he was right. The street kids of urban America aren't glued to "The Nanny," "Friends," "Touched by an Angel." We'd be a lot safer if they were. The gutter body count is more accurately represented in

movies like "Die Hard" or "Terminator," which are 'R' rated, than on television, though even in those movies at least the good guys win and the bad guys lose.

Ratings systems are valuable to the child with responsible parents. They're not much of an obstacle to the latch-key kid with nothing but time on his hands. So even if we accept that the V-chip will help some parents, let's not fool ourselves that it will diminish violence on the street. Otherwise, the letdown will, as I've said, promote yet more cynicism all round.

My second point is that all of us in the broadcasting or cable or telephone programming community have a higher responsibility that the government cannot and should not enforce. Instead of debating the issue of TV's relationship to violence, let's turn the question on its head. Can we help society fight violence? Can we do more? Bill Moyers said recently, "What we need is a strategy of affirmation by society as a whole, from homes, schools, churches, synagogues and all the institutions that transmit values." What about from our entertainment institutions?

There has been violence in great literature and in great drama beyond Shakespeare to the ancient Greeks. Blood is the ink of much theatrical history, but great writers understand great consequences. Villains are doomed. Victims mourned. The audience is taught accountability, responsibility, sensitivity and compassion. It's not enough for the audience to leave the stage or screen just thrilled or amused. The true artist can teach us to care, and of course, to feel.

If the sociopaths who parade through our news clips show no remorse, then maybe our entertainment programs should. If the eyes of killers reflect only the chill of arctic wastes, then maybe we should offer warmer vistas. If dozens of people die unrecognized and unmourned in our movies, then maybe we should shed tears for them.

If we perceive the loss of life as unremarkable, then the absence of love will also be unremarkable. Death stings, pain hurts, loss devastates, fear terrifies. If we complain that television merely mirrors reality, then let us try to reflect our reality more skillfully and honestly. Violence is not poetic or balletic. It is ugly. Violence inspires more tears than cheers on the streets of our cities. True artists have the power to move not only their audiences, but also their times.

America won more than the Cold War. It's also winning the global infotainment war. We export popular culture to the world. With that victory comes some responsibility. We can give audiences only "What they want" and cynically wait for the cash registers to ring, or we can challenge our creative minds to reach further into their souls. We can certainly do more than shelter gratefully behind labels, and allow taste to evaporate.

In the end industry leaders must take personal responsibility for what goes on the screen. If we separate like church and state, our artistic values from our personal values, then we create programs for others we would not be willing to share with our own family and friends. If we produce dreadful entertainment just because we automatically assume they, the viewers, will like it, eventually the viewers will turn on us, challenge our cynicism and demand not just the V-chip but the C-chip–C for censorship.

The greatest threat to all our hard won freedoms, whether freedom of religion, freedom of speech, freedom of the press or the right to petition is cynicism. I accept this award on behalf of my colleagues, my collaborators and my comrades, especially those of you I know in this room who are anything but cynical. If all of you are to be custodians of the new world cultural order, then you have a clear duty to try to protect and cherish its citizens.•

COMMON SENSE, R.I.P.

• Mr. SIMON. Mr. President, Jeff Lyon had a brief observation under the title "Common Sense, R.I.P." in the Chicago Tribune magazine, which I ask to be printed in the CONGRESSIONAL RECORD after my remarks.

It comments on the death of 7-year-old pilot Jessica Dubroff, but its real commentary is on our society and what we have permitted.

It is worth reading and reflecting upon.

The article follows:

COMMON SENSE, R.I.P.

(By Jeff Lyon)

Despite what legions of editorial writers have said, the real message in the death of 7-year-old pilot Jessica Dubroff is not that we're pushing our kids too hard, which, it goes without saying, we are.

It's that everywhere you look, the perishable human commodity known as common sense has died.

Of course, it's absurd that the FAA lets tots fly planes. But it's equally crazy that we can't get a ban to stick on guns that can kill a dozen people in a microsecond. Or that the government is allowed to spend more than it takes in for years, even though any imbecile know what happens when you charge up too much merchandise on your credit cards.

An entire generation celebrates sexual promiscuity, then is surprised when the harvest is AIDS, herpes, illegitimacy and marital erosion. An industry that makes billions selling a lethal, highly addictive drug like tobacco claims the stuff is harmless in the face of overwhelming evidence to the contrary and is allowed to get away with it.

We pile people into public housing, take the dignity of work away from them and are astonished when the result is a permanent underclass. We put our schools on short rations, then are shocked that our kids think like Beavis and Butthead. We let the rankest, foulest programming spew out over the airwaves and wonder why there is moral decay.

There was a time when people recognized that certain behaviors had consequences. It was a lesson that sank in the first time you got sick after Mom warned against eating too many potato chips.

But that kind of wisdom has become another casualty of modern life. Maybe moms and dads aren't dispensing it anymore. Maybe moms and dads aren't even home anymore.

Whatever the cause, as a society we've forgotten our umbrella and now it's started to rain. Isn't it time we reacquired the sense to go inside?•

ORDERS FOR MONDAY, JUNE 3, 1996

Mr. DOLE. Madam President, I ask unanimous consent that when the Senate reconvenes under the provisions of Senate Concurrent Resolution 60 at 1:30 p.m., on Monday, June 3, that immediately following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and there then be a period for morning business not to extend beyond the hour of 3:30 p.m. with Senators permitted to speak for up to 5 minutes each, with the following exceptions: the first 90 minutes under the control of Senator COVERDELL, or his designee; the second 30 minutes under the control of Senator DASCHLE, or his designee.

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

Mr. DOLE. I further ask unanimous consent that at 3:30 p.m. the Senate resume debate on the motion to proceed to the Defend America Act.

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

PROGRAM

Mr. DOLE. Madam President, I recap, for the information of all Senators, that a cloture motion was filed on the motion to proceed to the Defend America Act. That vote occur on Tuesday June 4, at 2:15 p.m., unless we can work out some overall agreement. We would want to add to that—I have discussed this with the Democratic leader—health care reform. That package is in conference. That is something which I very much would like to do that week. I talked to both Senators KASSEBAUM and KENNEDY, and others. Hopefully, we might add to the list three or four things that we might complete action on that week.

If there is not any change, then that rollcall vote will occur after the policy luncheons, I understand, at 2:15.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The distinguished Democratic leader.

Mr. DASCHLE. Madam President, I do not want to delay the distinguished majority leader, but I would also note that he and I have had the opportunity to discuss the issue of confirmation of judges, and I hope that we could continue to work on that and find some resolution. I know there is a great deal of interest on both sides in trying to figure out a way to break loose the logjam on what I believe are 17 or 18 judges that await some action here. A lot of families and a lot of futures are on the line. I am sure that the sooner we accommodate everyone's interest, the better it is for everybody concerned.

I appreciate the majority leader's interest in trying to resolve that matter as well. We will want to work with him to see that we get that done.

Mr. DOLE. I would say to the Democratic leader that if we cannot arrive at some agreement, I would be prepared to call them up one at a time. If someone wants to vote "no"—and I understand that at least one may take

some time, one of the nominees. For others, there may be rollcall votes. But it seems to me that the Democratic leader is correct. We should not be holding people up. If we need a vote, vote them down or vote them up, or whatever, but they ought to be voted on because they probably have plans to make and there are families involved.

So I hope we can reach some accommodation to dispose of those as quickly as possible when we return.

ADJOURNMENT UNTIL 1:30 P.M., MONDAY, JUNE 3, 1996

Mr. DOLE. Madam President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the provisions of Senate Concurrent Resolution 60.

There being no objection, the Senate, at 1:47 p.m., adjourned until Monday, June 3, 1996, at 1:30 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 24, 1996:

PANAMA CANAL COMMISSION

MARKOS K. MARINAKIS, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF THE PANAMA CANAL COMMISSION.

SMALL BUSINESS ADMINISTRATION

GINGER EHN LEW, OF CALIFORNIA, TO BE DEPUTY ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF JUSTICE

J. RENE JOSEY, OF SOUTH CAROLINA, TO BE U.S. ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF 4 YEARS.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. AIR FORCE TO THE GRADE OF BRIGADIER GENERAL UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 624:

To be brigadier general

COL. WILLIAM WELSER III [redacted] REGULAR AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. RICHARD B. MYERS, [redacted] U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. JOHN P. JUMPER [redacted] U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

LT. GEN. RALPH E. EBERHART [redacted] U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601:

To be lieutenant general

MAJ. GEN. CARL E. FRANKLIN [redacted] U.S. AIR FORCE.

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR REAPPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE U.S. ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, UNITED STATES CODE, SECTION 601(A):

To be lieutenant general

LT. GEN. DANIEL W. CHRISTMAN [redacted] U.S. ARMY.

IN THE NAVY

THE FOLLOWING-NAMED OFFICERS FOR PROMOTION IN THE NAVY OF THE UNITED STATES TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

UNRESTRICTED LINE

To be rear admiral

REAR ADM. (LH) JAMES F. AMERAULT [redacted] U.S. NAVY.
REAR ADM. (LH) LYLE G. BIEN [redacted] U.S. NAVY.
REAR ADM. (LH) RICHARD A. BUCHANAN [redacted] U.S. NAVY.
REAR ADM. (LH) WILLIAM V. CROSS II [redacted] U.S. NAVY.
REAR ADM. (LH) WALTER F. DORAN [redacted] U.S. NAVY.
REAR ADM. (LH) JAMES O. ELLIS, JR. [redacted] U.S. NAVY.
REAR ADM. (LH) WILLIAM J. FALLON [redacted] U.S. NAVY.
REAR ADM. (LH) THOMAS B. FARGO [redacted] U.S. NAVY.
REAR ADM. (LH) DENNIS V. MCGINN [redacted] U.S. NAVY.
REAR ADM. (LH) JOSEPH S. MOBLEY [redacted] U.S. NAVY.
REAR ADM. (LH) EDWARD MOORE, JR. [redacted] U.S. NAVY.
REAR ADM. (LH) DANIEL J. MURPHY [redacted] U.S. NAVY.
REAR ADM. (LH) RODNEY P. REMPT [redacted] U.S. NAVY.
REAR ADM. (LH) NORBERT R. RYAN, JR. [redacted] U.S. NAVY.
REAR ADM. (LH) RAYMOND C. SMITH, JR. [redacted] U.S. NAVY.

RESTRICTED LINE

To be rear admiral

REAR ADM. (LH) GEORGE P. NANOS, JR. [redacted] U.S. NAVY.
REAR ADM. (LH) CRAIG E. STEIDLE [redacted] U.S. NAVY.
REAR ADM. (LH) JAMES L. TAYLOR [redacted] U.S. NAVY.
REAR ADM. (LH) PATRICIA A. TRACEY [redacted] U.S. NAVY.