

leaving an enormous burden to our children and grandchildren.

I thank the Chair and yield the floor.

#### CLINTON'S CUBA DECISION IS DOUBLETALK, CHARADE

Mr. HELMS. Mr. President, early this afternoon President Clinton turned his back on the people of Cuba with an announcement which revealed that he had decided to try to double-talk his way into appearing to be taking a tough stand against Fidel Castro.

But when one examines this charade, Mr. President, Mr. Clinton had in fact delayed the enforcement of the Libertad Act which Congress passed and the President immediately signed into law earlier this year when it would have been politically disastrous for him not to do so.

The Associated Press reported, correctly, that today's decision by the President could help Clinton to buy time knowing that his refusal to impose sanctions on Castro would risk losing Cuban-American votes in Florida and New Jersey, two key States in Mr. Clinton's reelection bid.

So, Mr. President, once again Mr. Clinton has taken a firm stand on both sides of an important issue. While today's announcement contains tough anti-Castro rhetoric, it is all talk and no substance. The truth is, Mr. Clinton has capitulated to Fidel Castro and his foreign business collaborators, who not only condone Castro's cruel dictatorship, but want to help it flourish.

But the President's problem is not going away. The Libertad Act is Clinton-proof. The President could not muster the courage to implement title III today, but the threat of lawsuits still hangs over the necks of Castro's business partners like the blade of a guillotine. Even before today's decision, businesses were fleeing Cuba because of the threat of such lawsuits. This will continue, and the law will not be mitigated by the President's lack of courage.

At a time like this, Mr. President, one is obliged to wonder: Is there no Teddy Roosevelt, no Winston Churchill ready to stand up for freedom? There was none on Pennsylvania Avenue today.

#### TRIBUTE TO JUDGE JOSEPH PHELPS

Mr. HEFLIN. Mr. President, we were deeply saddened recently by the death of one of Alabama's most distinguished jurists, former Judge Joseph Phelps. He had only retired in January 1995 after serving as Montgomery County Circuit Judge for 18 years. During his long tenure as a circuit judge, he earned a reputation for being thorough, fair-minded, and tough, all hallmarks of an outstanding jurist. After retiring from the bench, he still handled an expedited docket. He also spent time at his farm and doing volunteer work.

Judge Phelps was an outstanding leader in Alabama's judicial reform

movement in the 1970's. His leadership in securing support for the passage of the judicial article and its implementing legislation was significant. He played a pivotal role in the educational effort of getting judges and lawyers, court clerks, registrars, and all court-related personnel to understand the new system. His planning, explanation, and leadership brought about a smooth transition from the old antiquated system to the new one. Alabama will always be indebted to him for his many contributions to a vastly improved judicial system.

Judge Phelps was appointed as a special circuit judge in 1976, then elected in his own right later that year. Prior to that, he helped found law awareness programs in Montgomery schools and served as dean of the Jones School of Law from 1968 to 1972. A 1958 graduate of the University of Alabama School of Law, Judge Phelps served as an assistant attorney general from 1958 to 1961, as an assistant city attorney from 1969 to 1973, and as acting dean of the State's judicial college from 1978 to 1979.

As one writer said so well of Joe Phelps, "It speaks volumes of this man that even though he was a successful lawyer and a highly respected circuit judge, he will be remembered—and missed—for the great good he did for his community and State. He was one of Montgomery's greatest natural resources." He was active in several organizations, including Strategies to Elevate People, Success by Six, and the YMCA. In 1990, the Alabama State Bar Association bestowed its highest honor on him when it awarded him the Judicial Award of Merit.

Judge Joe Phelps will long be remembered for his love, faith, commitment, and fairness. He will also go down as one of the best circuit judges to ever serve in Alabama. I extend my sincerest condolences to his wife, Peggy Black Phelps, and their entire family in the wake of this tremendous loss.

I ask unanimous consent that a Montgomery Advertiser article on Judge Phelps be printed in the RECORD at this point.

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

[From the Montgomery Advertiser, June 25, 1996]

#### PHELPS' LOVE, FAITH STRESSED BY SPEAKERS (By Matt Smith)

Retired Circuit Judge Joseph Phelps passed through the doors of Trinity Presbyterian Church for the last time Monday, past an overflow crowd of family, friends and colleagues.

They came to pay last respects to the 61-year-old judge, eulogized as a man who translated his deep faith into community service outside the courtroom. He died Saturday at 61, when his 1991 Oldsmobile ran off Woodley Spur Road and overturned. He had retired less than 18 months before the accident.

"Joe Phelps was an embodiment of love for God and love for his fellow human beings,"

said the Rev. Curt McDaniel, pastor of the Garden District church where Judge Phelps had been a member for 51 years. His body left the church in a simple, pine coffin adorned by flowers from the farm he kept in south Montgomery County, where he hunted and invited friends each Thanksgiving for a holiday breakfast.

"Joe was a community leader, first of all," said Bill Chandler, director of Montgomery's YMCAs. When Mr. Chandler arrived in Montgomery in 1948, the future judge was one of the first to join the Y.

"One of his characteristics was he got other people to become involved in community activities who wouldn't otherwise have been involved in those activities," Mr. Chandler said. "He found a way to get others to give their time, multiplying their effect."

The flag outside the Montgomery County Courthouse flew at half staff Monday. County commissioners canceled their Monday meeting to attend the funeral. Family, friends, courthouse regulars and local dignitaries filled Trinity Presbyterian Church to capacity and then some. Mourners unable to find a seat in Trinity's sanctuary stood in hallways and back rooms, listening to the service via remote speakers.

The Rev. Dr. McDaniel was joined by two other ministers: the Rev. John Ed Mathison of Frazer United Methodist and the Rev. Jay Wolf of First Baptist Church. Both had served with him in numerous volunteer endeavors.

His efforts off the bench included positions on the YMCA's Metro board of directors; to helping found the Success by Six and STEP (Strategies to Elevate People) programs; working with the Fellowship of Christian Athletes, Leadership Montgomery, the Youth Legislature and the Capital City Boy's Club.

Judge Phelps graduated from the University of Alabama Law School in 1958 and returned to Montgomery, where he had graduated from Sidney Lanier High School. In 1976, after an extensive career in private practice, county voters made him a circuit judge.

He held that post until his third term ended in 1995. In 1990, the Alabama State Bar Association bestowed its highest honor, the Judicial Award of Merit, on him. Even after retirement, he handled an expedited docket for the circuit until a few months ago.

"He gave most defendants an opportunity for light treatment on a first offense," said John Hartley, who worked as a public defender in Judge Phelps' third-floor courtroom for more than three years.

Judge Phelps was buried in Greenwood Cemetery after Monday morning's services. He is survived by his wife, Peggy Black Phelps; and two daughters, Margaret Romanowski of Montgomery and Julia Phelps Lash of Birmingham.

#### THE CLINTON ECONOMY

Mr. ABRAHAM. Mr. President, I rise today to draw my colleagues' attention to recently released facts on the condition of our economy, and the fate of the American people in that economy.

For too long, Mr. President, we have been subjected to the old canard that tax cuts favor only the rich, while intrusive government programs help the poor. The experience of this administration proves that this is not so. Under the high-tax, high-spending policies of the current administration, the rich have gotten richer while the rest

of America has been caught in a Clinton crunch of stagnating wages and increased taxes, finding it increasingly hard to make ends meet.

Federal taxes have risen under this administration to their second highest level in U.S. history. Federal revenues have risen from 19 percent of gross domestic product in the first quarter of 1993 to 10.5 percent in the first quarter of 1996. Taxes reached their highest level in 1981, just before the Reagan tax cut took effect, at 20.8 percent of GDP. At the peak of World War II, in 1945, taxes consumed just 20.1 percent of GDP.

Have this administration's high taxes produced a more equal income distribution in America? Hardly. As the rich have become richer, most Americans have seen their incomes stagnate. The average real income of the top 5 percent of households rose by 19.8 percent between 1992 and 1994. Those in the top 20 percent of households experienced an increase of 10.1 percent. Meanwhile, those in the bottom 80 percent of households saw an average increase of only 0.6 percent. The result: The share of total income going to the top 5 percent increased from 17.6 percent in 1992 to 20.1 percent in 1994, and the share going to the top 20 percent rose from 44.7 percent to 46.9 percent.

Republicans are not the party of envy. We do not believe it is government's job to penalize Americans for doing well in a free market economy. However, we can tell that something is wrong when the already well off are the only ones to see their incomes go up. And that is exactly what has happened under this administration.

Real median family income in 1994 dollars has fallen from \$40,890 in 1989 to \$38,782 in 1994. So far in the Clinton administration real median family income has averaged just \$38,343, compared to \$39,632 in 1992. Real compensation per hour, wages plus benefits actually fell 0.7 percent in 1993 and 0.5 percent in 1994, and grew only 0.3 percent in 1995. This compares with a 2.1 percent growth rate in 1992.

Why have most Americans experienced stagnant wages? Because the Clinton expansion, held back as it is by excessive taxes, has been lackluster at best. In 1995 real GDP grew at only a 1.3-percent rate. Growth in output per hour has fallen from 3.2 percent in 1992 to 0.1 percent in 1993, 0.5 percent in 1994 and 0.7 percent in 1995.

And the much-vaunted drop in the unemployment rate from 5.6 percent in May to 5.2 percent in June hides a deeper problem. The broader measure of unemployment, the U-6 rate, actually rose from 9.5 percent to 10 percent. This rate includes discouraged workers who have left the labor force and those working part time who cannot find full time work. Indeed, Mr. President, much of the decrease in the unemployment rate is illusory because 7.7 million workers now must hold down two jobs to make ends meet.

Even holding down two jobs is proving insufficient for many Americans to

survive the Clinton crunch. The personal saving rate has fallen from 5.9 percent in 1992 to 4.5 percent in 1995. Consumer debt has skyrocketed from \$731 billion in 1992 to over \$1 trillion in 1995. And the American people cannot shoulder that much debt. The credit card delinquency rate reached 3.53 percent in the first quarter of 1996, compared with 2.93 percent in the fourth quarter of 1992. And personal bankruptcies reached 252,761 in the first quarter of 1996, only slightly below the yearly rate in the early 1980's. At this rate, personal bankruptcies will reach 1 million this year, an all time high.

What we have, then, is a weak recovery held back by an astounding burden of taxation. I am not engaging in mere hyperbole, Mr. President. Federal taxes would have to be cut by \$111 billion this year just to get the tax burden back to where it was when President Clinton took office. Worse, this extra tax burden has brought us greater unemployment than would otherwise be the case, along with consumer hardship for all but the wealthiest Americans.

Mr. President, my friends on the other side of the aisle are fond of claiming that their's is the party of working families. But the economic news of recent months shows this to be false. Those who know how to hide their incomes do better under their high tax policies, while other Americans must take on extra work and go into debt just to hold ourselves and our families together. It is my hope that we can learn from this experience and set our Nation back on a course of lower taxes, less government and greater opportunity for the ordinary working families of America.

#### NOMINATION OF ANDREW S. EFFRON TO BE A JUDGE ON THE U.S. COURT OF APPEALS FOR THE ARMED FORCES

Mr. NUNN. Mr. President, on July 10, 1996 the Senate confirmed the nomination of Andrew S. Effron to be a judge on the U.S. Court of Appeals for the Armed Forces. I want to take a few moments today to speak about this fine individual, who as many in the Senate know, has served on the staff of the Committee on Armed Services since 1987.

I ask unanimous consent that a copy of Andy's complete and impressive biography be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. NUNN. Mr. President, Andy comes from a family with a strong tradition of public and community service. His parents, Marshall and Marion Effron, have been deeply involved in political, civic, and charitable organizations in Andy's hometown of Poughkeepsie, NY. Andy's wife, Barbara, has held numerous offices in PTA and civic associations in Arlington and Fairfax Counties. Their children are continuing

the tradition. Robin, a rising senior at W.T. Woodson High School, is on the student council and serves as an officer for the chorus, Model U.N., and Tri-M arts society. Michael, who will be entering seventh grade next year, was vice president of the Student Council at Canterbury Woods Elementary School, and he is also an All-Star Little Leaguer.

Andy's confirmation hearing on July 9 was a bittersweet day for me and, I am sure, for all the members of the committee. It was sweet because we were so pleased that someone whom we have known and worked with for so long and whom we have admired and respected for his extraordinary ability and expertise had been nominated by the President to be a Judge on the U.S. Court of Appeals for the Armed Forces.

It was bitter, though, because the committee will soon be losing one of the finest talents the committee has ever had the good fortune of having on its staff.

The Armed Services Committee first became familiar with Andy Effron in 1986 when he was in the Office of the General Counsel of the Department of Defense and was one of three individuals from the Department who worked with us during the Senate-House conference on the Goldwater-Nichols Department of Defense Reorganization Act. We were so impressed with Andy's expertise that we asked him to join the staff the following year and he has continuously confirmed our initial judgment ever since.

Andy has not just confirmed our initial judgment, he has consistently demonstrated an amazing capacity for hard work, an ability to perform at the highest level, and a willingness to tackle and master any issue of importance to the committee. As a matter of fact, Andy has been involved in so many important matters—important to the committee, to the Department of Defense, and to our national security—that I won't even attempt to enumerate them because the list would fill many pages of the RECORD.

Suffice it to say, that Andy Effron epitomizes the best in what a professional staff member should be. He is a consummate professional whose hallmarks of service have been his loyalty and his dedication. This Senator, and indeed the entire Senate, have been the fortunate beneficiaries of Andy's good judgment and wise counsel.

It was a wonderful tribute to Andy that his nomination, following close scrutiny, received the unanimous bipartisan support that it did. Those of us who have known and worked with Andy for so many years, of course, were not surprised.

Mr. President, I commend the President for nominating Andy Effron to this very important position. The U.S. Court of Appeals for the Armed Services will be gaining an extraordinary legal talent in the very near future. While the Senate is losing one of the very best to have ever served, gratefully Andy Effron will continue to