

of enclaves? There is already some documentation of demographic movements of some ethnic groups away from, and in reaction to, such enclaves. We need to take steps to better understand the demographic shifts that are occurring in our country and the consequent economic and political results of those shifting tides.

There is one area of abuse which starkly highlights the need for thorough dispassionate review of certain practices which have reached near ridiculous proportions. It is time we re-examined our policy of rewarding family preferences automatically to the children of illegal-immigrant mothers. The practice of coming to the United States, illegally, solely to have a child which is then automatically an American citizen with right to preference in bringing in other family members has reached epidemic proportions in California particularly. Most of the births, according to the Los Angeles Times of January 6, 1992, in Los Angeles County are reported to have been of this variety. Something is clearly wrong with our policy in this regard and I support addressing the problem.

One fundamental issue which ought to be discussed is the primacy of our national language. There is nothing more fundamental to an integrated state and culture than a common language. The trend toward bilingualism in some areas, I contend, may not be productive at all, but instead may simply delay the mastering of English for many immigrants. Any policy or law which encourages the use of other languages at the expense of learning English naturally erodes our traditional national identity in a most direct and important way. Requiring education to be in English is the best way I know of to keep the melting pot melting.

Second, we seem to have shifted away from employment-oriented immigration, designed to fill particular gaps in our work force, and gravitated instead to an emphasis on family reunification. The Judiciary Committee has debated the numbers allowed for family reunification, but I would question the emphasis on this priority above employment tests for potential citizens. It seems to me to be simple common sense to encourage immigration to the United States among applicants who can help the United States meet certain needs that might strengthen our workforce and help us be better able to compete in a global economy.

Third, even when we review those employment-oriented visa programs which are now on the books, we find them to be wrongly implemented. The Labor Department Inspector General has recently found two key programs, the Permanent Labor Certification [PLC] program and the Temporary Labor Condition Application [LCA] program to be approaching a "sham." These programs, allowing a combined ceiling of some 200,000 worker entry visas per year, were designed to bring

in workers for jobs that could not be filled by Americans, allowing us to hire the best and the brightest in the international labor market so Americans can remain competitive in the world economy. But instead of protecting American workers' jobs and wages, the real result has been to simply displace qualified American workers for essentially middle level jobs, and the Labor Department report recommends the programs be abolished.

Fourth, there is solid evidence that some immigrants come to the United States to participate in the welfare state, or do so because of a failure to find a job in their own land. This bill, S. 1664, attempts to address this issue through strict, new, deportation rules aimed at any immigrant that becomes a "public charge," and I commend the committee for that initiative. However, these new public charge regulations will have no effect unless we aggressively work to actually deport such individuals. Implementation of similar legal provisions in the past has been disappointing, and a renewed attempt is clearly needed.

The pattern of immigration since 1965 has unfortunately shifted to less skilled workers than was the case in earlier decades and, in the 1980's a large majority of immigrants came from the developing world, particularly Latin America and Asia. Surely it should not be taboo to consider whether the great numbers of developing world cultural groups can actually provide the skills needed for the current U.S. job market. Are these prevalent immigrant groups going to strengthen our Nation with their skills or weaken it because of their needs? That should be the question we ask when we write such law. The wave of immigrants is arriving as a result of policy we write in the Congress and, therefore, I suggest we are obliged to commission ongoing evaluations of the process and success of immigrant assimilation into American society. Any ethnic and national mix caused by our immigration laws should be the result of conscious, deliberate policy embodied in the laws we consider here on this floor, not of accident or politics or a disinclination to take on sensitive groups or issues.

Finally, I suggest we need to be consistent in our approach to the growing and complex problems associated with immigration. We cannot complain about the changing ethnic mix of immigrants, on the one hand, and then exploit such people for cheap labor, on the other. We need to assume responsibility for the results of our immigration policies, evaluate them on an ongoing basis, and take the legislative steps to change what we do not favor. Let us for once attempt to remove hypocrisy and political correctness from this issue, and face the realities squarely and responsibly. If we feel the ethnic mix is becoming unbalanced and the number of immigrants is too high, for the sake of our survival as a Nation, we must take the difficult but

necessary steps to correct the situation. As the 1994 U.S. Commission on Immigration Reform, chaired by the late Barbara Jordan, stated in its report on page 1, "we disagree with those who would label efforts to control immigration as being inherently anti-immigrant. Rather, it is both a right and a responsibility of a democratic society to manage immigration so that it serves the national interest."

As the Jordan Commission pointed out, we need to address legal immigration as well as illegal, and we need to install an enforcement system that makes it far harder to overstay visas. I hope we can get a time certain to consider S. 1665, on legal immigration and find a way to engage the other body on that matter.

Mr. SIMPSON. Mr. President, we are ready to proceed with the regular order.

VOTE ON AMENDMENT NO. 3743, AS AMENDED

The PRESIDING OFFICER. The question now occurs on the underlying amendment as amended.

Mr. SIMPSON. I thank the Chair.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 3743), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 361, S. 1664, the illegal immigration bill:

Bob Dole, Alan Simpson, Craig Thomas, Hank Brown, R.F. Bennett, Dirk Kempthorne, Judd Gregg, Bob Smith, Trent Lott, Jon Kyl, Rod Grams, Fred Thompson, John Ashcroft, Bill Frist, Orrin Hatch, Chuck Grassley.

#### VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the bill (S. 1664) shall be brought to a close? The yeas are automatic.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 100, nays 0, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—100

Abraham	Biden	Breaux
Akaka	Bingaman	Brown
Ashcroft	Bond	Bryan
Baucus	Boxer	Bumpers
Bennett	Bradley	Burns

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

Dorgan	Kassebaum	Pell
Exon	Kempthorne	Pressler
Faircloth	Kennedy	Pryor
Feinstein	Kerrey	Reid
Ford	Kerry	Robb
Frist	Kohl	Rockefeller
Glenn	Kyl	Roth
Gorton	Lautenberg	Santorum
Gramm	Leahy	Sarbanes
Grams	Levin	Shelby
Grassley	Lieberman	Simpson
Gregg	Lott	Smith
Harkin	Lugar	Smith
Hatch	Mack	Snowe
Hatfield	McCain	Specter
Heflin	McConnell	Stevens
Helms	Mikulski	Thomas
Hollings	Moseley-Braun	Thompson
Hutchison	Moynihan	Thurmond
Inhofe	Murkowski	Warner
Inouye	Murray	Wellstone
Jeffords	Nickles	Wyden
Johnston	Nunn	

Pell	Pressler	Pryor	Reid	Robb	Rockefeller	Roth	Santorum	Sarbanes	Shelby	Simpson	Smith	Snowe	Specter	Stevens	Thomas	Thompson	Thurmond	Warner	Wellstone	Wyden
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NAYS—3

Feingold	Graham	Simon
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The PRESIDING OFFICER. On this vote, the yeas are 100, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, the Senate will proceed to the immediate consideration of H.R. 2202. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2202) to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. Under the previous order, all after the enacting clause will be stricken, and the text of S. 1664, as amended, is inserted in lieu thereof.

The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 97, nays 3, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—97

Abraham	Breaux	Cohen
Akaka	Brown	Conrad
Ashcroft	Bryan	Coverdell
Baucus	Bumpers	Craig
Bennett	Burns	D'Amato
Biden	Byrd	Daschle
Bingaman	Campbell	DeWine
Bond	Chafee	Dodd
Boxer	Coats	Dole
Bradley	Cochran	Domenici

The bill (H.R. 2202), as amended, was passed.

(The text of H.R. 2202 will be printed in a future edition of the RECORD.)

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

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

The motion to lay on the table was agreed to.

MEASURE PLACED ON THE CALENDAR—S. 1664

Mr. SIMPSON. Mr. President, I ask unanimous consent that S. 1664 be placed back on the calendar.

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

(Mr. FAIRCLOTH assumed the Chair.)

Mr. SIMPSON. Mr. President, I will not be overly long. I just want to take a few minutes to thank my colleagues. This bill is the culmination of 17 years of work. It is interesting for me, as Senator TED KENNEDY and I were both on the Select Commission on Immigration and Refugee Policy 17 years ago. With this bill, we have brought to fruition most of the things that Father Ted Hesburgh and that commission suggested to us then. We have also taken welcome direction from the U.S. Commission on Immigration Reform, and the late Barbara Jordan, who chaired that body. I think with what we have done in this bill, the recommendations of those Commissions—instead of remaining as studies which stayed on the shelf—have become sweeping measures to control illegal immigration. This bill is truly sweeping.

I want to thank TED KENNEDY. Senator KENNEDY has worked with me and has helped me over quite a few hurdles. He chaired the Subcommittee on Immigration before I came to the Senate. After the Republicans became the majority party in 1980, I chaired it. There were times when we disagreed, but we were never disagreeable. He is a very special friend and a remarkable legislator of the first order.

I also want to thank Senator BOB DOLE, who has consistently arranged so that we could go forward with this important legislation. I personally appreciate not only his leadership, but his

friendship. Serving as the assistant Republican leader—his assistant—for 10 years was one of my greatest honors and privileges.

I must also thank my staff. My staff includes Dick Day—the “Reverend” Day, I call him. He is not a Reverend, but he should have sainthood. Back in Cody, WY, I told him, I have an issue of disaster, one filled with guilt and racism, and I will be called everything in the book, but I need somebody to move to Washington to help me and love me and help me along. Well, he did that. He has lost 5 pounds within the last 13 days. I want to thank Charles Wood, who was been with me via Harvard and Berkeley and who is willing to hang in there late at night; John Ratigan, who has come to my staff from the State Department with his wealth of knowledge; John Knepper, a wonderful, bright young man from Wyoming, a very able person to assist me in these matters; Trudy Settles has been a wonderful addition to our staff; and I must also thank Kristel DeMay, Maureen McCafferty, and Uzma Ahmad—some our marvelous interns at the Subcommittee on Immigration. I also want to thank TED KENNEDY’s staff, including Michael Myers; he and Dick Day work together without any kind of partisanship or things that set them apart in that way. Then there are Patty First, Bill Fleming, Ron Weich, and Tom Perez—all of whom have been a great help in moving this bill through the Senate. There have also been so many staff for so many Senators who have worked so diligently on this issue.

I must say that we have completed 51 hours and 45 minutes on this piece of legislation over 8 days—although that 51 hours 45 minutes would have been considerably shortened without the minimum wage activities of Senator KENNEDY. Nevertheless, he may have actually saved us a great deal of time because when we went into the cloture, with its parliamentary limitation of germaneness, we were saved a great deal of time on some very controversial amendments. I do not want to give him too much credit, though, because I am sure we will be trying to undo him in a few hours.

Do not go home and analyze the votes of each Senator, though, because you will never be able to explain them. Every Senator’s staff is wondering why he voted this way or that. This immigration issue is about America, and America is about conflict and resolution. It is debate about these issue that pull and tear at our hearts, and that is what makes us the country we are—the most magnificent country on this bright earth.

This debate is the essence of America—passion, conflict, controversy, all the rest of it. It has been an exceedingly pleasant experience. I mean that. I love the work. I wish Senator KENNEDY well as he proceeds forward with it in the years to come. I will be observing from my future teaching post at Harvard, being assured that he is

doing it correctly. I thank my colleagues. I thank those on the floor. I thank my former co-assistant leader, Senator FORD. He helps me when he can and vexes me whenever he has the opportunity. Yet, I had come to enjoy him thoroughly in my work when we served together as assistant leaders of our parties. He did not care what I did, as long as we did not do anything with the motor voter law. That was easy to accomplish.

DAVID PRYOR, who sits here, is a friend who came with me to this place. BILL BRADLEY and I have a great friendship, and we will go on and do other things, and while the rest of you will be here to do the work. As I look around the Chamber—I do not intend to address all the Members here, but I see my colleague from Montana, who is a very special, wonderful and earthy friend. Then there is BOB DOLE, who is, I think, a most remarkable leader for this body—and perhaps other places, too.

Mr. KENNEDY. Mr. President, the vote that was just taken, 97 to 3, I think, says it all. The U.S. Senate has been debating this issue for 8 days. It has been closely divided on a number of different issues. But I feel that most of the Members, or virtually all of the Members, feel that their views were given an opportunity to be presented and to be examined and to be considered and to be voted on. And the final outcome of this is 97 to 3. It is really an extraordinary personal achievement and accomplishment by my friend and colleague, the Senator from Wyoming, Senator SIMPSON.

AL SIMPSON and I have been friends for many years. Although we have some differences, we have a deep sense of mutual respect and friendship, which has been valuable to certainly me and, I think, to him. Why a Senator from Wyoming would be willing to take on this issue on immigration has always been extraordinary and interesting to me. This is not a burning issue in his particular State.

In my State of Massachusetts, they still remember the bitter whip of the national origin quota system that divided groups and communities on the basis of where one was born. Senators from the western part of the country remember the Asian Pacific triangle that discriminated on the basis of race and discriminated against Asians up until 1965. And in many parts of the country, in between, there are communities and families who have cared very deeply about this.

Senator SIMPSON has seen the importance of this issue as a national issue and an issue for the country. This issue, as he has described it, involves so many different aspects of human emotions of passion, and discrimination, and reunification of families, and exploitation, and he has taken this on as a member of the Hesburgh Commission for Legal and Illegal Immigration, as a key figure.

We passed the Refugee Act in 1980, and then in 1986, and in 1990, and now

again, to deal with something, which is of very important concern to all Americans, and that is the whole question of the illegals that come to this country.

This legislation, I think, will be extremely important and, I believe, effective in stemming the tide of illegals, not just because of the expansion of the border patrols, although that will have some effect, and not just because of the increased penalties in smuggling, as all that will have an effect; it will have an important impact in helping American workers get jobs and be able to hold them and have the enhanced opportunity for employment.

That, I think, is very, very important as well. But most of all I want to pay my respects to Senator SIMPSON for his dedication and focus on this issue. If this issue had come up over a year ago, after the 1994 campaign, when the flames of distrust and anger were being fanned in many parts of the country, we would not have had this legislation. It has only been because of the exhaustive time that the Senator has taken with each and every Member, Republican and Democrat, in the Judiciary Committee and talking to each of the various groups that have a particular interest that we have gotten to this point, and his willingness to listen to the recommendations of Barbara Jordan. I thought of Barbara Jordan when I heard that last rollcall because this was an issue which Barbara Jordan, a distinguished lady and an outstanding congresswoman, that struck the conscience of the Nation on many different occasions, and tireless in her own pursuit of justice and the elimination of forms of discrimination. She took on an enormously challenging task when few others would touch it, and in working through, made a series of recommendations. That has been the basis of this particular proposal.

So I give respect to my chairman, the chairman for the remainder of this session. I think all of us who know the importance of this issue will know that ALAN SIMPSON has played an extremely important role, addressing in a serious way, bringing judgment, conscience, consideration, and intelligence to this issue. I think this country is better served by his service.

I want to mention just briefly, Mr. President, other members of our committee: Senator SIMON. Senator SIMON, I, and Senator SIMPSON for a brief period were the only three members of the Immigration Committee. He has been a steady contributor and has an unwavering commitment to fairness which has marked his career.

Senator FEINSTEIN, for her own integrity and effectiveness in dealing with our immigration laws; Senator GRASSLEY; Senator KYL; Senator SPECTER—all active on the subcommittee.

My colleague, Senator BIDEN, Senator FEINGOLD, Senator ABRAHAM, and Senator DEWINE are deeply committed to our immigrant heritage and made major contributions to legal immigration and effectively in relation to illegal reforms.

Senator HATCH, who is chairman of our Judiciary Committee, has long been involved in the human side of immigration and has handled lengthy and contentious markups with fairness. We had very extensive markups with broad attendance—virtually unanimous attendance—and he presided over them with fairness;

Senator GRAHAM, who has presented the case for a safety net for legal immigrants and the need to avoid the unfunded mandates, as well as Senator CHAFEE and Senator LEAHY on those issues of asylum. That has been a matter of particular interest and concern to him. He has been very effective on this bill on that.

Finally, I want to mention Michael Myers, who has been of such value and help, I believe, to the Senate and to the country, as our other staff have, with Democrats and Republicans. I think all of us perhaps—maybe there are those; I do not—but there are those who underestimate the power of good will and intelligence of those who provide such assistance to all of us and make our jobs easier. Michael Myers has been there:

Patti Frist, Tom Perez, Bill Fleming, Melody Barnes, Ron Weich, Michael Mershon; and I think that we on our side have felt that the Republican staff, Dick Day, Chip Wood, John Knepper, John Ratigan, and Chuck Blahous have also been not only working for Republicans but Democrats alike.

Carlos Angulo, who has been working with Senator SIMON; Leeci Eve with Senator BIDEN, and Bruce Cohen for Senator LEAHY; all of those and others have been of great help.

Finally, I want to thank TOM DASCHLE as well, who as we were going through different times and phases of the consideration of this legislation and different aspects of it, has been a constant source of strength to me and the other members of the committee.

We look forward to the conference, and we will do our very best to bring back to the Senate a conference that carries forward the commitments of the Senate to the extent that we possibly can. This is a bill that deserves to be signed by the President of the United States.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, parliamentary inquiry. What is the order of the day?

Mr. SIMPSON. Mr. President, if I may—if the Senator will yield for a moment to let me propose a unanimous-consent request, and then the Senator from Montana may proceed.

I just want to add one note. I failed to pay tribute to Chuck Blahous. He has not been part of the immigration staff, but he is my legislative director, and was he pressed into service on this bill in a most extraordinary way.

I, too, thank my colleagues on the subcommittee: Senator KENNEDY, of course; Senator SIMON, a steady friend

for 25 years; Senator FEINSTEIN; Senator GRASSLEY, who is always there, always steady, always someone to count on; Senator KYL, who will leave a great impression and mark, along with Senator FEINSTEIN, on this subcommittee in the future; Senator SPECTER and his steadiness; BILL ROTH, my old steady friend who campaigned for me back when it was not safe to do that. I see him here. I thank him for his work.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the honorable majority leader.

Mr. DOLE. Mr. President, first, let me congratulate my colleagues, Senator SIMPSON and Senator KENNEDY, for completing action on what I consider to be a very good bipartisan immigration bill. It took 8 days. We had it scheduled for 3. So we have lost a little time. But I think the end product is probably worth it, and we hope to make up the time in the next few weeks on other matters.

Mr. President, we have before us an issue of great national importance—reform of this Nation's laws on illegal immigration. But while many Members have worked hard to move this issue forward, let's face it: The moving force has been my colleague and friend, the Senator from Wyoming—Senator SIMPSON. There are so many ways to describe how he has served America, but I believe that his work in this area will always be at the top of the list.

Illegal immigration reform is not a partisan issue. It is not a simple issue. But make no mistake about it, this legislation is long overdue.

Mr. President, we are a nation justly proud of our heritage. That heritage is inseparable from the human experience of millions upon millions of immigrants—from every country on Earth.

That heritage is also bound up in a reverence for the rule of law—for playing by the rules.

The Immigration Control and Financial Responsibility Act combines both of these strands of our national character.

We cannot remain a great country and fail to control our borders.

We cannot evade one of the principal obligations of the Federal Government and expect the States and local communities to pick up the tab.

We cannot reward those who break our laws by picking the pockets of hardworking Americans.

In short, Mr. President, we are proud that our country is a nation of immigrants and a land of opportunity—but we will insist that everyone play by the rules.

The legislation before us provides for increases in the numbers of enforcement personnel and creates additional detention facilities. Perhaps most important, it provides for the first time some realistic hope that our Border Patrol can cope with the overwhelming nature of illegal immigration by increasing the numbers of agents.

The bill, however, also recognizes that fully half of the illegals currently

in this country were once here legally under a visa, but then simply stayed. This is not a problem that can be addressed by fences along the border—this is a matter of the will to enforce our laws.

Visa overstayers are here now—when we discover who they are they should be sent on their way.

The bill also provides strong measures for perhaps the ultimate insult to our national sovereignty. This is the case when those who violate our immigration laws, the violate our criminal laws as well.

I am particularly pleased that the Senate adopted the Dole-Coverdell amendment which closed some of the loopholes that currently exist in our deportation laws.

Under the Dole-Coverdell amendment, violations of domestic violence, stalking, child abuse laws, and crimes of sexual violence have been added as deportable offenses.

It is long past time to stop the vicious acts of stalking, child abuse, and sexual abuse. We cannot prevent in every case the often justified fear that too often haunts our citizens. But we can make sure that any alien that commits such an act will no longer remain within our borders.

Mr. President, I salute my colleagues who have worked so hard on this legislation. They have rendered America a great service, and it is my hope that a strong, bipartisan vote in favor of this bill will send a message that America will no longer stand by passively—we will take control of our borders. And most of all, Mr. President, we will ensure that no one cuts in line in front of those who play by the rules.

So I salute my colleagues who have worked hard on this legislation. They have rendered America a great service. It is my hope that we can come out of the conference with a strong bipartisan bill.

I again congratulate my colleagues on both sides of the aisle for their efforts. I yield the floor.

Mr. HATFIELD. Mr. President, today the Senate passed much needed legislation to restructure our Nation's laws with respect to illegal immigration. I want to take this opportunity to commend my colleagues Senator SIMPSON and Senator KENNEDY for their diligence and leadership in crafting legislation to address this issue. As this debate has shown, the highly emotional and diverse views on the issues surrounding both legal and illegal immigration makes it very difficult to get a consensus on legislation reforming our immigration laws.

Despite previous efforts by Congress to control illegal immigration, the evidence shows that thousands of people cross the border illegally each year. Clearly, our Nation simply cannot continue to absorb this unregulated stream of illegal aliens. The costs to society of permitting a large group of people to live in an illegal, second-class status are enormous. It strains not

only the financial resources of our local, State and Federal governments, but also the compassion of our people. The Immigration Control and Financial Responsibility Act will help ensure that the Federal Government meets its responsibility to enforce our Nation's illegal immigration policies.

This legislation nearly doubles the number of Border Patrol agents over the next 5 years, authorizes an additional 300 INS investigators, increases criminal penalties for alien smuggling and document fraud, and authorizes additional detention facilities for illegal aliens. Through these increased enforcement activities, our Nation will be better equipped to stem the flow of illegal immigrants across our borders and to respond to the problems and abuses which accompany the presence of a significant illegal population. For these reasons, I voted in favor of final passage of this legislation.

I did so not without some reservations. While I believe in the underlying principles of the legislation, I have serious concerns over some of the provisions agreed to in this bill. I am concerned about the costs and administrative burdens this legislation may impose on the States by the extension of deeming to all Federal means-tested assistance programs. Additionally, by failing to exempt some minimal emergency and health services from deeming, I am fearful that we will discourage legal aliens from seeking basic treatments such as immunizations and prenatal care. As we know, this can lead to adverse effects to the public health and safety.

In addition, the original version of the bill contained provisions which imposed unwarranted new bars to an individual's ability to seek political asylum in this country. Due to my concern about these summary exclusion procedures, I joined Senator LEAHY as a cosponsor of his amendment to limit the use of summary exclusion except in emergency migration situations.

Mr. President, most persons who are fleeing persecution do not have the luxury of asking their governments for appropriate exit papers to leave their countries. Many flee without documents. Others flee with fraudulent documents. The summary exclusion provisions in the underlying bill had the potential of excluding these people if they failed to convince an INS border officer that they have a credible fear of persecution.

I can understand the concern that our asylum laws have been abused in the past. But we have taken steps to reform the asylum system. In 1995, our asylum system was tightened and adequate resources have been invested to root out these abuses. This effort has been successful; 90 percent of claims are now adjudicated within 60 days of their receipt. There has been a drastic decline in new asylum applications, from 13,000 per month at the end of 1994 to 3,000 per month currently. One reason for this is that asylum seekers are

no longer automatically eligible for work authorization. As a result of the reforms, our asylum system now works to ensure that legitimate asylum seekers are protected and those who file fraudulent claims are weeded out.

We have a tradition in this country of protecting bona fide refugees. We have an asylum system that is working well to continue this tradition. The provisions included in the underlying bill would have undermined our good efforts to the detriment of the very people we are seeking to protect. The Leahy amendment appropriately gives the Attorney General the flexibility to address emergency migration situations but retains our current asylum procedures for those who arrive in the United States and request political asylum. I am happy to say that my colleagues in the Senate recognized the importance of retaining this flexibility and voted to include this amendment in the final bill.

While I support the general principles underlying this bill, I believe we must also find new ways to address the problems of illegal immigration. I am among the first to admit that we cannot afford to absorb an unregulated flow of immigrants into our country. However, I am concerned by the shortsighted approach that is taken to address this problem. Sometimes we find ourselves so caught up in the crises of the day that we forget to look at the root causes of problems. In the case of illegal immigration, I think we have fallen into this trap.

We can continue to increase our Border Patrol and our enforcement activities in the United States. We can build a wall that stretches along the United States-Mexico border and the United States-Canadian border. While this may make it more difficult for illegal immigrants to enter the United States, I do not believe that these measures will solve the problem of illegal immigration. Similarly, we can tighten employer sanctions and cut off all public benefits for illegal aliens, in an attempt to take away the "magnets" which create the desire for people to enter our country with or without proper documentation.

I believe we must look beyond these so-called magnets to focus on creating opportunities for people within their own countries so they aren't compelled to leave in search of better opportunities to support their families. To do this, the United States must maintain its leadership in promoting human rights, democracy, and economic stability in our neighboring countries, and around the world. Unfortunately, I fear that we have recently begun to retreat from this position. In the past few years, the United States has curtailed its spending on foreign aid and humanitarian assistance programs. This year, we essentially demolished our international family planning program, which will severely affect maternal and child health around the world. Further, we continue to funnel arms into the

poorest and most politically unstable countries across the globe.

We cannot continue along this path. It is only when we address the root causes of illegal immigration—poverty, warfare, and persecution—that the United States can truly address and eliminate this problem.

One final note, Mr. President. In this bill, we have significantly enhanced the ability of the Immigration and Naturalization Service [INS] to meet one of its primary missions, to control the entry of illegal immigrants into this country. But, I would like to take this opportunity to remind my colleagues that the enforcement mission is not the only mission of the INS. The INS also exists to serve, to meet the needs of citizens, legal residents, and visitors. It has the responsibility to provide service to millions of individuals and employers who are following the rules, and trying to bring family and employees into the United States legally.

Due to the recent national attention that has been given to illegal immigration, I fear that this part of the INS mission statement has been severely neglected. For example, many district and regional INS offices have unreliable phone service, have tremendous backlogs in paperwork, and fail to initiate community outreach. My State's district office in Portland, OR, no longer even distributes necessary forms to the public. I had planned to introduce an amendment to this bill which would have addressed this situation. It would have required all INS district and regional offices to distribute forms, and would have expressed the Senate's desire that the INS provide adequate resources to fulfill its service mission.

Unfortunately, I did not have an opportunity to bring this amendment to the floor for consideration on this bill. However, I believe this is an issue of utmost importance and will continue to pursue enhancing the INS's service mission through subsequent legislation or through communications with Commissioner Doris Meissner. Citizens, permanent residents, and visitors across the country need, and deserve, to have access to the services only the INS can provide for them.

#### MORNING BUSINESS

Mr. SIMPSON. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

#### RAISE THE MINIMUM WAGE

Mr. KENNEDY. Mr. President, the American people are baffled by the continuing, relentless, Republican opposition to a fair increase in the minimum wage. A raise of 90 cents an hour for America's lowest paid and hardest-

pressed workers is so fundamentally fair and reasonable that it is hard to imagine why anyone would oppose it.

Our Republican friends are hoisted by their own hypocrisy. They preach the value of work, but they reject a living wage. The minimum wage has not been raised in 5 years. It is stuck at \$4.25 an hour, \$8,500 a year—not even enough to lift a family out of poverty.

There is even more hypocrisy than that. Republican Senators have voted for three pay raises themselves in that 5-year period—thousands of dollars for themselves, but not one dime for families struggling to survive on the minimum wage.

Senator DOLE has compiled, to put it mildly, an interesting voting record on the minimum wage during his career in Congress. His position appears to depend on the fads of politics, or perhaps the phases of the Moon. The only consistency is that there is no consistency.

Arriving in Congress as a freshman in the House of Representatives in 1961, he took an extreme antimimum wage position against President Kennedy's proposal to raise the minimum wage. At the time, the minimum wage had not been increased since 1955. An increase was one of the first priorities of President Kennedy's New Frontier, and Congress responded quickly and favorably.

Tomorrow—Friday, May 3—is the 35th anniversary of BOB DOLE's vote against the bill, which President Kennedy signed into law on May 5, 1961, and which raised the minimum wage from \$1 to \$1.25 an hour.

In fact, the minimum wage had been one of the key issues in the Kennedy-Nixon 1960 Presidential campaign. As a Senator in 1960, President Kennedy had led a battle to raise the minimum wage, but Congress failed to act when House-Senate conferees deadlocked in a post-convention session in August 1960. President Kennedy then took the issue to the country, and in a TV ad that fall opposing Vice President Nixon's position, he stated:

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.

BOB DOLE and Richard Nixon were wrong to oppose President Kennedy's minimum wage increase 35 years ago—and BOB DOLE and RICHARD ARMEY are wrong to oppose President Clinton's minimum wage increase today.

At least once a decade since then, however, Senator DOLE has voted the other way and supported an increase in the minimum wage. He did so in the 1970's, and again in the 1980's. And I urge him to do so now in the 1990's.

Seven years ago, Senator DOLE and many of the same Republicans who are now leading the opposition to a 90-cent increase in the minimum wage supported precisely that—a 90-cent increase.