

ADDITIONAL STATEMENTS

OKLAHOMA CITY BOMBING

• Mr. ABRAHAM. Mr. President, I rise today to express my sincere condolences to the families and friends who lost their loved ones in the horrible terrorist act which took place in Oklahoma City, OK, on April 19, 1995. My prayers are with the victims, with those who lost loved ones, and with those who simply had to suffer through the agony of uncertainty. And, like every Member of this Senate, I am determined to ensure that those terrorists who committed this crime will be prosecuted to the fullest extent of the law.

Our top priority today and always ought to be the protection and safety of all the citizens of our country. Though we in the Senate will, as we already have, differ about the role of the Federal Government and the scope of Congress' authority, I think we can all agree that the first obligation of the Government is to protect its citizens from harm. We must do everything we rightfully can to prevent future tragedies of this sort and to see to it that the perpetrators of this terrible act are brought to justice.

One hope I have is that, in the process of focusing on the tragic incident in Oklahoma City involving one type of crime, we don't lose sight of the rising tide of all violent crime in this country. It did not take the massive destruction of this bombing to make violence a major problem in America. The rate of violent crime is increasing and will continue to do so if we do not put a stop to it now. Thus, it is even more urgent that government at all levels—Federal, State, and local—act accordingly to make sure that all types of criminal violence are prevented, or, that when these acts occur, to see to it that the responsible parties are severely punished for their actions.

In my view, there is a continuum in our society, with the rights of criminals on one end, and the rights of both victims of crime and the law-abiding on the other. More rights for criminals ineluctably translates to fewer rights for victims. I believe the pendulum has swung too far, and for too long, toward the right of criminals. It is time for us to shift things in the direction of law-abiding citizens and the victims of crime.

Despite our best efforts, we must recognize that, no matter what we do, we will never be able to eradicate crime, nor, though we would like to, eliminate the possibility of a violent fanatic detonating a fertilizer-based bomb. So long as human nature remains imperfect there are going to be murderers, there are going to be rapists, there are going to be violent fanatics. Prevention is critical, and all appropriate tools should be provided to law enforcement officials to aid their preemptory efforts. But what is also important is the response which our criminal justice system is able to muster after the fact.

In short, we must ensure that the perpetrators of all criminal acts in this country are—as the President promised in this case—brought to swift and certain justice. Legal reforms that would permit the rapid apprehension, trial, and punishment of the perpetrators of crime—all crimes—would go a long way toward preventing future such crimes and assuring the victims that justice will be done.

I believe, with regard to Oklahoma City that what most affects us all is seeing the families of the victims. Like most Americans, I want to see justice for those families prevail. I would like to be able to assure those families that they will not have to suffer through a 9-month trial on TV—including, for example, several weeks devoted to selecting the perfect, dispassionate and adequately uninformed jury. And I would like to be able to tell those families that they will not then have to endure years upon years of repetitive trials and appeals, forcing them to relive over and over the nightmare of the past weeks. But I cannot.

Regrettably, our current system is all too often exploited by the guilty—at the expense of the innocent. That is why, as we move ahead with any proposed antiterrorist legislation as well as with the Senate Republican crime bill, S. 3, the Violent Crime Control and Law Enforcement Improvement Act of 1995, I hope we will seek to pass legislation which does put the rights of victims and law-abiding citizens first—where they belong.

Mr. President, on another note, I would like to also shed light on an unfortunate incident which took place during the aftermath of the bombing in Oklahoma City. Immediately after the bombing, many so-called experts and news media outlets rushed to the judgment that this attack was most probably the result of, "Islamic radical fundamentalist terrorists from the Middle East." This inaccurate and prematurely reached conclusion did great damage to the millions of loyal Arab- and Moslem-Americans in the United States, producing a wave of anti-Moslem, anti-Arab hysteria in the days after the bombing. The windows of a mosque in Oklahoma City were shattered by bullets in the days after the bombing, and death threats were called in to many mosques across the United States—including several in my home State of Michigan. In addition, many Arab- and Moslem-American students were harassed at their schools and universities. All of these unfortunate incidents could have been avoided had some in the media and their so-called terrorism experts refrained from jumping to such unsubstantiated conclusions.

The news media has a clear duty to the American people to report allegations of this type responsibly. The media has received many compliments about its coverage of Oklahoma City, much of it deserved. However, those outlets which failed to show proper re-

straint or which countenanced wildly speculative finger-pointing should, I believe, extend an apology to the Arab- and Moslem-American communities for the damage done to the hardworking individuals and families that comprise them. The American-Moslem community has donated \$22,500 to assist the families of the victims of the bombing in Oklahoma City—a story which I hope the media will also be reporting.

That said, I want to reemphasize my comments regarding this horrible tragedy in Oklahoma. Our criminal law enforcement community needs to have the appropriate tools for prevention and punishment. If we, in the Senate, are able to pass the appropriate legislation which will assist the law enforcement officials to effectively combat crime, then perhaps criminals will be deterred from committing another tragic Oklahoma City incident anywhere in the United States. Amidst all the pain, we may have learned a very valuable lesson from this incident—the worst terrorist crime in our Nation's history. The painful lesson learned may be that Oklahoma City is a wake-up call to all Americans that we desperately need to reform our criminal laws.●

OPEN MARKETS AND FAIR TRADE ACT OF 1995

• Mr. ROCKEFELLER. Mr. President, I seek to have placed in the CONGRESSIONAL RECORD a copy of the "Open Markets and Fair Trade Act of 1995," S. 756, that was formally submitted for the RECORD yesterday, May 3, 1995, but which was not printed in full.

The "Open Markets and Fair Trade Act of 1995," will evaluate the current conditions of markets around the world for American products and instigate a process of negotiating access to those markets. It also gives the President and Congress a new tool to use in those negotiations—the threat of reciprocal trade action. Basically the bill tells our trading partners that if they refuse to give our products reasonable market access, we may impose the same kind of restrictions on their products.

Mr. President, this bill was written in response to a problem that persists year after year. I am speaking, of course, of our trade deficit, which is out of control. Certainly, we are making progress on some micro-economic levels, and the Clinton Administration has hammered out more than 70 different trade agreements over the last two-plus years—14 with Japan alone. These are helping some industries, some workers, and some parts of our economy. But they have done nothing to shrink the trade deficit. Clearly, more must be done.

Mr. President, this bill does not single out any one country. It is designed to pry open markets wherever they're closed, wherever in the world American products are denied access. This bill

follows up on the Uruguay Round and looks beyond tariffs—it is designed to deal with market barriers; the internal rules in various countries that are practical impediments to American businesses. I am seeking to open more markets across the globe in order to bring about the increased exports and jobs that the GATT promised.

And I think it's high-time we question the wisdom that blames almost all of America's trade deficit problems solely on ourselves. For years, we've heard the same assertions: "Americans spend too much and save too little * * * the budget deficit is too high * * * we are growing faster than other countries so we have more money to spend." Yes, these economic realities contribute to the problem, but under President Clinton's leadership, we have reduced the Federal fiscal deficit by over \$700 billion, yet the trade deficit goes up and up.

I think it's time we reverse the premise and look at how the trade deficit fuels our savings and debt problems. The inability of American companies to sell in places like Japan, China, Germany and elsewhere costs our corporations profits, our workers job opportunities, and our nation revenues—all of which weigh down our own economic growth and add to our fiscal deficit.

Whether it is a requirement for American firms to hire local agents to conduct business; cumbersome inspection and customs procedures; bans on the sale of products for dubious claims of national sovereignty or some other sort of prerogative, the simple fact is that protected sanctuary markets abroad are a major contributor to America's economic problems.

To explain this simply, I will use as an example the well known case of how Japanese manufacturers sell things like electronics in the United States at such cheap prices, even when the Yen is at a record height. I am citing Japan here, but it could be any other country that has a sanctuary market. It is well known that many Japanese-made products are cheaper in the United States than in Japan. That is because Japan's closed market is a sanctuary that effectively insulates producers from competition, and allows them to overcharge Japanese consumers, giving them enough of a profit margin at home to sell below cost here. That means American companies lose on both ends. We can't export into these markets, and their subsidized exports harm our domestic industries and costs us jobs.

My trade policy is quite simple, in addition to preserving the effectiveness of America's trade laws, I support measures that will increase American exports, and West Virginia exports specifically. Every \$1 billion in exports supports about 17,000 jobs. So it follows that if we increase American exports, we will create more jobs here in the United States. And export related jobs are, on average, better, higher paying

jobs. That is why I have worked so hard to introduce West Virginia businesses to foreign market opportunities.

The "Open Markets and Fair Trade Act of 1995" is about market opportunities for American firms and especially markets for American industries with the most export potential and which promote critical technologies. Most importantly, it instructs the Commerce Department to look at markets which, if we can export there, offer the greatest employment opportunities for American workers.

America cannot afford to be a market for everyone else's products when we don't get the same kind of access in return. Our economy, and the global economy, cannot sustain that kind of imbalance. The American people will only continue to support free trade if it means we are able to sell American products abroad as easily as Asian and European and Latin American manufacturers have access to our shelves and showrooms. While past negotiations should have made these points perfectly clear, the "Open Markets and Fair Trade Act of 1995" will erase any doubts that may have lingered with our trading partners.

Mr. President, I ask that following my statement the full text of the "Open Markets and Fair Trade Act of 1995" appear, followed by a summary of S. 756.

The material follows:

S. 756

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Open Markets and Fair Trade Act of 1995".

SEC. 2. REPORTS ON MARKET ACCESS.

(a) ANNUAL REPORTS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the Congress a report with respect to those countries selected by the Secretary in which goods or services produced or originating in the United States, that would otherwise be competitive in those countries, do not have market access. Each report shall contain the following with respect to each such country:

(1) ASSESSMENT OF POTENTIAL MARKET ACCESS.—An assessment of the opportunities that would, but for the lack of market access, be available in the market in that country, for goods and services produced or originating in the United States in those sectors selected by the Secretary. In making such assessment, the Secretary shall consider the competitive position of such goods and services in similarly developed markets in other countries. Such assessment shall specify the time periods within which such market access opportunities should reasonably be expected to be obtained.

(2) CRITERIA FOR MEASURING MARKET ACCESS.—Objective criteria for measuring the extent to which those market access opportunities described in paragraph (1) have been obtained. The development of such objective criteria may include the use of interim objective criteria to measure results on a periodic basis, as appropriate.

(3) COMPLIANCE WITH TRADE AGREEMENTS.—An assessment of whether, and to what extent, the country concerned has materially complied with—

(A) agreements and understandings reached between the United States and that country pursuant to section 3, and

(B) existing trade agreements between the United States and that country.

Such assessment shall include specific information on the extent to which United States suppliers have achieved additional access to the market in the country concerned and the extent to which that country has complied with other commitments under such agreements and understandings.

(b) SELECTION OF COUNTRIES AND SECTORS.—

(1) IN GENERAL.—In selecting countries and sectors that are to be the subject of a report under subsection (a), the Secretary shall give priority to—

(A) any country with which the United States has a trade deficit if access to the markets in that country is likely to have significant potential to increase exports of United States goods and services; and

(B) any country, and sectors therein, in which access to the markets will result in significant employment benefits for producers of United States goods and services.

The Secretary shall also give priority to sectors which represent critical technologies, including those identified by the National Critical Technologies Panel under section 603 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6683).

(2) FIRST REPORT.—The first report submitted under subsection (a) shall include those countries with which the United States has a substantial portion of its trade deficit.

(3) TRADE SURPLUS COUNTRIES.—The Secretary may include in reports after the first report such countries as the Secretary considers appropriate with which the United States has a trade surplus but which are otherwise described in subsection (a) and paragraph (1) of this subsection.

(c) OTHER SECTORS.—The Secretary shall include an assessment under subsection (a) of any country or sector for which the Trade Representative requests such assessment be made. In preparing any such request, the Trade Representative shall give priority to those barriers identified in the reports required by section 181(b) of the Trade Act of 1974 (19 U.S.C. 2241(b)).

(d) INFORMATION ON ACCESS BY FOREIGN SUPPLIERS.—The Secretary shall consult with the governments of foreign countries concerning access to the markets of any other country of goods and services produced or originating in those countries. At the request of the government of any such country so consulted, the Secretary may include in the reports required by subsection (a) information, with respect to that country, on such access.

SEC. 3. NEGOTIATIONS TO ACHIEVE MARKET ACCESS.

(a) NEGOTIATING AUTHORITY.—The President is authorized to enter into agreements or other understandings with the government of any country for the purpose of obtaining the market access opportunities described in the reports of the Secretary under section 2.

(b) DETERMINATION OF PRIORITY OF NEGOTIATIONS.—Upon the submission by the Secretary of each report under section 2, the Trade Representative shall determine—

(1) for which countries and sectors identified in the report the Trade Representative will pursue negotiations, during the 6-month period following submission of the report, for the purpose of concluding agreements or other understandings described in subsection (a), and the timeframe for pursuing negotiations on any other country or sector identified in the report; and

(2) for which countries and sectors identified in any previous report of the Secretary under section 2 the Trade Representative will pursue negotiations, during the 6-month period described in paragraph (1), in cases in which—

(A) negotiations were not previously pursued by the Trade Representative, or

(B) negotiations that were pursued by the Trade Representative did not result in the conclusion of an agreement or understanding described in subsection (a) during the preceding 6-month period, but are expected to result in such an agreement or understanding during the 6-month period described in paragraph (1).

For purposes of this Act, negotiations by the Trade Representative with respect to a particular sector shall be for a period of not more than 12 months.

(c) SEMIANNUAL REPORTS.—At the end of the 6-month period beginning on the date on which the Secretary's first report is submitted under section 2(a), and every 6 months thereafter, the Trade Representative shall submit to the Congress a report containing the following:

(1) REPORT WHERE NEGOTIATIONS PURSUED IN PREVIOUS 6-MONTH PERIOD.—With respect to each country and sector on which negotiations described in subsection (b) were pursued during that 6-month period—

(A) a determination of whether such negotiations have resulted in the conclusion of an agreement or understanding intended to obtain the market access opportunities described in the most recent applicable report of the Secretary, and if not—

(i) whether such negotiations are continuing because they are expected to result in such an agreement or understanding during the succeeding 6-month period; or

(ii) whether such negotiations have terminated;

(B) in the case of a positive determination made under subparagraph (A)(i) in the preceding report submitted under this subsection, a determination of whether the continuing negotiations have resulted in the conclusion of an agreement or understanding described in subparagraph (A) during that 6-month period.

(2) REPORT WHERE NEGOTIATIONS NOT PURSUED.—With respect to each country and sector on which negotiations described in subsection (b) were not pursued during that 6-month period, a determination of when such negotiations will be pursued.

SEC. 4. MONITORING OF AGREEMENTS AND UNDERSTANDINGS.

(a) IN GENERAL.—For the purpose of making the assessments required by section 2(a)(3), the Secretary shall monitor the compliance with each agreement or understanding reached between the United States and any country pursuant to section 3, and with each existing trade agreement between the United States and any country that is the subject of a report under section 2(a). In making each such assessment, the Secretary shall describe—

(1) the extent to which market access for the country and sectors covered by the agreement or understanding has been achieved; and

(2) the bilateral trade relationship with that country in that sector.

In the case of agreements or understandings reached pursuant to section 3, the description under paragraph (1) shall be done on the basis of the objective criteria set forth in the applicable report under section 2(a)(2).

(b) TREATMENT OF AGREEMENTS AND UNDERSTANDINGS.—Any agreement or understanding reached pursuant to negotiations conducted under this Act, and each existing trade agreement between the United States

and a country that is the subject of a report under section 2(a), shall be considered to be a trade agreement for purposes of section 301 of the Trade Act of 1974.

SEC. 5. TRIGGERING OF SECTION 301 ACTIONS.

(a) FAILURE TO CONCLUDE AGREEMENTS.—In any case in which the Trade Representative determines under section 3(c)(1) (A)(ii) or (B) that negotiations have not resulted in the conclusion of an agreement or understanding described in section 3(a), each restriction on, or barrier or impediment to, access to the markets of the country concerned that was the subject of such negotiations shall, for purposes of title III of the Trade Act of 1974, be considered to be an act, policy, or practice determined under section 304 of that Act to be an act, policy, or practice that is unreasonable and discriminatory and burdens or restricts United States commerce. The Trade Representative shall determine what action to take under section 301(b) of that Act in response to such act, policy, or practice.

(b) NONCOMPLIANCE WITH AGREEMENTS OR UNDERSTANDINGS.—In any case in which the Secretary determines, in a report submitted under section 2(a), that a foreign country is not in material compliance with—

(1) any agreement or understanding concluded pursuant to negotiations conducted under section 3, or

(2) any existing trade agreement between the United States and that country, the Trade Representative shall determine what action to take under section 301(a) of the Trade Act of 1974. For purposes of section 301 of that Act, a determination of non-compliance described in the preceding sentence shall be treated as a determination made under section 304 of that Act.

SEC. 6. EXPEDITED PROCEDURES FOR CERTAIN PRESIDENTIAL ACTIONS.

(a) AUTHORITY FOR RECIPROCAL ACTIONS.—In any case in which—

(1) section 5 applies,

(2) the President determines that reciprocal action should be taken by the United States in response to—

(A) a restriction, barrier, or impediment referred to in section 5(a) with respect to access to the market of a country, or

(B) noncompliance with an agreement, understanding, or trade agreement referred to in section 5(b),

as the case may be,

(3) changes in existing law or new statutory authority is necessary for such reciprocal action to be taken, and

(4) the President, within 30 days (excluding any day described in section 154(b) of the Trade Act of 1974) after—

(A) the determination of the Trade Representative under section 3(c)(1)(A)(ii) or (B), or

(B) the determination of the Secretary in the applicable report under section 2(a),

as the case may be, submits to the Congress a draft of implementing legislation with respect to the changes or authority described in paragraph (3),

then subsection (c) applies.

(b) DEFINITIONS.—For purposes of this section—

(1) the term "reciprocal action" means action that is taken in direct response to a restriction on, or barrier or impediment to, access to the market in another country and is comparable or of equivalent effect to such restriction, barrier, or impediment; and

(2) the term "implementing legislation" means a bill of either House of Congress which is introduced as provided in subsection (c) and which contains provisions necessary to make the changes or provide the authority described in subsection (a)(3).

(c) PROCEDURES FOR IMPLEMENTING LEGISLATION.—On the day on which implementing

legislation is submitted to the House of Representatives and the Senate under subsection (a), the implementing legislation shall be introduced and referred as provided in section 151(c)(1) of the Trade Act of 1974 for implementing bills under such section. The provisions of subsections (d), (e), (f), and (g) of section 151 of such Act shall apply to implementing legislation to the same extent as such subsections apply to implementing bills.

(d) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This section is enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with the full recognition of the constitutional right of either House to change the rules (so far as relating to the procedures of that House) at any time, in the same manner, and to the same extent as any other rule of that House.

SEC. 7. URUGUAY ROUND AGREEMENTS NOT AFFECTED.

Nothing in this Act shall be construed to violate any provision of the agreements approved by the Congress in section 101(a)(1) of the Uruguay Round Agreements Act (19 U.S.C. 3511(a)(1)).

SEC. 8. DEFINITIONS.

As used in this Act:

(1) EXISTING TRADE AGREEMENT BETWEEN THE UNITED STATES AND A COUNTRY.—An "existing trade agreement" between the United States and another country means any trade agreement or understanding that was entered into between the United States and that country before the date of the enactment of this Act and is in effect on such date. Such term includes, but is not limited to—

(A) with respect to Japan—

(i) the Arrangement Between the Government of Japan and the Government of the United States of America Concerning Trade in Semiconductor Products, signed in 1986;

(ii) the Arrangement Between the Government of Japan and the Government of the United States of America Concerning Trade in Semiconductor Products, signed in 1991;

(iii) the United States-Japan Wood Products Agreement, signed on June 5, 1990;

(iv) Measures Related to Japanese Public Sector Procurements of Computer Products and Services, signed on January 10, 1992;

(v) the Tokyo Declaration on the U.S.-Japan Global Partnership, signed on January 9, 1992; and

(vi) the Cellular Telephone and Third-Party Radio Agreement, signed in 1989;

(B) with respect to the European Union—

(i) the Agreement Concerning the Application of the GATT Agreement on Trade in Civil Aircraft Between the European Economic Community and the Government of the United States of America on trade in large civil aircraft, with annexes, entered into force on July 17, 1992;

(ii) the Agreement Concerning Procurement Between the United States and the European Union, signed April 15, 1994; and

(iii) the Memorandum of Understanding (MOU) on Procurement Between the United States and the European Union, signed May 25, 1993; and

(C) with respect to the People's Republic of China—

(i) the Memorandum of Understanding (MOU) on the Protection of Intellectual Property Rights Between the United States and the People's Republic of China, signed January 17, 1992;

(ii) the Memorandum of Understanding (MOU) on Market Access Between the United States and the People's Republic of China, signed October 10, 1992;

(iii) the Bilateral Textile Agreement Between the United States and the People's Republic of China, signed January 17, 1994; and

(iv) an exchange of letters with an attached action plan between the United States and the People's Republic of China, signed February 26, 1995, relating to intellectual property rights.

(2) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(3) TRADE REPRESENTATIVE.—The term "Trade Representative" means the United States Trade Representative.

THE OPEN MARKETS AND FAIR TRADE ACT OF 1995—SUMMARY

GOAL

The legislation will help the United States develop a systematic, long-term trade policy that will pry open foreign markets for American exporters. This bill supports the Clinton Administration's results-oriented trade policy.

The U.S. has accumulated more than \$1 trillion in merchandise trade deficits since 1980. Countries like Japan—which accounted for more than 43% of last years deficit and China, which accounted for almost 20% of last years trade deficit, continue to exclude U.S. products from their markets.

This legislation will create a process for defining what our goals and objectives should be in trade negotiations. It will help ensure that our trade negotiations achieve measurable results, not just empty promises. Additionally, the legislation will grant the President the authority to have Congress grant him reciprocal trade authority on an expedited basis.

SPECIFICS

The legislation instructs the Commerce Department to choose a range of important American goods and services, and study how well those products do in foreign markets. Then we'll understand how well we should be doing if trade were free and fair. Commerce will outline clear, objective criteria for gaining market access and the USTR will be given authority to negotiate to achieve these or similar goals.

The bill requires that in developing objective criteria the Department of Commerce should give priority to industries which will result in the greatest employment benefits for the United States, industries which have the most export potential and industries that promote critical technologies.

The legislation doesn't specify what objective criteria should be used. It simply endorses a results-oriented trade policy. The effect will not be "managed trade". Rather, it will provide the basis for our negotiators and our trading partners to know what "success" is. It seeks to create a basis for open, honest negotiations where others understand what our expectations are.

The legislation also gives the President the ability to come to Congress to authorize reciprocal trade actions if he deems it appropriate. This reciprocal trade authority would be considered on an expedited basis.

The President has full discretion under this legislation. But it sends a clear message to our trading partners: follow the Golden Rule in trade. If another country believes that its market access impediments are appropriate and should be continued, then they shouldn't object to others following their lead.

Nothing in this legislation violates our commitment to the GATT. The process that the bill begins simply requires that we define what our national interests and what fair

play would achieve. It does not specify how we will respond to the market barriers our farmers, workers and businesses face, although, through the expedited procedures provided for in the bill, it shows a clear preference for reciprocity. Reciprocity to respond to anticompetitive practices. Actions that aren't covered by the GATT.

Those with a vested interest in the status quo have engaged in an intensive public relations campaign to discredit the President's trade policy. We must not retreat from our desire to enforce the rights of our farmers, workers and businesses.●

U.S. COMMISSION ON CIVIL RIGHTS' REPORT ON HATE CRIME IN OHIO

● Mr. SIMON. Mr. President, the Ohio Advisory Committee to the U.S. Commission on Civil Rights has released a report documenting hate activity in that State. The Ohio Advisory Committee compiled hate crime statistics from the five largest cities in the State, and found continuing reports of prejudice and hate ranging from racism, anti-Semitism, and homophobia. Unfortunately, Ohio's continued problem with hate crimes mirrors the national struggle against crimes based on prejudice.

The Ohio report serves as a reminder that there is still much work to be done to reduce the incidence of hate crimes. The Hate Crimes Statistics Act, which I authored in 1990, has been an important first step in this process. The reporting system established by this law sends a message to both the victims and the perpetrators of hate crimes that law enforcement officials are committed to solving the problem of hate crimes.

Unfortunately, since States are not required to provide statistics on hate crimes to the FBI, many States have not yet fully complied with this important effort. In this, Ohio again mirrors the problems in many States. The Ohio Advisory Committee found that the reporting of hate crime by local law enforcement agencies is still insufficient to gauge with confidence the extent of hate crime activity in Ohio. Ohio has seen significant progress since 1991 when only 30 of 401—7 percent—law enforcement agencies who participate in the program submitted hate crime reports to the FBI. That number increased to 125 of 401—31 percent—law enforcement agencies reporting in 1993. This progress is encouraging, but a greater commitment is needed.

In addition to the problems with insufficient reporting, the report found that Ohio's reporting was plagued by wide discrepancies in interpretation of the hate crime statute. This has been a problem in many States, and highlights the importance of the FBI hate crime training programs. The FBI offers outreach and training programs for local law enforcement officials to ensure that hate crime reporting is consistent and in keeping with the statute. I encourage Ohio law enforcement officials to take advantage of this useful training.

The Ohio report made several recommendations to improve Ohio's hate crime reporting, from encouraging local law enforcement officials to avail themselves of the hate crime training offered by the FBI to the creation of a central depository of hate crime information in Ohio. These changes would not only boost efforts to monitor hate crimes, but facilitate more effective remedies and prosecutions of hate crimes in the State. I encourage Ohio officials to review these recommendations.

The foundation laid by the 1990 Hate Crimes Statistics Act is an important step in solving the problem of hate crimes. But clearly this problem is not going away. The problems in Ohio are not unique. Government officials, from local to Federal, need to look for ways to assist States and cities interested in training their law enforcement officials to report hate crimes, and to encourage all States to participate.●

IMMIGRATION ENFORCEMENT IMPROVEMENTS ACT OF 1995

● Mr. SIMON. Mr. President, I am proud to be an original cosponsor of the Immigration Enforcement Improvements Act of 1995. The approach to immigration policy reflected in the administration's proposal is thoughtful and comprehensive, and I applaud it.

The Clinton administration's bill recognizes, as do the people of this Nation, the need to formulate an effective response to the problem of illegal immigration, and proposes increased resources not only for border enforcement, but also increased resources to eliminate the job magnet that will continue to draw undocumented aliens into the Nation regardless of the success of our border policy. The proposal also strives to improve our ability to deport those aliens that have been identified as deportable.

To achieve each of these objectives the administration has proposed stern measures, and, in its fiscal year 1996 budget request, the commitment of substantial resources; yet, at the same time, the administration's proposal contains little that feeds the rampant anti-immigrant sentiment that has pervaded the immigration policy debate in recent years. Rather, the administration's proposal takes a measured yet aggressive approach to the problems we must face. In short, while it has taken an undeniably firm stance against illegal immigration, the administration has not succumbed to the belief that immigration in all its shapes and forms is a bad thing. Quite the contrary: this legislation reflects the fact that, as the President has said, an effective immigration policy must combine deterrence of illegal immigration with an encouragement and celebration of legal immigration.

I look forward to working with the administration and my colleagues in