

The PRESIDING OFFICER. The Senator from Louisiana.

THE GAS TAX

Mr. BREAUX. Mr. President, I will make a quick comment regarding the comments that the leader made on a repeal of the so-called gas tax of 1993, the 4.3 cents.

Well, I think that if you look back in history, when we passed that 4.3 cents, after it was passed, the price of gas at the pump was actually lower than before we passed the tax. It is something called supply and demand, which I had thought the folks on this side of the aisle were particularly enthusiastic about. It is very clear that there are market forces at work here. Repealing the Federal 4.3 cent tax on gasoline of 1993 is certainly no guarantee that that is going to mean a 4.3 cent lower price at the pump for the citizens of this country, unless someone is going to start mandating to private industry what the price of fuel is going to be that they sell.

I point out, if we remember history, last year at this time, between the months of April and May, the price of gas rose about 6 cents a gallon because of greater use and higher crude oil prices in the world. During the middle of the summer and toward the latter summer, gas prices started coming down because of supply and demand. At the end of the year, in December, the price of gas in the country averaged about \$1.16 a gallon. All of last year, in 1995, the price of gas at the pump for the whole year averaged the lowest it had been since we started recording the price of gasoline in real terms in this country—lower in real terms than it was per gallon in 1920.

All of that, I suggest, has a great deal more to do with the price of crude oil in the world. The fact that we had about a 6- to 8-percent increase in heating oil production because of a colder winter, and also because of the fact that we are now driving faster because of actions of this Congress, when we increased the miles per hour people could drive, the speed limit, up to the higher levels that we now see throughout the country.

So I just say that if anybody can guarantee that any time we reduce the gas tax it means a lower price at the pump, I think we would be willing to look at it. I do not think history proves that. I think we ought to know where we are going before we start off in what I think is a political direction.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

The Senate continued with the consideration of the bill.

Mr. SIMON. Mr. President, I ask unanimous consent that the present amendment be set aside so that I may offer an amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 3809 TO AMENDMENT NO. 3743

(Purpose: To adjust the definition of public charge)

Mr. SIMON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON] proposes an amendment numbered 3809 to amendment No. 3743.

Mr. SIMON. 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 Section 202(a), at page 190, strike line 16 and all that follows through line 25 and insert the following:

“(v) Any State general cash assistance program.

“(vi) Financial assistance as defined in section 214(b) of the Housing and Community Development Act of 1980.”.

Mr. SIMON. Mr. President, my amendment conforms the Senate amendment to a similar provision in the House amendment in terms of being eligible for deportation if you are here illegally and you use Federal programs of assistance.

Under the Senate bill, an immigrant receiving public assistance for 12 months within his first year in the United States may be deported as a public charge. That would include, for example, higher education assistance. The Presiding Officer, the Senator from Indiana, is on the Labor and Human Resources Committee. If a legal resident came in and got job training, under this amendment, unless we conform it to the House amendment, that would make you subject to deportation. If one of your children got into Head Start, that would do it.

My amendment would make this bill precisely like the House bill and limit the assistance to the basis for deportation to AFDC, SSI, and, frankly, SSI is the program that is being abused. As to the other welfare programs, legal immigrants to our country use these programs less than native-born Americans. But my amendment would limit the AFDC, SSI, food stamps, Medicaid, housing, and State cash assistance.

I think it makes sense. I cannot imagine any reason for opposition. But I see my friend from Wyoming is not on the floor right now. I am not sure what his disposition may be on this amendment. But I would be happy to answer any questions that my colleagues have.

Mr. President, if no one else seeks the floor, I ask to set aside my amend-

ment so that I may offer a second amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 3810 TO AMENDMENT NO. 3743

(Purpose: To exempt from deeming requirements immigrants who are disabled after entering the United States)

Mr. SIMON. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. SIMON] proposes an amendment numbered 3810 to amendment No. 3743.

Mr. SIMON. 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 section 204, at page 201, after line 4, insert the following subparagraph (4):

(4) ALIENS DISABLED AFTER ENTRY.—The requirements of subsection (a) shall not apply with respect to any alien who has been lawfully admitted to the United States for permanent residence, and who since the date of such lawful admission, has become blind or disabled, as those terms are defined in the Social Security Act, 42 U.S.C. 1382j (f).

Mr. SIMON. Mr. President, I see my colleague from California, who has greater concern in these areas than any other, for obvious reasons, because of the huge impact on California.

The PRESIDING OFFICER. If the Chair could interrupt the Senator for a moment, the allocated time under the previous unanimous-consent agreement has expired on the Democrat side of the aisle. Time could be yielded from the Republican side of the aisle for the Senator from Illinois to continue.

Mr. SIMON. Mr. President, I confess some lack of understanding of precisely where we are in terms of the parliamentary situation.

The PRESIDING OFFICER. The Senate is operating under a unanimous-consent agreement which provided time equally between the two sides to expire at 2:45. The time allocated to the Democrat side of the aisle has been utilized.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. I will be happy on behalf of our side to yield 2 minutes to the Senator from Illinois if that will be helpful.

Mr. SIMON. I thank the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 2 minutes.

Mr. SIMON. My second amendment simply says—and I will just read it:

The requirements of subsection (a)—

That is deportation.—

Shall not apply with respect to any alien who has been lawfully admitted to the United States for permanent residence and who since the date of such lawful admission has become blind or disabled, as those terms are defined in the Social Security Act.

This amendment, I would add, is supported by State and local governments.

I think there is consensus that while you may want to deport people who are taking advantage of welfare generally, someone who has become totally disabled is in a very different kind of situation.

This exempts them from deeming, not deportation.

Again, our colleague from Wyoming is not here, so I would ask unanimous consent that it also be set aside while we proceed to vote on the other amendments.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is set aside. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, are we under a time limitation now prior to 2:45 or can we use our own time?

The PRESIDING OFFICER. There are 2½ minutes remaining under the previous time agreement controlled by the majority.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

AMENDMENT NO. 3760

Mr. DODD. Mr. President, I wonder if I might speak in opposition to the Graham amendment for 1 minute while we are waiting.

The PRESIDING OFFICER. Is there objection? The Senator is recognized to speak for 1 minute.

Mr. DODD. Mr. President, I thank my colleagues.

I just did not realize the language of this amendment was coming up. I say to my colleagues here—and I suspect this may carry fairly overwhelmingly—I hope people understand this applies to illegal aliens, not legal aliens. So you illegally arrive anywhere in the United States from Cuba. You are given a status we do not give anywhere else in the world. You arrive from the People's Republic of China. You do not get this status. You arrive from North Korea. You do not get this status. You arrive from Vietnam, still a Communist country. You do not get this status.

So here we are taking one fact situation, no matter how meritorious people may argue, and applying a totally different standard here for one group of people and not to others. If you come to this country from the People's Republic of China, you have lived under an oppressive government, and we are making a case here that if you come out of Cuba, even as an illegal, that you get automatic status here. Why do we not apply that to billions of other people who live under oppressive regimes?

I would say as well, in 30 additional seconds, if I may, Mr. President.

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

Mr. DODD. Mr. President, I would say to my colleagues, the people of Florida, too, I might point out, have their economic pressures as well.

Frankly, having people just show up and all of a sudden given legal status automatically by arriving, I think is creating incredible pressures there. And if we are going to do it there, then I would suggest we go to another place.

I urge that this amendment be rejected, come back with an amendment that covers people who come from all Communist governments, not just this one. If we are truly committed to that, then people all over this globe who live under that kind of system ought to be given the same status.

The PRESIDING OFFICER. The time of the Senator has expired.

Under the previous order, the vote occurs on amendment No. 3760, offered by the Senator from Florida [Mr. GRAHAM]. The vote occurs on the conditional repeal of the Cuban Adjustment Act, on a democratically elected government in Cuba being in power. The yeas and nays have been ordered.

Mr. GRAHAM. Mr. President, under the unanimous consent, was there not an opportunity for a minute to present the amendment prior to the vote?

The PRESIDING OFFICER. It was the understanding of the Chair that that time was subsumed within the additional 30 minutes allocated for debate. Without a unanimous-consent request and agreement—

Mr. GRAHAM. I would ask unanimous consent for 1 minute on the amendment prior to the vote.

Mr. SIMPSON. Mr. President, I think it would be appropriate to each take 1 minute, and I would like to do that.

The PRESIDING OFFICER. Is there objection? Without objection, the time will be equally divided, 1 minute each, between the majority and minority.

Mr. GRAHAM. Mr. President, I urge my colleagues to listen to this because there have been some myths and misstatements with regard to the Cuban Democracy Act. The Cuban Democracy Act, which has been the law of this land since November 2, 1966, explicitly states that it only applies to aliens who have been inspected and admitted or paroled into the United States. You do not get the benefit of the Cuban Adjustment Act unless you are here under one of those legal status conditions, have been here for a year, request the Attorney General to exercise her discretionary authority, and she elects to do so.

That is what the current law is. That is the law which I believe should continue in effect until there is a certification that a democratic government is now in control of Cuba. The law was passed for both humanitarian and pragmatic reasons, to provide a means of expeditious adjustment of status of the thousands of persons who are coming from a Communist regime, not halfway around the world but 90 miles off of our shore. The simple reason that was relevant in 1966 is applicable in 1996, and therefore the law should be retained until democracy returns to Cuba.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Wyoming.

Mr. SIMPSON. Mr. President, it was never referred to as the Cuban Democracy Act. There is no such provision. It was passed to allow the adjustment of hundreds of thousands of Cubans fleeing Castro's communism. They were welcomed with open arms. We have done that. They were given parole. They needed a means to adjust.

You can come here legally and violate your tourist visa, stay for a year, and you get a green card. You can come here on a boat illegally and after 1 year get a green card. We do not do that with anyone else in the world, and we are trying to discourage irregular patterns of immigration by Cubans. We expect them to apply at our interest section in Havana.

We do not need it. It is a remnant of the past. We have provided for the Cubans. Please hear this. We have provided in this measure for the Cubans coming under the United States-Cuba Immigration Agreement that was entered into between President Clinton and the Cuban Government. We should repeal it. It discriminates in favor of Cubans to the detriment of all other nationalities.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment, No. 3760, offered by Senator GRAHAM of Florida. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. THOMPSON] is necessarily absent.

The PRESIDING OFFICER (Mr. FRIST). Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 62, nays 37, as follows:

[Rollcall Vote No. 91 Leg.]

YEAS—62

Abraham	Glenn	Mack
Baucus	Gorton	McCain
Bennett	Graham	McConnell
Biden	Gramm	Mikulski
Bond	Gregg	Murkowski
Bradley	Hatch	Nickles
Breaux	Heflin	Nunn
Bryan	Helms	Pressler
Burns	Hollings	Pryor
Cohen	Hutchinson	Reid
Conrad	Inhofe	Robb
Coverdell	Kempthorne	Rockefeller
Craig	Kerrey	Santorum
D'Amato	Kerry	Sarbanes
DeWine	Kohl	Smith
Dole	Kyl	Snowe
Domenici	Lautenberg	Specter
Dorgan	Leahy	Stevens
Faircloth	Lieberman	Thomas
Ford	Lott	Warner
Frist	Lugar	

NAYS—37

Akaka	Exon	Moseley-Braun
Ashcroft	Feingold	Moynihan
Bingaman	Feinstein	Murray
Boxer	Grams	Pell
Brown	Grassley	Roth
Bumpers	Harkin	Shelby
Byrd	Hatfield	Simon
Campbell	Inouye	Simpson
Chafee	Jeffords	Thurmond
Coats	Johnston	Wellstone
Cochran	Kassebaum	Wyden
Daschle	Kennedy	
Dodd	Levin	

NOT VOTING—1

Thompson

So the amendment (No. 3760) was agreed to.

Mr. SIMPSON. Mr. President, I move to reconsider the vote.

Mr. KENNEDY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, I believe under the previous order we now go to the next amendment with a 1 minute explanation on each side. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 3803

Mr. GRAHAM. Mr. President, the second amendment relates to the issue of deeming, that is, counting the income of the sponsor to that of the alien. Under the current law there are three categories in which this is done: SSI, food stamps, and aid to families with dependent children. What is significant is that under the current law, each instance of deeming is specifically listed. Under the legislation that is before us, there is a vague standard which says, "Any program which is in whole or in part funded with Federal funds shall be deemed."

There are literally hundreds, maybe thousands, of those types of programs. This amendment speaks to the principle, let us continue the policy of specifically listing all of those programs that we intend to be deemed. We have suggested 16 programs to be deemed. It is open for amendment if others wish to offer additional programs to be deemed. But let us not leave this matter open-ended and as obscure as it is in the legislation that is before us.

Mr. SIMPSON. Mr. President, the question here is, who should pay for assistance to a new immigrant? Should the sponsor who brought the person in the United States and made the promise, the affidavit of support, or should the taxpayer? The bill before the Senate requires that all means tested—I am talking only about means-tested welfare programs—include the income of the sponsor, the person who promised their relative would never use public assistance, when determining whether a new arrival is eligible for assistance.

That is as simple as it can be. The only exceptions are for soup kitchens, school lunch and WIC. That is it. This truth in application, that is it. The U.S. Government expects sponsors to keep their promises to care for their immigrant relatives.

The Graham amendment would gut the provisions of this bill, would limit sponsored-alien deeming to only SSI, AFDC, food stamps, and public housing programs, that being almost un-

changed from current law. It would exempt Medicaid, job training, legal services, a wide range of other multibillion-dollar noncash welfare programs from welfare provisions in the bill. I oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 3803. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. THOMPSON] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 36, nays 63, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—36

Akaka	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Breaux	Heflin	Murray
Bumpers	Hollings	Pell
Byrd	Inouye	Pryor
Chafee	Kennedy	Rockefeller
Conrad	Kerrey	Sarbanes
Daschle	Kerry	Simon
Dodd	Lautenberg	Specter
Dorgan	Leahy	Wellstone
Feinstein	Lieberman	Wyden

NAYS—63

Abraham	Faircloth	Lott
Ashcroft	Feingold	Lugar
Baucus	Frist	Mack
Bennett	Gorton	McCain
Biden	Gramm	McConnell
Bond	Grams	Murkowski
Bradley	Grassley	Nickles
Brown	Gregg	Nunn
Bryan	Harkin	Pressler
Burns	Hatch	Reid
Campbell	Hatfield	Robb
Coats	Helms	Roth
Cochran	Hutchison	Santorum
Cohen	Inhofe	Shelby
Coverdell	Jeffords	Simpson
Craig	Johnston	Smith
D'Amato	Kassebaum	Snowe
DeWine	Kempthorne	Stevens
Dole	Kohl	Thomas
Domenici	Kyl	Thurmond
Exon	Levin	Warner

NOT VOTING—1

Thompson

The amendment (No. 3803) was rejected.

Mr. SIMPSON. Mr. President, I move to reconsider the vote.

Mr. KENNEDY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SIMPSON. Mr. President, I ask unanimous consent that in accordance with the provisions of rule XXII the following Senators be considered as having yielded time under their control as follows: Senator THURMOND and Senator COHEN yield 60 minutes each to Senator SIMPSON; Senator NICKLES and Senator COCHRAN yield 60 minutes each to Senator DOLE; Senator AKAKA and Senator PELL yield 60 minutes each to Senator KENNEDY; Senator FORD and Senator ROCKEFELLER yield 60 minutes each to Senator DASCHLE.

The PRESIDING OFFICER. The Senators have that right.

AMENDMENT NO. 3871, AS MODIFIED

Mr. SIMPSON. Mr. President, I ask unanimous consent to make a modi-

fication to correct a drafting error in amendment 3871. That amendment was offered and accepted by the Senate this morning. I ask unanimous consent to modify it as indicated in the copy I am sending to the desk. I have reviewed that with my colleague.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendment (No. 3871), as modified, is as follows:

Section 204(a) is amended to read as follows:

(a) DEEMING REQUIREMENT FOR FEDERAL AND FEDERALLY FUNDED PROGRAMS.—Subject to subsection (d), for purposes of determining the eligibility of an alien for benefits, and the amount of benefits, under any Federal program of assistance, or any program of assistance funded in whole or in part by the Federal Government, for which eligibility for benefits is based on need, the income and resources described in subsection (b) shall, notwithstanding any other provision of law, except as provided in section 204(f), be deemed to be the income and resources of such alien.

ORDER OF PROCEDURE

Mr. SIMPSON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of a resolution I now send to the desk on behalf of Senator D'AMATO relative to the extradition of the murderer of Leon Klinghoffer.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I do not want to and will not object, and hopefully we will move right to that. I wanted to ask, just for the sake of the Senate, if we could take a moment on what the schedule is.

Mr. SIMPSON. Mr. President, I further ask unanimous consent that there be 10 minutes for debate to be equally divided in the usual form.

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

Mr. SIMPSON. I further ask that the vote occur on adoption of the resolution immediately following the use or yielding back of time and that no amendments or motions be in order.

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

Mr. SIMPSON. And before that procedure, let me just review matters. At the conclusion of this proceeding, Senator KENNEDY will go to the amendments which were discussed this morning, the deeming-parity amendment, which are two en bloc, and the Kennedy Medicaid amendment. There will be two rollcall votes obviously. There will be the vote on the Klinghoffer matter apparently, and then we will go to further debate, if any, on the two Kennedy amendments. But those will be coming shortly, I would believe. I think that debate is pretty well concluded.

Then we will go to the debate on the driver's license issue. This is not about verification. This is about driver's licenses. The language of the committee amendment and the amendment at the

desk is much different. In this amendment we have relieved the burdens of some national standard card; we have relieved the burdens of the unfunded mandate, and that debate will take place. I urge all who wish to engage in that to be prepared for that scenario. I yield to my friend and colleague.

Mr. KENNEDY. Could I ask for the yeas and nays on amendments 3820 and 3823.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. KENNEDY. Mr. President, what I would like to do since, hopefully, those will be the two measures, is maybe just take 2 minutes now and explain them just briefly so that at the end we will vote on the D'Amato resolution and then hopefully vote on these two amendments.

Do I need consent to be able to proceed for 3 minutes? Do I need consent for that now?

Mr. SIMPSON. Mr. President, just a moment.

Mr. KENNEDY. I withdraw my request.

DETENTION AND EXTRADITION OF MOHAMMED ABBAS

The PRESIDING OFFICER. The clerk will report the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 253) urging the detention and extradition to the United States by the appropriate foreign government of Mr. Mohammed Abbas for the murder of Leon Klinghoffer.

The Senate proceeded to consider the resolution.

Mr. D'AMATO. Mr. President, this resolution is very straightforward and it is long overdue. It calls on the Attorney General of the United States to seek the detention and extradition to the United States of Mohammed Abbas, otherwise known as Abu Abbas.

Abu Abbas was the leader and is the leader of the Palestinian Liberation Front. In October 1985, under his leadership and his plan—and let me tell you what the Italian courts found. They found that the evidence was “multiple, unequivocal and overwhelming” that Abbas trained, financed, and chose the targets, as well as the escape, in seizing the *Achille Lauro*. It was his men who killed Leon Klinghoffer and threw his body overboard on October 7, 1985.

When this question was raised to Mr. Abbas just recently, he said that he was sorry. He said it was “a mistake.” And then he went on to say that Mr. Klinghoffer, an American citizen from New York, was killed because “he had started to incite the passengers against [the kidnappers].” Imagine that, a 70-year-old man, 70 years old, in a wheelchair, totally unarmed, and that is his excuse. And he says it was “a mistake.”

We owe it to every American citizen, not just to Leon Klinghoffer and to his

family, but to every American citizen to say to those cowards, to those murderers who would target U.S. citizens, that they cannot escape justice, that they will be tracked down, that we will seek their extradition, that we will seek their detention, and their eventually being brought to trial for their acts, in this case a cowardly act of killing a man in a wheelchair, a U.S. citizen.

Let me tell you again what the Italian courts found when they tried Abu Abbas in absentia. They said that the evidence was “multiple, unequivocal, and overwhelming.”

I sent a letter to the Justice Department. I ask unanimous consent it be printed in the RECORD.

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

(See exhibit 1.)

Mr. D'AMATO. I sent a letter to the Attorney General in which I called out for the murderer of Leon Klinghoffer to be extradited, Abu Abbas; that Leon Klinghoffer is entitled to justice, as every American is, and it has been denied, and, indeed, the Attorney General has the duty and obligation to see to it that we look to extradite Abu Abbas, Leon Klinghoffer's murderer.

Let me conclude by saying this. This is a very simple and straightforward case. If we fail to seek justice in this case, then what kind of message do we send to other terrorists who would look to target U.S. interests, U.S. citizens? Are we saying you can get away with this and you can simply offer an apology 10 years from now and say it was a mistake? Is that what we are going to be saying?

I think it is about time the Justice Department of the United States began to live up to its name and seek justice in the case of Leon Klinghoffer.

EXHIBIT 1

U.S. SENATE,

Washington, DC, April 26, 1996.

Hon. JANET RENO,

Attorney General, U.S. Department of Justice, Washington, DC.

DEAR MADAM ATTORNEY GENERAL: I am writing to urge you in the strongest terms to seek the immediate extradition of Abu Abbas, the man convicted in an Italian court, in 1986, for the murder of Leon Klinghoffer during the hijacking of the *Achille Lauro* cruise ship in October 1985. It is absolutely essential that the United States obtain custody of Abbas so that he can stand trial for this brutal murder of a wheelchair-bound innocent American whose body was callously dumped overboard following the murder.

Just this week, Abbas, while attending the meeting in Gaza of the Palestine National Council stated that the killing was “a mistake” and that Mr. Klinghoffer was killed because he “had started to incite the passengers against [the kidnappers].” This pathetic excuse only reinforces our need to gain his extradition. The fact that he remains free is an insult to the memory of Leon Klinghoffer.

Abbas was convicted by a Genoan Court and sentenced to life in prison, in absentia, for “kidnapping for terrorist ends that caused the killing of a person.” The evidence against Abbas, according to the Italian mag-

istrate, was “multiple, unequivocal, and overwhelming.” His actions in training and financing for this operation, and in choosing the target, as well as planning the escape, in the eyes of the magistrate, made Abbas guilty of the murder.

Mr. Klinghoffer's murder cries out for justice. For far too long, Abbas has cheated justice. Now it is our duty to locate, apprehend, and return him for trial in this country. Again, I urge you in the strongest of terms, to seek the immediate extradition of Abu Abbas.

Sincerely,

ALFONSE M. D'AMATO,
United States Senator.

Mr. D'AMATO. Mr. President, let me say I have no need for any further time. I am prepared to yield the remainder of my time so we can vote.

May I inquire of the President whether or not I have to ask for the yeas and nays or whether or not that has been agreed to already?

The PRESIDING OFFICER. The yeas and nays have not yet been requested.

Mr. D'AMATO. 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.

Mr. D'AMATO. Mr. President, I am prepared to yield the remainder of my time.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to the resolution.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. THOMPSON] is necessarily absent.

The PRESIDING OFFICER (Mr. JEFFORDS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—99

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Bradley	Grassley	Murray
Breaux	Gregg	Nickles
Brown	Harkin	Nunn
Bryan	Hatch	Pell
Bumpers	Hatfield	Pressler
Burns	Heflin	Pryor
Byrd	Helms	Reid
Campbell	Hollings	Robb
Chafee	Hutchison	Rockefeller
Coats	Inhofe	Roth
Cochran	Inouye	Santorum
Cohen	Jeffords	Sarbanes
Conrad	Johnston	Shelby
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Smith
Daschle	Kerrey	Snowe
DeWine	Kerry	Specter
Dodd	Kohl	Stevens
Dole	Kyl	Thomas
Domenici	Lautenberg	Thurmond
Dorgan	Leahy	Warner
Exon	Levin	Wellstone
Faircloth	Lieberman	Wyden