

that presented itself to help America and working people at home.

Yet, this is the hallmark of the Clinton trade policy. Actual substantive achievement means nothing—only appearances matter. For example, how else was it possible for Clinton to declare victory in the auto dispute with Japan when all the evidence showed nothing less than a full retreat and surrender to the Japanese?

In the auto dispute, President Clinton went to the brink of a trade war with Japan, but came away with almost nothing to show for it. When the so-called agreement was reached last July, high-level Japanese officials immediately and publicly disavowed the import targets that President Clinton hailed as his great achievement. It turns out those numbers were simply not part of the agreement. The agreement was just another political publicity stunt, designed to convey the appearance of toughness. Unfortunately, creating this appearance for Clinton and his advisers cost the United States much credibility with Japan, not to mention with other countries looking for instruction on how to deal with American demands on future trade issues.

The consequence of this massive retreat by the Clinton administration was serious and damaging for American companies and American jobs. The Japanese quickly realized that they had been dealing with a paper tiger. Suddenly, on all other fronts, negotiations with Japan came to a halt. U.S. overtures even to begin a dialog on other issues were rebuffed. United States trade negotiators were told by their Japanese counterparts to find some other agency to address their complaints. This mocking of U.S. officials by a major trading partner is unprecedented—and prior to the Clinton years would have been inconceivable.

And so, Mr. President, it is easier to understand why serious trade disputes with Japan were ignored by Clinton during his summit with Mr. Hashimoto. Clinton brought back nothing on the dispute over Japanese discrimination against Kodak film. He brought back nothing on the dispute over access to Japan for American semiconductor, one of our most competitive industries. Clinton brought back nothing on the dispute over access to the Japanese market for American insurance companies, another industry where the United States has a strong competitive advantage.

Mr. President, how can people put all of this in perspective? There is one simple way to express the damage to America of Clinton's botched trade policy. I believe the American people would be astonished to know that today, the United States trade deficit with Japan is higher than it was when Clinton took office. That is right, it is higher. The merchandise trade deficit with Japan is now a staggering \$60 billion—this is \$10 billion higher than when Clinton became President.

Furthermore, figures were released last week showing that the trade deficit with Japan continues to climb, growing over \$100 million from January to February of this year.

Candidate Clinton talked a lot about trade deficits. He knew that trade deficits siphon our wealth and our jobs, to other countries. The giant trade deficit with Japan constitutes a massive transfer of wealth out of American communities into the hands of the Japanese. Under President Clinton, our trade deficit with Japan has gone up. Clinton has presided over the highest trade deficits with Japan in history. In fact, another shocking achievement of the short Clinton era is that the U.S. trade deficit with the world also hit a record high. He has ignored, or sought to divert attention from, these harmful acts. He has done nothing to reverse it, change it or improve it. Oh, yes, he has done plenty of talking, but he has done nothing to save the jobs that continue to be in danger.

I believe the American people deserve to know about President Clinton's failed trade policy. The American people need to know about his new policy of camouflaging the truth. I hope that he will abandon this new policy that only seeks to hide his failures. Too many important decisions lie ahead for President Clinton to continue to substitute appearances for reality.

TRIBUTE TO JERRY ROBERTSON

Mr. DOLE. Mr. President, I rise today to pay tribute to a Kansan who passed away recently. Jerry Robertson was the president of the Topeka YMCA and leader of the revitalization of downtown Topeka, KS.

Jerry Robertson was a 1965 graduate of my alma mater, Washburn University, and symbolized everything that the YMCA stands for, the Christian service to the community, respect for God and the commitment to serving everyone in Topeka and Shawnee County.

Prior to being president of the YMCA, Jerry headed the athletic department of Washburn University when Washburn won the N.A.I.A. national championship in basketball, and was a star baseball pitcher in the major leagues.

Jerry dedicated many years of his life to the YMCA and to the growth of the Topeka economy and although I did not know him personally, I am told that his sudden passing will leave a great void that will be difficult to fill.

Mr. President, I know all my colleagues join me in sending our most heartfelt sympathies to Jerry's wife, Carol, and their two sons, Jeff and Jason.

CLINTON JUDGES UPDATE

Mr. DOLE. Mr. President, as the American people know all too well, Federal judges can play an enormous role in our daily lives. Through their

rulings, Federal judges help determine whether criminals walk the streets or stay behind bars; whether racial quotas or merit govern in hiring decisions; whether businesses can function, prosper, and create jobs without being subject to baseless litigation; and whether parents can control the content of their children's education.

Today, Federal judges micromanage schools, hospitals, fire and police departments, even prisons. According to one estimate, a staggering three-fourths of all State prisons and one-third of the 500 largest jails are under some form of Federal court supervision.

One notorious example of judge-acting-as-legislator is Carl Muecke, appointed to the Federal bench by President Johnson. Judge Muecke has become the de facto administrator of the Arizona State Prison System.

In a textbook example of judicial activism run amok, Judge Muecke has declared that Arizona prison libraries must be open at least 50 hours each week, that the State of Arizona must grant each of its 22,000 prisoners the opportunity to make at least three 20-minute phone calls every week to an attorney; that Arizona must provide lengthy legal research classes to inmates; and that Arizona prison officials must give each indigent inmate 1 pen and 1 pencil, 10 sheets of typing paper, 1 legal pad, and 4 envelopes upon request.

Not surprisingly, Arizona's attorney general, Grant Woods, has challenged the judge's misguided rulings, appealing all the way up to the Supreme Court. Unbelievably, Attorney General Woods has found himself at odds with a powerful adversary: the Clinton administration. In a friend of the court brief filed with the Supreme Court, the Clinton administration's top lawyer—Solicitor General Drew Days—sided not with Attorney General Woods and the taxpayers of Arizona but with Judge Muecke and the State's litigious inmates.

Let's put this in perspective: while the Justice Department should be working overtime to save the taxpayers money by reducing the number of frivolous inmate lawsuits, the Clinton administration—through its lawyers—is actually contributing to the litigation explosion.

In other cases, the Solicitor General has shown that being tough on crime is apparently not part of his justice department portfolio. In the now-famous Knox case, the Solicitor General's office actually argued for a weakening of our Federal laws against child pornography. And in another case—United States versus Hamrick—the Solicitor General's office decided not to seek a rehearing of a fourth circuit ruling overturning the conviction of someone who mailed a defective letter bomb to a U.S. attorney. Since the letter bomb failed to detonate—although it scorched the packaging in which it had been mailed—a fourth circuit panel

reasoned that the bomb could not be a dangerous weapon or a destructive device under the relevant Federal statute. Of course, had it detonated, I think probably they might have had a different indication.

The Solicitor General would normally intervene in such a case, particularly since the recipient of the letter bomb was a U.S. attorney. Yet Solicitor General Drew Days declined to do so. As Prof. Paul Cassel of the University of Utah has explained:

The . . . decision [by the Solicitor General's office] is truly hard to fathom. A ruling that otherwise dangerous bombs with defective igniters are not "dangerous weapons" could be expected to have serious effects on the Government's ability to prosecute a number of serious criminals under the relevant Federal statutes.

Fortunately, the Reagan-Bush judges on the entire fourth circuit stepped in, and on their own initiative, reversed the crazy panel decision. And yes, President Clinton's appointment to the fourth circuit, Judge Blaine Michael, joined a dissent insisting that the letter bomb was nonoperational.

In yet another case—United States versus Cheely—a panel of Carter-appointed judges on the Ninth Circuit Court of Appeals struck down the Federal death penalty statute. Despite the Clinton administration's professed support for the Federal death penalty, Solicitor General Days declined to appeal the ninth circuit panel decision.

Unfortunately, the Solicitor General's actions in the Knox, Hamrick, and Cheely cases appear to be part of a pattern. As Senator HATCH explained last week, and I quote:

The Clinton administration's Solicitor General generally has ceased the efforts of the Reagan and Bush administrations to vigorously defend the death penalty and tough criminal laws.

So, what is the lesson here? The lesson is this: Talk is cheap. The President may talk a good game on crime, but the real-life actions of Clinton judges and Clinton lawyers often don't match the President's tough-on-crime rhetoric.

Mr. President, I reserve the remainder of my leader's time. I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of morning business.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. I thank the Chair.

(The remarks of Mr. DORGAN and Mr. CRAIG pertaining to the introduction of S. 1712 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

UNDERMINING THE PUBLIC TRUST

Mr. GORTON. Mr. President, in the real world, when one of us makes a

promise, he is expected to keep it. Politicians are held in low repute precisely because people do not expect them to keep their promises, and herein lies the heart of President Clinton's problem.

The people elected him President in 1992 because of his promises and now find that he has repudiated them. President Clinton promised to "end welfare as we know it." He broke that promise. He failed to keep his promise to give the middle class a tax cut. He failed to keep his promise to reduce the size of Government. He failed to keep his promise to balance the budget in 5 years.

The consequences of the President's broken promises are grave, not just because the country is still stuck with a broken welfare system, a Tax Code that makes it hard for workers and their families to get by, and a rising national debt that threatens the future of our children and grandchildren but also because in failing to keep his promises the President undermines the public trust.

President Clinton, I fear, does not understand that when he breaks a promise, he contributes to the cynicism and anger of the public. The American people are by nature neither cynical nor angry, but who can blame them for their distrust of politicians in Washington, DC, when they are forever being disappointed by broken promises.

The people have demonstrated to us time and time again that they want welfare reform, they want a balanced budget, and they want tax relief. Most people, unfortunately, are not aware that Congress has passed all three, and President Clinton has vetoed every one. Welfare reform, indeed, he has vetoed twice.

I am reminded of T.S. Eliot's eloquent poem "The Hollow Man." In it he paints a dismal picture of politicians whose talk means nothing and actions meaningless:

Between the idea
And the reality
Between the motion
And the act
Falls the Shadow

There is, indeed, a shadow between the President's words and his actions. He can work wonders in front of a camera or before a live audience. When he is performing, he is good. But when the time comes to act to keep his commitments and make tough decisions, sadly, he comes up short.

Of course, the picture is not irredeemably bleak. There has been progress. Two years ago, most Washington, DC, politicians were talking more and bigger Government programs, not a balanced budget; midnight basketball, not welfare reform, and tax hikes, not tax cuts. Today, the picture is different. This Congress has changed the debate. We have not won on every point but progress, especially when one is dealing with such issues, is bound to be slow and a certain amount of time and patience required, but we are doing our level best to keep our promises.

So, we can ask that age old question: Is this glass half empty or is it half full? It is half empty if you want a balanced budget and do not have it. It is half full if you recognize that Republicans in Congress have accomplished what no Congress did for 30 years—we passed a balanced budget. President Clinton vetoed it.

The glass is half empty if you expected tax cuts for families and small businesses. It is half full if you remember that Republicans passed a bill to give just such relief but the President vetoed it. The glass is half empty if you see an unreformed welfare system continuing to undercut the American ideal of family responsibility and hard work, but it is half full if you credit a Congress that took seriously its commitment and the President's to end welfare as we know it. But Bill Clinton vetoed welfare reform—twice.

Republicans passed a balanced budget for the sake of our children and grandchildren. Knowing that every American's personal share of the debt is \$18,000, and that continued unrestricted growth in Government will add so much more to our national debt that a child born today can expect to pay \$187,000 in interest on that debt in his or her lifetime, Congress acted. We made some tough choices and hard decisions to cut Government spending, and we came up with a plan for a balanced budget. President Clinton vetoed it. He says he favors a balanced budget, and he uses all the fine words his political consultants advise him to use, but the bottom line is President Bill Clinton vetoed the only balanced budget Congress has passed in 30 years.

Republicans reformed Medicare to preserve and strengthen it for older Americans and for those who expect it when they retire, but President Clinton vetoed it. Just last week, his own Medicare trustees reported that Medicare's hospital insurance fund is approaching bankruptcy even more rapidly than we feared, but President Clinton will not budge.

Republicans also voted tax relief to American families and to those who provide jobs and opportunity for all Americans. President Clinton vetoed this tax cut as well. With hundreds of thousands of working families just barely making ends meet, with small businesses—the driving force of the American economy—increasingly burdened by heavy taxes and regulations, the President sent the message to taxpayers that the Federal Government wants more and more of their hard-earned dollars.

Republicans twice passed welfare reforms to require able-bodied people to work and to instill responsibility and dignity into the lives of those who are subjected to the destructive forces of the current system. President Clinton vetoed welfare reform bills not once but twice.

It is unfortunate but true that Bill Clinton is the President of the status