

following bill, in which it requests the concurrence of the Senate:

H.R. 3448. An act to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 1822. A bill to amend the Food Security Act of 1985 to permit the Secretary of Agriculture to waive the prohibition on the termination of conservation reserve contracts for certain lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DOLE:

S. 1823. A bill to restore the American family, enhance support and work opportunities for families with children, reduce out-of-wedlock pregnancies, reduce welfare dependence by requiring work, control welfare spending, and increase State flexibility; read twice and placed on the calendar.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. KASSEBAUM:

S. Con. Res. 63. A concurrent resolution to express the sense of Congress that the Secretary of Agriculture should dispose of all remaining commodities in the disaster reserve maintained under the Agricultural Act of 1970 to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by the prolonged drought conditions existing in certain areas of the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 1822. A bill to amend the Food Security Act of 1985 to permit the Secretary of Agriculture to waive the prohibition on the termination of conservation reserve contracts for certain lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

##### THE CONSERVATION RESERVE PROGRAM CONTRACTS MODIFICATION ACT OF 1996

Mr. HARKIN. Mr. President, I am today introducing legislation to make a minor modification in the rules applicable to the early termination of Conservation Reserve Program contracts. This bill will provide greater flexibility in the management of CRP acreage and increase opportunities for

livestock production using land that has been enrolled in CRP, while continuing to protect against soil erosion and to conserve the natural resource base.

The Federal Agricultural Improvement and Reform Act of 1996 established a new early termination option for holders of CRP contracts. Participants who entered into a contract before January 1, 1995, may terminate the contract at any time if the contract has been in effect for at least 5 years. Certain lands considered to be of high environmental value are not eligible for the early termination option. The act specifically disallows the early termination of contracts on land having an erodibility index of more than 15, a restriction that also was included in the rules for the early CRP termination option offered this spring through administrative action independent of the farm bill.

The restriction on early removal of the more highly erodible land from the CRP is obviously designed to reduce the potential for returning land to crop production where doing so presents a higher risk of damaging levels of soil erosion. Of course, a principal purpose of the CRP was to remove highly erodible land from production in order to conserve soil, so it is reasonable to ensure that early terminations of CRP contracts do not nullify the benefits of the CRP or negate the investment in conservation made by taxpayers through CRP payments.

While the prohibition against early termination of contracts on land having an erodibility index higher than 15 seems reasonable in general, it does not take much sense to livestock producers who would like to remove land from the CRP in order to use it for haying or grazing. The nationwide emergency release of CRP for grazing and haying has relieved a good deal of the concern regarding access to CRP acres for livestock feed—but only for this year. There is a real need for a longer term resolution of this matter.

My bill would simply allow the Secretary to waive the restrictions on the types of land that may be removed from the CRP under the early termination option if the Secretary determines that the land will be used only for haying, grazing or other use not involving the destruction of vegetable cover. By ensuring that the vegetable cover is not destroyed, protection against soil erosion will be maintained. In addition, any such waiver can be made only if the Secretary determines that the land will be used only in a manner that adequately protects the natural resource base. As discussed, the waiver authority contained in this bill is designed specifically to deal with the prohibition against early termination of CRP contracts on land with an erodibility index higher than 15. There may be some other instances in which a waiver meeting the requirements of this bill could be granted, but they would be tightly limited by the

requirement that vegetable cover not be destroyed and that the natural resource base be adequately protected.

Mr. President, this bill is a common-sense solution that will provide more reasonable options to CRP contract holders for returning land to economic use while maintaining vegetable cover and protecting the natural resource base. I hope my colleagues will support this legislation and that it will be enacted at the earliest opportunity. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1822

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. TERMINATION OF CONSERVATION RESERVE CONTRACTS BY OWNERS OR OPERATORS.

Section 1235(e) of the Food Security Act of 1985 (16 U.S.C. 3835(e)) is amended by striking paragraph (2) and inserting the following:

“(2) CERTAIN LANDS EXCEPTED.—

“(A) IN GENERAL.—Subject to subparagraph (B), the following lands shall not be subject to an early termination of contract under this subsection:

“(i) Filterstrips, waterways, strips adjacent to riparian areas, windbreaks, and shelterbelts.

“(ii) Land with an erodibility index of more than 15.

“(iii) Other lands of high environmental value (including wetlands), as determined by the Secretary.

“(B) WAIVER.—The Secretary may waive the application of subparagraph (A) to land if the Secretary determines that the land will be used only—

“(i) for haying, grazing, or other use not involving the destruction of vegetative cover; and

“(ii) in a manner that adequately protects the natural resource base of the land.”.

#### ADDITIONAL COSPONSORS

S. 1386

At the request of Mr. BURNS, the name of the Senator from Idaho [Mr. KEMPTHORNE] was added as a cosponsor of S. 1386, a bill to provide for soft-metric conversion, and for other purposes.

S. 1578

At the request of Mr. FRIST, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 1578, a bill to amend the Individuals with Disabilities Education Act to authorize appropriations for fiscal years 1997 through 2002, and for other purposes.

S. 1714

At the request of Mr. BURNS, the names of the Senator from Kentucky [Mr. MCCONNELL], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of S. 1714, a bill to amend title 49, United States Code, to ensure the ability of utility providers to establish, improve, operate and maintain utility structures, facilities, and equipment for the benefit, safety, and well-being of consumers, by removing limitations on maximum

driving and on-duty time pertaining to utility vehicle operators and drivers, and for other purposes.

S. 1813

At the request of Mr. HELMS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1813, a bill to reform the coastwise, intercoastal, and noncontiguous trade shipping laws, and for other purposes.

S. 1818

At the request of Mr. FORD, his name was added as a cosponsor of S. 1818, a bill to amend the Employee Retirement Income Security Act of 1974 to provide for retirement savings and security.

S. 1819

At the request of Mr. FORD, his name was added as a cosponsor of S. 1819, a bill to amend the Railroad Retirement Act of 1974 to provide for retirement savings and security.

S. 1820

At the request of Mr. FORD, his name was added as a cosponsor of S. 1820, a bill to amend title 5 of the United States Code to provide for retirement savings and security.

S. 1821

At the request of Mr. FORD, his name was added as a cosponsor of S. 1821, a bill to amend the Internal Revenue Code of 1986 to provide for retirement savings and security.

AMENDMENT NO. 4038

At the request of Mr. FEINGOLD the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of amendment No. 4038 intended to be proposed to S. 1764, an original bill to authorize appropriations for fiscal year 1997 for military construction, and for other purposes.

#### SENATE CONCURRENT RESOLUTION 63—RELATIVE TO THE SECRETARY OF AGRICULTURE

Mrs. KASSEBAUM submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 63

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. USE OF DISASTER RESERVE FOR ASSISTANCE TO LIVESTOCK PRODUCERS.

In light of the prolonged drought conditions existing in certain areas of the United States, the Secretary of Agriculture should promptly dispose of all commodities in the disaster reserve maintained under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a) to relieve the distress of livestock producers whose ability to maintain livestock is adversely affected by the prolonged drought.

#### ADDITIONAL STATEMENTS

##### HOUSE SMALL BUSINESS TAX INCENTIVES BILL

• Mr. ROTH. Mr. President, I rise to address the Senate on a bill that over-

whelmingly passed the House of Representatives this week. The vote was 414 to 10. The bill I refer to is the Small Business Job Protection Act of 1996.

The bill is a collection of tax incentives for small businesses. As every Member of this body knows, small businesses create the lion's share of jobs in America. The bill will lift some of the heavy tax burden borne by small businesses. To the extent we lift the tax burden on small businesses, these businesses will be able to continue to create jobs for Americans. Included in the bill are some proposals that were contained in the Balanced Budget Act of 1995.

First, an increase in the amount of equipment a small business can expense; the current annual amount of \$17,500 would be gradually increased to \$25,000.

Second, a package of proposals to simplify the pension tax rules. These proposals will bring more small businesses and their workers into the pension system; in addition, these proposals will enhance pension security for millions of American workers and their families.

Third, a series of proposals to reform the subchapter S corporation tax rules. Almost 2 million small businesses do business as subchapter S corporations.

This package of small business tax incentives is fully paid for.

Mr. President, I congratulate Chairman BILL ARCHER for successfully shepherding this package of much-needed tax relief through the House of Representatives.

In recent days, many of my colleagues have asked me about Senate action on this bill. When the bill arrives from the House, I expect the bill to be referred to the Finance Committee. Once referred to the Finance Committee, I anticipate taking action on the bill shortly after the Senate returns from the Memorial Day recess.

Mr. President, the Finance Committee, including longstanding members on both sides of the aisle, has a tradition of sensitivity to the needs of small business. I intend to continue that tradition with a Finance Committee imprint on the small business tax bill.

In addition, Mr. President, I am also considering adding measures to help create economic growth, promote savings and investment, and enhance economic opportunities for all Americans.●

#### A CRACKDOWN ON IMMIGRANTS IS RESTRICTING SCHOLARSHIPS

• Mr. SIMON. Mr. President, I cast one of the few votes against the immigration bill that passed the U.S. Senate recently. And I did it because part of the bill simply goes too far. We are in a period in which there is a great deal of mean-spirited and anti-immigrant sentiment, a mean-spiritedness and sentiment that does not serve the Nation well.

For example, my amendment to permit people who are illegal immigrants, and who are going to become citizens, to get student aid that is available to all American citizens, is just common sense.

We want these future citizens to be productive members of our society.

The bill that passed the Senate not only denies them that assistance, but can be the basis for deportation if they receive that aid for one year.

Two items have appeared recently that should cause us to reflect a little more.

One is an op-ed piece in the Chicago Sun Times, by a member of the editorial board, Tom Sheridan.

The other is an article titled "A Crackdown on Immigrants Is Restricting Scholarships" by Dirk Johnson that appeared in the New York Times. I ask that both articles be printed in the RECORD after my remarks.

Both suggest that we are being shortsighted in what we are doing.

I urge my colleagues to read these two items if they have not done so.

The op-eds follow:

#### FOREIGN TREASURES

(By Tom Sheridan)

First, an explanation. I'm half-Irish on my father's side. Third generation. My mother's ancestry is more muddled, though European. My wife is half-Italian (third generation), with the rest mostly German.

With that mix, our kids would be a diverse lot. But we also have children who are Filipino (first generation) Hispanic (second generation) and Asian.

What I've done to enrich the Sheridan family gene pool is nothing less than remarkable. It's the same way families—and Nations—are enriched: Each of us has ancestors who came from somewhere else.

All of which makes me very impressed with people becoming U.S. citizens these days. And damn glad I was born here and didn't have to take the citizenship test. I might not pass it.

A study question for the citizenship test: How many changes or amendments are there to the U.S. Constitution? Do you know? Without looking?

There's a lot of public yelping these days over immigration—legal and no-so-legal. Illegal immigration is just that—illegal—and should not be tolerated. Congress is right to clamp down on it.

But we seem to have confused the two. It has given us a sense of public schizophrenia. On one hand, the folks in Congress have passed legislation making it harder to immigrate—even legally. On the other hand, Immigration and Naturalization Service people are working doubly hard to help people become citizens.

Bills rolling through Congress would slow the immigration process. Included in the measure passed by the Senate this month are provisions to sharply limit federal benefits available to legal residents, even as they pursue the process of becoming citizens.

It means that legal immigrants couldn't apply for a student loan, a tuition grant (even based on merit) or federal job-training assistance. The penalty is deportation. Even if a legal immigrant gets help, and later seeks citizenship, the reward would be deportation.

Should we tolerate legal residents who perform acts of terrorism against the United States, or threaten its society with acts such as drug-smuggling? Of course not. But under the recent Terrorism Act, a legal resident who has been a successful member of society