

known as Operation Sea Dragon, and the investigation resulted in a sealed four-count indictment of 23 people, all of whom were members of organized and violent gangs.

The investigation revealed that a number of powerful New York-based gangs, including the White Tigers, the Fuk Ching, and the Broom Street Boys, joined forces with two Bay Area gangs to smuggle several hundred aliens from China into the United States in 1993.

According to the U.S. attorney's office, a San Francisco-based Vietnamese gang was responsible for furnishing the fishing vessels to ferry the smuggled aliens from the mother ship to the coast. A Chinese gang operating out of Oakland then arranged for land transportation and drop houses to facilitate the aliens' travel to New York. More than 270 illegal Chinese aliens were detained when the two fishing boats, the *Angel* and the *Pelican*, landed in San Francisco Bay. As many as 15 passengers escaped and an additional 24 smuggled aliens were arrested later at a drop house in New York City.

Initially, five people were arrested in San Francisco in connection with the arrival of the two ships. These five smugglers were sentenced in June 1994 to just—to just 2 years in prison.

What is interesting is that it is clear from the level of sophistication in this particular operation that organized smuggling of illegal aliens is now becoming a huge business. It is estimated at more than \$3 billion a year. It is also clear from the relatively light sentences imposed on those involved that the current penalties do not outweigh the fortune illegal alien smugglers win by breaking the law. And that is the point of my remarks today.

Since August 1991, at least 21 boatloads carrying almost 3,000 illegal aliens have been intercepted in U.S. waters by American authorities, 3 near Los Angeles, 4 outside San Diego, and 3 in San Francisco, including the 2 ships involved in this story.

The State Department estimates that today there are at least 50 ships used by smugglers, or being constructed to smuggle immigrants. Smugglers cram hundreds of illegal immigrants into decrepit ships in inhumane, cramped quarters where all kinds of abuse often occurs. They are often subject to near starvation. They arrive to lives as indentured workers, and they struggle to pay off their crossing debts which reportedly are around \$25,000 to \$30,000.

Currently the maximum penalty for this kind of smuggling is 5 years. The 23 people indicted in these sealed indictments, these sealed arrest indictments, will be charged with 4 counts, including conspiracy, transportation and harboring of illegal aliens. Each count carries a maximum penalty of just 5 years and a fine of \$250,000.

If past sentences handed down in similar cases serve as any indication, it is likely that most of these 23 will serve either a year-and-a-half or maybe

somewhat more. So, less than 3 years will be served for smuggling nearly 300 people into the country. That is one of the reasons why present Federal sentences do in no way, shape, or form deter this kind of activity.

The illegal immigration bill proposed by the Judiciary Committee, and which was taken down by the majority leader, provides much stronger sentences. Federal prosecutors around my State have asked that the Congress increase the penalties against alien smugglers, and the bill does just that. It doubles the maximum sentence for alien smuggling from the current 5 years to 10 years for the first and second offenses. If a third offense occurs, the maximum penalty is increased to 15 years.

The bill would make alien smuggling a predicate act under RICO. This would mean that longer prison sentences could be handed down if other crimes were committed, and in general that the racketeering statutes could be applied.

It would also allow fines amounting to twice the profit made through smuggling to be imposed. And it would change the penalty so that smugglers can be charged with a violation for each person smuggled. Current law makes it one criminal act, regardless of the number of people smuggled.

It would also make any person who knowingly hires an illegal alien or smuggled alien subject to a fine and up to 5 years in prison. It would increase prison sentences for smugglers who bring an alien into this country who later commits a crime, and it would allow asset forfeiture laws to be applied.

The U.S. attorney says to us, if this legislation had already become law, the sentences to these 23 smugglers arrested yesterday would be increased by 50 to 100 percent. Instead of facing maximum sentences of 20 years, they would be 30 to 40 years, and the end result would be that the actual time served would increase.

I would like to particularly congratulate U.S. Attorney Michael Yamaguchi, the INS, and all the Federal agents involved in this successful investigation.

Now the Congress must do its job to see that the laws in place are adequate to deter this kind of illegal alien smuggling. The bill also provides an opportunity to stop illegal immigration—a huge, huge problem in the State of California, with 2 million people there now illegally—the ability to stop it at the borders.

It would include an additional 700 Border Patrol officers. It would include \$12 million for infrastructure, for roads and for fencing. And it would include an additional 300 INS investigators. It would also toughen the so-called employer sanctions promulgated in 1986.

I can only tell you that Proposition 187 passed overwhelmingly in the State of California, the largest State in the Union. If this is not a message that reaches this Congress, I do not know what kinds of actions it takes. So I

would simply like to say, please, majority leader, I say this very sincerely, reschedule this bill soon so the many amendments pending can be considered, so this floor can engage in a practical, a fair, and a just debate, and so that those sanctions that can prevent illegal immigration into this country can be revised and based on modern-day needs.

I yield the floor.

#### TRIBUTE TO THE LATE HONORABLE EDMUND S. MUSKIE

Mr. COVERDELL. Mr. President, I rise today to join my colleagues from both sides of the aisle in paying respect to a giant of contemporary politics. Edmund S. Muskie, loyal son of Maine, selflessly gave his entire life to public service. His passing is a profound loss, but his shining example of integrity and decency is a legacy for all Americans to admire.

A man of deep intellect, wisdom, and passion, Edmund Muskie graduated from Maine's Bates College to serve three terms as State legislator, two terms as Maine's Governor, and 22 years in the U.S. Senate. He answered President Carter's call to resign from the Senate to become Secretary of State.

As David Broder of the Washington Post has pointed out, Muskie was a politician of rare vision, one who addressed two overriding national issues decades before most others—shifting responsibility from the Federal Government to the States, and putting America's fiscal house in order.

While often supporting activist Government, Muskie recognized that many programs needed to be tailored to the varying situations in each of the 50 States. Indeed, he was ahead of his time. He was the first chairman of the Senate Budget Committee and he fought to keep deficits of the 1960's a minute fraction of what they have become today.

Perhaps standing above all his many achievements is his lead in creating a cleaner environment. He worked tirelessly to create bipartisan support for landmark environmental laws which have allowed our children to grow up in a more healthy and beautiful America.

So today, we pay tribute to a man who cared deeply for his native State, his New England, and his country. We grieve with his family, and hope their time of suffering is alleviated in some way by knowing that America is grateful for his service and shares in their loss. Edmund Muskie, a great man, made the United States a greater nation.

#### RECOGNITION OF NATIONAL TEACHER OF THE YEAR

Mr. GRAMS. Mr. President, I take this opportunity to recognize an outstanding Minnesotan who has been chosen as the national Teacher of the Year.

A resident of Worthington, MN, Mary Beth Blegen has been teaching for 30

years. This year she was selected as the national Teacher of the Year for her significant contributions to education.

Mary Beth Blegen teaches social studies and English at Worthington Senior High School. Her principal, Bruce Blatti, describes her as a teacher who cares for her students inside and outside of the classroom.

Mary Beth Blegen's theater arts background allows her classroom to become an interactive learning center where student participation is an integral part of the process.

Whether it is history, humanities, or English literature, she allows her students to form their own ideas, discuss them and implement them.

This environment allows her to listen to her students and engage in conversation that enables students to bring out the best in themselves.

Teachers like Mary Beth Blegen represent the key to America's future. As our children face the challenges of the 21st century, it is dedicated educators like Mary Beth Blegen who accept the challenge of turning the young people of today into the leaders of tomorrow.

Mr. President, I hope that you and the rest of my Senate colleagues will join me in congratulating one of America's outstanding educators.

#### CONSTITUTIONAL AMENDMENT TO LIMIT CONGRESSIONAL TERMS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of Senate Joint Resolution 21, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 21) proposing a constitutional amendment to limit congressional terms.

The Senate proceeded to consider the joint resolution, with an amendment to strike all after the resolving clause and inserting the part printed in italic;

S.J. RES. 21

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States:*

"ARTICLE—

"SECTION 1. After this article becomes operative, no person shall be elected to a full term as a Senator more than twice, or to a full term as a Representative more than six times; no person who has been a Senator for more than three years of a term to which some other persons was elected shall subsequently be elected as a Senator more than once; and no person who has been a Representative for more than a year of a term to which some other person was elected shall subsequently be elected as a Representative more than five times.

"SECTION 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

"SECTION 3. No election or service occurring before ratification of this article shall be taken into account when determining eligibility for election under section 1."

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 3692

(Purpose: To amend the joint resolution to change the length of limits on Congressional terms to 6 years in the House of Representatives and 12 years in the Senate)

Mr. THOMPSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. THOMPSON], for Mr. ASHCROFT, proposes an amendment numbered 3692.

Mr. THOMPSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In lieu of the matter proposed to be inserted, insert the following:

*"(two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States:*

"ARTICLE—

"SECTION 1. After this article becomes operative, no person shall be elected to a full term as a Senator more than twice, or to a full term as a Representative more than thrice; no person who has been a Senator for more than three years of a term to which some other person was elected shall subsequently be elected as a Senator more than once; and no person who has been a Representative for more than a year of a term to which some other person was elected shall subsequently be elected as a Representative more than twice.

"SECTION 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. THOMPSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3693 TO AMENDMENT NO. 3692

(Purpose: To permit each State to prescribe the maximum number of terms to which a person may be elected to the House of Representatives and the Senate)

Mr. THOMPSON. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. THOMPSON], for Mr. BROWN, proposes an amendment numbered 3693 to amendment No. 3692.

Mr. THOMPSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In lieu of the matter proposal to be inserted, insert the following: *"(two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States:*

"ARTICLE—

"SECTION 1. Each State or the people thereof may prescribe the maximum number of terms to which a person may be elected or appointed to the Senate of the United States.

"SECTION 2. Each State or the people thereof may prescribe the maximum number of terms to which a person may be elected to the House of Representatives of the United States.

"SECTION 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

AMENDMENT NO. 3694

(Purpose: To provide a perfecting amendment)

Mr. THOMPSON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. THOMPSON], for Mr. ASHCROFT, proposes an amendment numbered 3694.

Mr. THOMPSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the language proposed to be inserted, strike all after the first word and insert the following: *of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States:*

"ARTICLE—

"SECTION 1. After this article becomes operative, no person shall be elected to a full term as a Senator more than twice, or to a full term as a Representative more than thrice; no person who has been a Senator for more than three years of a term to which some other person was elected shall subsequently be elected as a Senator more than once; and no person who has been a Representative for more than a year of a term to which some other person was elected shall subsequently be elected as a Representative more than twice.

"SECTION 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. THOMPSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3695 TO AMENDMENT NO. 3694

(Purpose: To permit each State to prescribe the maximum number of terms to which a person may be elected to the House of Representatives and the Senate)

Mr. THOMPSON. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. THOMPSON], for Mr. BROWN, proposes an amendment numbered 3695 to amendment No. 3694.

Mr. THOMPSON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.