

California students will vote on 3 statewide propositions dealing with clean water, racial discrimination, and the minimum wage.

In Kansas, a local public broadcasting station plans to air a live town hall meeting. Candidates for the U.S. House of Representatives and the Senate will answer questions put to them by schoolchildren.

Those who are interested in participating in the Mock Election can call the Mock Election's toll-free number (800-230-3349) and may visit the Mock Election's new Internet Website at <http://allpolitics.com>.

Mr. President, it only makes sense that habits learned young set the course for adult behavior. Through the Student/Parent Mock Election, young people are hopefully beginning a commitment to responsible citizen involvement that they will continue as adults. I commend those individuals who have worked so hard to make the National Student/Parent Mock Election a nationwide success.

1996 NATIONAL STUDENT/PARENT MOCK ELECTION

Mr. KENNEDY. Mr. President, every Member of Congress understands the importance of elections. We know that the votes cast on November 5 will determine the future leadership and direction of communities across the country, and of the Nation as a whole. We know that informed voters are the essence of our democracy.

As citizens across the country focus on this year's elections and its outcomes, the National Student/Parent Mock Election is helping young students learn about the importance of the election process. The Mock Election offers parents and teachers across the country an opportunity to help students learn about democracy, make decisions about key issues, and understand the meaning of the civic responsibility on which democracy survives and thrives.

On October 30, 1996, millions of students and parents across the country will cast their votes for President, Vice President, Senators, Representatives, Governors, and local officials as part of the National Student/Parent Mock Election. In 1992, over 5 million Mock Election participants cast votes in all 50 States and Washington, DC. Every State called in their votes on who would win the elections and recommendations on key national issues to the National Mock Election Headquarters, as over 20 million viewers watched on television.

The 1996 National Student/Parent Mock Election is sponsored by Time Magazine, CNN, Time Warner, Macmillan/McGraw-Hill, Xerox Corp., American Happenings, and Electronic Data Systems, and is also supported by an \$80,000 grant from the U.S. Department of Education.

The National Student/Parent Mock Election is an on-going project. In the fiscal year 1997 Omnibus Appropriations Act, passed by the Senate on Monday, September 30, and signed by

President Clinton, the project will receive \$125,000 from the U.S. Department of Education to continue to educate students on key issues and the principles of democracy throughout the school year that begins in September, 1997.

This year, the Massachusetts Corporation for Educational Telecommunications [MCET] serves as the Massachusetts Mock Election coordinator. MCET plans to make the Massachusetts Mock Election one of the most important mock elections in the Nation. Through the use of new technologies, MCET will reach a wider audience than ever before and will provide interactive programming so that students can actually debate the issues that are important to them—not just read about them.

A live, interactive broadcast series of these programs will be delivered to all Massachusetts schools via satellite well before the election. The first program will engage students, parents, and teachers in discussions of election-related issues important to students—education and employment. The second program will offer students the opportunity to talk to local politicians and others working in politics about what it takes to be a leader. The third program will be the Mock Election Day coverage on October 30. Massachusetts students will cohost all three programs with Katy Abel of Boston's Channel 7 News.

The lessons that students and their parents learn as participants in the Mock Elections will benefit American politics for years to come. If the next generation of Americans is well prepared for the challenges of democracy, our liberties will be in good hands.

SENATE ACTION ON CONFIRMING FEDERAL JUDGES

Mr. BIDEN. I'm glad that I have been able to work closely with my Republican colleagues in a spirit of cooperation on a number of important issues that have come before the Senate this year.

I must say, however, I am disappointed this bipartisan spirit has not allowed us to confirm seven judicial nominations remaining on the calendar—all well-qualified people who have had hearings and were reported favorably by the Judiciary Committee.

I think that we should stop, right now, and talk about what's going on here.

No one understands better than I the heat that can be generated over judges in an election year. But let me set the Record straight—absolutely straight: The Senate, under Democratic leadership, faithfully confirmed Republican Judges in Presidential election years.

All year, Republicans have been offering assurances that the Senate would continue this bipartisan approach and put judges through.

But today, it has become crystal clear that the bipartisan spirit of the

past has been broken. And let's tell it like it is: My Republican colleagues have decided to grind confirmations to a halt as we head toward the coming Presidential election.

Currently, there are 63 vacancies on the Federal bench.

This year, the Judiciary Committee has held only 5 nominations hearings, and reported out only 23 nominees to fill these vacancies. We should have done more.

The Judicial Nominees who were fortunate enough to pass through the committee this session have been further held up here on the floor.

Not one judge was confirmed before July 10 this year and none have been confirmed since August 2.

As a result, the Senate has confirmed only 17 district judges and no circuit judges this session. Seven nominees are currently pending on the floor—three for the district courts and four for the circuit courts.

Some have suggested that shutting down the confirmation process is par for the course in an election year. They are wrong. And let me set the record straight.

George Bush made nearly one-third of his 253 judicial nominations in 1992, a Presidential election year. As chairman of the Judiciary Committee, I held 15 nominations hearings that year, including 3 in July, 2 in August, and 1 in September.

In 1992—the last Presidential election year—the Senate continued to confirm judges through the waning days of the 102d Congress. We even confirmed seven judges on October 8—the last day of the second session.

As a result, the Senate confirmed all 66 nominees the Judiciary Committee reported out that year—55 for the District courts and 11 for the circuit courts. Let me repeat: This session, only 17 district judges have been confirmed and no circuit judges have been confirmed.

And let me say: 1992 was not an off year. To the contrary: It represented the Senate's practices over the last decade:

In 1988—an election year—we confirmed 42 district and circuit court nominees, including 12 judges confirmed in October that year.

In 1984—an election year—we confirmed 43 nominees, including 13 judges in October.

And in 1980—an election year—we confirmed 64 nominees, including 10 judges on September 29.

Overall, during the past 16 years, since 1980, the Senate has confirmed an average of 51 nominees each year.

Overall, during the last 4 election years, the Senate has done even better, confirming an average of 54 nominees each year.

Let me repeat: our track record this session: The Senate has only confirmed 17 judges.

The Senate has been dragging its feet despite the undeniable fact that these judges are badly needed. The Federal

trial and appellate courts to which we confirm judges apply our Federal laws. Without a steady supply of judges, these courts cannot enforce our laws.

Right now, 12 of the Nation's 94 Federal judicial districts and 5 of the 12 circuit courts have judicial emergency vacancies—that's what the Judicial Conference of the United States calls vacancies that have existed for 18 months or more.

These emergency districts had an average of 635 criminal case filings in 1995—almost twice the national average of 355 filings. There average backlog of 4,153 cases exceeds the national average of 2,853 cases by 46 percent—1,300 cases.

The President has nominated judges for 15 of the 17 emergency courts. Three have received hearings and await a committee vote, three more are bottled up on the floor.

This is not the way we should be doing business here—and this is most certainly not business as usual as far as I'm concerned.

We should put a stop to the politics, and confirm these judges today.

MINING PATENT MORATORIUM

Mr. CRAIG. Mr. President, I would like to engage in a colloquy with the distinguished Chairman of the Energy and Natural Resources Committee concerning a report on mining patents that was recently completed by the Department of the Interior.

Mr. MURKOWSKI. Mr. President, I would gladly engage in such a colloquy with my distinguished colleague, the Chairman of the Forests and Public Land Management Subcommittee of the Energy and Natural Resources Committee. The senior Senator from Idaho has worked on mining law reform legislation for several Congresses and is a recognized expert in the area of mining and natural resources. I am pleased to discuss the mining issue with him.

Mr. CRAIG. I thank the Chairman for his kind words. In July, the Energy and Natural Resources Committee received a copy of a report from the Interior Department, entitled "Five Year Plan for Making Final Determination on Ninety Percent of Grandfathered Patent Applications Pursuant to Public Law 104-134." My subcommittee has not yet fully analyzed the report that addresses the mineral patent moratorium which was enacted originally on September 30, 1994, for fiscal year 1995, and extended through fiscal year 1996 on April 25, 1996. I believe the Appropriations Committee received the report as well.

Mr. MURKOWSKI. The Energy and Natural Resources Committee received the report. I am concerned that the report appears to provide a partisan justification for Secretary Babbitt's various actions and inactions regarding the mineral patenting process since 1993.

Mr. CRAIG. I share your concern, and I note that the report provides a plan

to process 90 percent of the mineral patent backlog in five years, which may or may not be effective. The Conference Report on H.R. 3610, Department of Defense Appropriations Act, extended the patent moratorium for fiscal year 1997. In your view has the Congress endorsed Secretary Babbitt's actions and his plan?

Mr. MURKOWSKI. Certainly not in my view. We will review the adequacy of the Secretary's plan at the appropriate time.

Mr. CRAIG. I agree, and I note further that the Congress is clearly not in a position to ratify or reject the Department's determinations regarding individual patent applications which are pending and are identified in the Secretary's report as "grandfathered," or impliedly identified as not "grandfathered" by their absence on the list.

Mr. MURKOWSKI. I completely agree. The legality of the Secretary's actions, inactions and determinations affecting individual patent applicants will be reviewed, as needed, by the federal courts in accordance with due process law.

Mr. CRAIG. One final concern which I have is that the Interior Department may be construing the "five-year" schedule to clear the patent backlog as somehow shielding the Department from claims of unreasonable delay by individual patent applicants in the interim. Such a construction would be clearly contrary to our intent, which was to keep the patent application processing moving forward.

Mr. MURKOWSKI. I share your concern. Such a construction would thwart our purpose entirely.

Mr. CRAIG. I thank the distinguished Chairman for this colloquy.

BURMA SANCTIONS

Mr. McCONNELL. Mr. President, over the weekend, more than 500 Burmese citizens were arrested—more than double the number picked up in an outrageous sweep back in May.

And, their crime, Mr. President? Their crime was an effort to participate in a conference on the future of democracy called by Daw Aung San Suu Kyi, Burma's legitimately elected leader.

Just as discouraging as the arrests is the action taken against Daw Aung San Suu Kyi. The street to her home has been cut off by armed guards, and I understand over 100 troops have been deployed in and around her compound.

Her weekly addresses to supporters have been cut off.

Her movements are completely restricted.

In fact, when I asked if anyone from our embassy had direct contact with her, I was told the phone lines have been cut along with access to her home.

So, at this moment, as I speak, there is no certainty as to her physical well-being—we have no idea what condition Daw Aung San Suu Kyi is in—we have

no idea what SLORC goons may be doing within her home, now, a prison.

But, I want to remind my colleagues of something terribly important that this courageous woman has repeatedly emphasized—she is not the issue—she is only a symbol, a champion for her nation's freedom.

Her cause, her call to us is to restore democracy to her beleaguered homeland, Burma.

Mr. President, I have come to the floor today, once again, to call upon the administration to take decisive action to assist Aung San Suu Kyi and her supporters.

This time, the circumstances are different.

On Monday, when the President signed the omnibus appropriations bill, the foreign operations section included provisions setting a new policy course for Burma.

Although many of my colleagues agreed with language I had included in the bill which imposed immediate sanctions, the Senate and the foreign operations conferees agreed to a weaker position offered by my colleague from Maine and endorsed by the administration.

This language, which the administration supported, required a ban on new investment under specific conditions.

The administration agreed to move forward "if the Burmese government has physically harmed, rearrested for political acts or exiled Aung San Suu Kyi or has committed large-scale repression of or violence against the Democratic opposition."

That's exactly what the law requires.

Ironically, in the case of defining repression, every official I spoke with suggested sanction would be invoked if SLORC took action similar to the May offensive—I might add, no one actually believed SLORC would be so ruthless to repeat so sweeping and offensive an attack on peaceful democratic activists.

Mr. President, in the past this administration has issued ultimatums to SLORC.

In 1994, Tom Hubbard, then Deputy Assistant Secretary of State for Asian Affairs traveled to Rangoon and warned SLORC that if we did not see improvements in human rights, democracy, and drug trafficking, the United States would take appropriate punitive action.

SLORC immediately challenged the demarche and launched a massive military attack against ethnic groups generating more than 80,000 refugees. Attacks in the countryside were matched by rounding up democracy advocates in Rangoon.

America's response? The administration looked the other way.

The next year, Ambassador Albright traveled to Rangoon and repeated the message and saw virtually the same results—massive detentions, torture, and arrests—a complete rejection of our concerns and interests.

Now, we are faced with the worst deterioration of the internal situation since the stolen elections in 1990.