

what you are doing does not further increase the Federal deficit, because that is not moving in the right direction.

Mr. President, I believe we had 30 minutes reserved. I ask, because we did not start until 9:40, unanimous consent the Senator from Massachusetts be given 5 minutes, and the Senator from Montana, Senator BAUCUS, be given 5 minutes following the Senator from Massachusetts.

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

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. KENNEDY] is recognized for 5 minutes.

THE MINIMUM WAGE

Mr. KENNEDY. Mr. President, in just a few moments we will return to the unfinished business on the illegal immigration legislation. There is every prospect that that legislation will be concluded sometime in the afternoon. As Members of this body know, we are operating under the procedures of cloture, which has foreclosed the opportunity for me and for our minority leader, Senator DASCHLE, or others, to raise the issue of the minimum wage, to offer that as an amendment to the underlying legislation. I have indicated that I would offer it at the earliest moment on any other legislation that comes before the Senate, including the possibility we would offer it this afternoon.

But now we are, under the procedures, foreclosed. During the course of the morning, and with the consent agreement and the cloture on the underlying bill, we have been effectively foreclosed from any opportunity to address that issue. I am hopeful still, sometime during the day, we will have the opportunity to begin the debate. I think it is an issue that is well understood in the Senate. But we might be able to establish a short time period where we would have that debate and have a vote by the Members on that issue, which is of central importance to working families, families who are working 40 hours a week, 52 weeks of the year, trying to make ends meet and are still faced with the hard realities that the minimum wage is at the lowest purchasing power it has been in 40 years. All Americans basically understand we should reward work with sufficient compensation so families can provide for themselves, can provide for their children, put food on the table, pay the rent and the mortgage.

This issue is an old issue. It has been debated and discussed each time Congress has acted to increase the minimum wage. It is quite ironic that this issue was before the U.S. Congress 35 years ago tomorrow, that would be in 1961. The issue of the increase in the minimum wage in the 1960 campaign was debated extensively during the course of that campaign. President Kennedy, in the course of that campaign, spoke about the importance of

raising the minimum wage. It was considerably lower at that period of time. But in the course of the campaign then Senator Kennedy sat in front of a camera and said:

Mr. Nixon has said that a \$1.25 minimum wage is extreme. That's \$50 a week. What's extreme about that? I believe the next Congress and the President should pass a minimum wage for a \$1.25 an hour. Americans must be paid enough to live.

Really, the rest is history. Senator Kennedy was elected in the fall of 1960. One of the earliest messages that he sent to the Congress in February the next year was urging Congress to take action. The Congress addressed this issue 35 years ago tomorrow.

On Friday, May 3, which is tomorrow, that will be the 35th anniversary of BOB DOLE's vote against President Kennedy's legislation raising the minimum wage from \$1 to \$1.25. BOB DOLE and Richard Nixon were wrong to oppose President Kennedy's minimum wage hike 35 years ago—and BOB DOLE and RICHARD ARMEY are wrong to oppose President Clinton's minimum wage hike today.

This issue is before us. We will have an opportunity to address it. Just as the Republican leadership was opposed to moving from \$1.25 35 years ago, we find opposition now to increase the minimum wage to make it a livable wage to honor work in our society.

The overwhelming majority of the people in our society are for it. Americans should not be denied it. The illegal immigration bill is important, but we have a responsibility to meet the needs of those Americans who are out there working on the bottom and next to bottom rung of the economic ladder trying to provide for themselves and working hard at it.

Mr. President, we will continue the battle to increase the minimum wage, and I do not believe for a moment that we will be defeated. This is an issue whose time has come again and again and again. It came in early 1961. I believe it will come again in 1996.

We have to ask why it has taken us so long, but we will continue to persevere today and every opportunity to have the Senate address and vote in favor of the minimum wage. The American people need it; they are entitled to it. And we will continue that struggle.

Mr. President, I yield the floor.

Mr. DOLE. Was leaders' time reserved, I ask the Chair?

The PRESIDING OFFICER. Yes, it was. Leaders' time was reserved. The Chair recognizes the majority leader.

PRODUCT LIABILITY REFORM VETO

Mr. DOLE. Later this afternoon, President Clinton is expected to veto the product liability reform bill—a bipartisan measure to curb abusive, predatory lawsuits.

This bill passed the Congress overwhelmingly, with the support of Democrats and Republicans alike. And for

good reason: In 1994, lawsuits cost the American consumer a staggering \$152 billion—a price tag that exceeds the entire Federal budget deficit.

Lawsuit abuse hurts consumers by raising the costs of goods and services. It limits employment opportunities for those seeking jobs. It hurts the competitiveness of U.S. businesses overseas. And, perhaps worst of all, it can prevent new, lifesaving drugs and medical devices from ever reaching the market.

As Linda Ransom of Phoenix, AZ explained to us earlier this week, abusive lawsuits have forced manufacturers to stop selling the materials that are needed to make the medical device that is keeping her 9-year-old daughter, Tara, alive. This is truly a life-and-death issue.

It is time to stop lawsuit abuse before lawsuit abuse stops America.

So, why will President Clinton veto this important legislation? The answer can be summed up in three words: The trial lawyers. President Clinton vetoed the securities litigation reform bill because of the strong-arm tactics of the trial lawyers. And he will veto the product liability bill because he believes what is good for the trial lawyers is also good for America.

America's legal system is broken and fundamental reforms are needed—and need now. Our legal system must be reformed to encourage people to be responsible for their own actions. And it should quickly and efficiently compensate victims—not lawyers. Quite simply, legal reform is a key ingredient of any serious plan to promote job creation and economic growth.

Unfortunately, with today's veto, the President will be confirming what we already suspected: It is the trial lawyers who are calling the shots at the White House.

NOTICE

Financial disclosure reports required by the Ethics in Government Act of 1978, as amended and Senate Rule 34 must be filed no later than close of business on Wednesday, May 15, 1996. The reports must be filed with the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510. The Public Records Office will be open from 8 a.m. until 6 p.m. to accept these filings, and will provide written receipts for Senators' reports. Staff members may obtain written receipts upon request. Any written request for an extension should be directed to the Select Committee on Ethics, 220 Hart Building, Washington, DC 20510.

All Senators' reports will be made available simultaneously on Friday, June 14. Any questions regarding the availability of reports should be directed to the Public Records Office (224-0322). Questions regarding interpretation of the Ethics in Government Act of 1978 should be directed to the Select Committee on Ethics (224-2981).

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

IMMIGRATION CONTROL AND FI-
NANCIAL RESPONSIBILITY ACT
OF 1996

The PRESIDING OFFICER (Mr. THOMAS). Under the previous order, the Senate will now resume consideration of S. 1664, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1664) to amend the Immigration and Nationality Act to increase control over immigration to the United States, by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Dole (for Simpson) amendment No. 3743, of a perfecting nature.

Simpson amendment No. 3853 (to amendment No. 3743), relating to pilot projects on systems to verify eligibility for employment in the United States and to verify immigration status for purposes of eligibility for public assistance or certain other government benefits.

Simpson amendment No. 3854 (to amendment No. 3743), to define "regional project" to mean a project conducted in an area which includes more than a single locality but which is smaller than an entire State.

Mr. SIMPSON. Mr. President, let me just relate where we are, and then I will certainly yield, and we can ask unanimous consent that Senator BAUCUS continue for 7 minutes as in morning business.

We have our order from yesterday, and we are going to go forward with four amendments, perhaps a motion, and we intend to finish this bill today. I know Senator KENNEDY feels the same. He, particularly, so he can get on with his minimum wage issue—no, excuse me, I am sorry. He will eventually get on with that. We do know that. We do know him well.

So I hope Senators will—and I know the Senator shares my view—come to the floor and process these floor amendments so we can move on to the next item of business. We are going to finish this bill. The sooner the better, and we will call for third reading at some appropriate time this morning if the action does not go swiftly. I yield the floor.

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to proceed as in morning business.

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

REPEAL THE GAS TAX AND
INCREASE THE MINIMUM WAGE

Mr. BAUCUS. Mr. President, I rise to discuss a subject of great importance to Montana, my home State, and also to me personally. That is the subject of the proposal to cut the gas tax by 4.3 cents over the rest of the year.

I am reminded of a comment made by the great Irish conservative thinker, Edmund Burke, in reflections on the revolution of France where he said:

Among an infinite number of acts of violence, of folly, some good may be done. They who destroy everything certainly will remove some grievance. They who make everything new have a chance that they may establish something beneficial.

That is about where we stand today with the 104th Congress. The Congress is approaching its close. The present-day revolutionaries are getting ready to put on their hot tar and feathers and mount up on the rail to be ridden out of town. Behind them will remain a rather weird legacy: Government shutdowns, attempts to repeal the Clean Air Act, weaken protection of our lakes and streams, slash student loan programs and cut school lunches, and radical experiments with \$270 billion Medicare cuts.

But hidden away in this mess are a few good things—a few grievances removed, a small number of beneficial things established. They are hard to find, but over the next 5 months or so, we need to dig them out, pass them and get them up to the President to sign. It is a tough job, but today we have found one of them, and that is repeal of the gas tax.

Folks are hurting at home. Wages are stagnant, cattle prices are down, but the cost of housing and the cost of college and a lot of other necessities are going up, and we should be here to do something about that.

Some of these problems are pretty complex. But we can start with a few simple solutions that will put some more money in an ordinary working man's or woman's pocket. That is what repealing the gas tax will do.

Probably that should be enough reason to repeal it, but fairness and principle also say that a gas tax that is not devoted directly to transportation funding is a bad idea and ought to be repealed.

The price of gas in Montana is up from \$1.29 a gallon in March to \$1.42 today, as reflected by this chart: \$1.29 March 26 and up in just a short period of time, over 1 month, up to \$1.42 a gallon. Who knows where it will be tomorrow, the third line on this chart.

As part of this, Montanans already pay 27 cents a gallon under a gas tax in our State—that is the State gasoline tax—and 14.1 cents a gallon for transportation under the Federal gasoline tax. The rest, 4.3 cents a gallon, is an excise tax that goes to general revenues. Like all single-product excise taxes, this 4.3-cent tax is unfair, it is narrowly based, and it is grossly unfair to the West where we have to drive a

long way to work, to the grocery store, or to the hospital.

That is why I have opposed gas taxes. I opposed the gas tax hike in 1990. I remember back in 1993, the administration proposed a gas tax of 9.3 cents a gallon. I spent nearly a month fighting them down, a tenth of a cent by a tenth of a cent to the present 4.3-cent level.

As I said then, and I will quote, "I will vote for the \$500 billion deficit reduction plan because I don't want to let perfection be the enemy of the good. The deficits we have run up have already laid a \$4 trillion debt on the backs of our children, and fast action on the deficit is the best way to increase business confidence and keep interest rates low so jobs will be created by expanding business and people can refinance their mortgages. But make no mistake about it, the gas tax is a weak point in this package."

The majority leader's proposal is a relatively modest proposal. It does not cure the weak point in the 1993 package completely by repealing the gas tax; instead, it is a temporary 7-month reduction, essentially a limited constructive response to an emergency caused by the sudden increase in gas taxes last month.

There is a little work ahead. We need to balance the budget, so we need to make sure that the gas tax cut is offset and does not widen the deficit. That is critical. The offset needs to be a fair one and does not simply put a new burden on working people, and we need to be sure that oil companies do not simply use the gas tax cut to raise prices again.

With that aside, it is a good idea. As historians mull over the Government shutdowns and otherwise pick through the debris left by the revolutionary Congress, they will be able to say, "At least they got one thing right."

We ought to be able to do this quickly, to take a few cents a gallon off at the pump, and at the same time we ought to be able to raise the minimum wage. I was on the phone yesterday with some minimum wage workers in Bozeman. A raise of 90 cents an hour will let them stay ahead on electric bills and on water bills. It will let a single-working mom give the kids a night at the movies every once in a while, give a donation to a church, maybe buy a couple of books, and that is not asking a lot.

So these are the right things to do. We ought to get the gas tax repealed by Memorial Day, and we ought to get the minimum wage raised by Memorial Day.

I hope people in both parties will take a fair, independent look at these ideas because they are good ideas, and they help ordinary people make ends meet. They deserve the Senate's support. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.