

their tireless efforts. Mr. President, I offer my thanks to all of those individuals, congregations, and charitable organizations who respond with such compassion and energy when disaster strikes.

#### RETIREMENT OF DR. SHELDON HACKNEY AS CHAIRMAN OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES

Mr. KENNEDY. Mr. President, earlier this week Sheldon Hackney, chairman of the National Endowment for the Humanities, announced that he would be leaving office and returning to teaching at the end of his term of office in August. Dr. Hackney came to the endowment in 1993, following a brilliant academic and administrative career, including service as president of the University of Pennsylvania.

News of his retirement saddens all of us who know what a superb job he has done at the endowment for the past 4 years. Perhaps his most notable achievement has been in taming the intense political controversies that were swirling around the endowment when he arrived. The controversies persist, but fortunately, they are muted because of his leadership. The endowment has earned new bipartisan support because of the effective way he has explained its important mission to liberals and conservatives alike. He will be greatly missed, but I wish him well.

Asked about his views on eliminating the endowment, Dr. Hackney responded with characteristic eloquence,

The only legitimate argument against continuing it is from someone who believes in a minimalist government, that government shouldn't be in culture at all. The endowment does things that no one else would do but need to be done if we are to remember who we are and what the heritage of our nation is.

I ask unanimous consent that an article from the New York Times about Dr. Hackney may be printed at this point in the RECORD. The humanity of the man shines through, and through him the humanities endowment has shone through as well.

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

[From the New York Times, Apr. 21, 1997]

CHAIRMAN TO LEAVE HUMANITIES ENDOWMENT  
(By Irvin Molotsky)

WASHINGTON, April 21.—Sheldon Hackney, who has led the National Endowment for the Humanities during a period of reduced budgets, told the White House today that he would not seek another term as chairman and would return to the University of Pennsylvania to teach history.

Mr. Hackney, who stepped down as president of Penn to come to Washington four years ago, said today that he had planned all along to step down when his four-year term expired in August.

"I never discussed it with the White House," he said, "but I'm sure I could have stayed."

The endowment, which provides Federal money for research and exhibitions on history and other scholarly pursuits, has been

less of a lightning rod for fiscal conservatives than its counterpart, the National Endowment for the Arts. But it has been bracketed with the arts endowment as the target of spending cuts and its budget has been reduced in recent years.

When asked about his disappointments as chairman, Mr. Hackney said: "The political situation changed, and I had to spend more time than I wanted telling the public and Congress what we do. I could have spent that time on programs."

The change in the political situation that Mr. Hackney spoke of was the Republican takeover of Congress in 1994, when many opponents of Federal spending for the arts and humanities were elected to the House and Senate.

Spending for the humanities endowment has fallen from a high of \$172 million in 1993 to \$110 million in the current budget. President Clinton has asked for \$136 million for next year, but Congress is unlikely to approve that much.

"Despite the turbulence of the times," Mr. Hackney said, "I feel very good. We've accomplished a lot."

Besides keeping the endowment alive, Mr. Hackney said, his accomplishments include making the endowment nonpolitical and nonideological, reversing a pattern that he said took hold during the Reagan and Bush Administrations.

Asked to provide a defense for continuing the endowment, Mr. Hackney said: "The only legitimate argument against continuing it is from someone who believes in minimalist government, that government shouldn't be in culture at all. The endowment does things that no one else would do but need to be done if we are to remember who we are and what the heritage of our nation is."

"One of the purposes of government is to create good citizens. That's what we do at the N.E.H. We are a democratizing force in American culture."

Representative Sidney R. Yates, Democrat of Illinois, an advocate of both endowments who was chairman of the House committee that approved their financing when the Democrats were in the majority, said he thought Mr. Hackney has succeeded in removing the endowment from partisan politics.

"We'll miss him," Mr. Yates said. "I think he's been very good. He's been a very good administrator of the humanities endowment at a difficult time with less money."

Representative Ralph Regula, Republican of Ohio, who is chairman of the appropriations panel Mr. Yates once led, said of Mr. Hackney, "I think he's worked hard at giving the N.E.H. good leadership, especially in the field of libraries."

Asked whether Mr. Hackney had kept politics and ideology out of the endowment, Representative Regula said, "He has been very successful in that regard." He added, however, that he thought Mr. Hackney's Republican predecessors had also kept partisanship out.

A Republican critic of the endowment, Representative John T. Doolittle, a Californian, said it spent money on uneeded programs, money that could be better used "to save Medicare from bankruptcy and balance the budget."

"If there were ever a Federal agency or program that deserves a trip to the chopping block, it is this sandbox for the cultural elite," Mr. Doolittle said.

Mr. Regula did not agree with his Republican colleague. "I think it will survive in some form or another," he said. "I think the preservation of the culture of society is important."

Mr. Hackney said the endowment had supported many good projects without getting

much credit for it, like providing some of the money for public television programs on Theodore Roosevelt and the American West.

"The public doesn't normally notice who is funding projects," he said. "People say: 'Oh, my goodness. Did you do that?'"

Mr. Hackney, an Alabamian, said that at Penn he would return to one his great interests by teaching a course on the history of the South.

When he was named chairman of the endowment, Mr. Hackney was succeeded by Judith S. Rodin as university president.

"I'm going to teach history and stay out of her way," Mr. Hackney said.

#### SENATE IMMIGRATION SUBCOMMITTEE ANALYSIS OF 1996 INS LEGAL IMMIGRATION NUMBERS

Mr. ABRAHAM. Mr. President, yesterday, the Immigration and Naturalization Service [INS] officially released its legal immigration numbers for 1996. Attached please find an analysis by the staff of the Senate Immigration Subcommittee that helps place these numbers into context.

The analysis finds:

First, the 1996 increase in immigration is not part of a long-term rise in legal immigration but rather a temporary increase.

Second, many additional people being counted as immigrants in 1996 and 1997 were not new entrants but were already physically in the country as the spouses of those who received amnesty under the law signed by President Reagan in 1986.

Third, the increase is due largely to INS processing delays that caused many people who would have been counted as immigrants in 1995 to be counted in 1996.

Fourth, after a 20-percent decline between 1993 and 1995, this short-term increase in legal immigration numbers is expected to be followed by another decline to previous levels within 2 to 3 years.

And finally, in historical terms, legal immigration is moderate when measured as a percentage of the U.S. population—0.3 percent—the most accurate measurement of immigrants' economic and demographic impact. Numerically, legal immigration in 1996 was below the level recorded on 10 other occasions since 1904.

As chairman of the Senate Immigration Subcommittee, I hope this analysis sheds light on the legal immigration numbers released yesterday by INS. I ask unanimous consent that the Senate Immigration Subcommittee's analysis of the 1996 INS legal immigration numbers be included in the RECORD. Mr. President, I yield the floor.

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

SENATE IMMIGRATION SUBCOMMITTEE  
ANALYSIS

1996 INS LEGAL IMMIGRATION INCREASE PART OF A TEMPORARY RISE FOLLOWED BY DECREASE TO PREVIOUS LEVELS; '86 AMNESTY, INS PROCESSING DELAYS IN '95 LED TO RISE

WASHINGTON.—The Immigration and Naturalization Service (INS) today officially released its legal immigration numbers for 1996. Attached please find an analysis by the staff of the Senate Immigration Subcommittee that helps place these numbers into context.

The analysis finds:

The 1996 increase in immigration is not part of a long-term rise in legal immigration but rather a temporary increase.

Many additional people being counted as immigrants in 1996 and 1997 were not new entrants but were already physically in the country as the spouses of those who received amnesty under the law signed by President Reagan in 1986.

The increase is due largely to INS processing delays that caused many people who would have been counted as immigrants in 1995 to be counted in 1996.

After a 20 percent decline between 1993 and 1995, this short-term increase in legal immigration numbers is expected to be followed by another decline to previous levels within two to three years.

In historic terms, legal immigration is moderate when measured as a percentage of the U.S. population (0.3%)—the most accurate measurement of immigrants' economic and demographic impact. Numerically, legal immigration in 1996 was below the level recorded on 10 other occasions since 1904.

AN ANALYSIS OF THE 1996 INS LEGAL  
IMMIGRATION NUMBERS

PREPARED BY THE STAFF OF THE SENATE  
SUBCOMMITTEE ON IMMIGRATION—APRIL 1997

Summary: Between 1993 and 1995, the level of legal immigration declined by 20 percent. An analysis performed by the Senate Subcommittee on Immigration has determined that the increase in immigration reported by the INS for 1996 is part of a temporary trend and that the overall immigration numbers are projected to decline again within three years. The analysis shows that legal immigration is projected to plateau potentially in 1997, but more likely in 1998 or the following year according to the latest INS projections—and then to fall. Simply put, the 1996 increase from 1995 is not part of a long-term rise in legal immigration.

The subcommittee analysis shows that the approximately 27 percent increase in legal immigration in 1996, from 720,461 in 1995 to 915,900 in 1996, is explained by three factors: (1) INS processing delays in 1995 that led immigrants to be counted in 1996, rather than in 1995; (2) The aftermath of the 1986 Amnesty signed by President Reagan, which has enabled formerly undocumented immigrants to sponsor their spouses and children; and (3) the result of unused employment visas in 1995 that on a one-time basis boosted 1996's available total for family preference visas.

The 1996 immigration rate is lower than every year in the nation's history between 1840 and 1930, actually one-third the rate for many of those years, and lower even in absolute terms than near the turn of the century. By the most accurate measure of immigrants' demographic and economic impact on America—the annual immigration total as a percentage of the U.S. population—legal immigration remains moderate in historical terms at only 0.3 percent of the populace.

BACKGROUND ON THE LEGAL IMMIGRATION  
SYSTEM

Immigration categories are numerically restricted for family and business, with the

sole exception being the "immediate relatives" of U.S. citizens, whose totals changed little between 1986 and 1995. Their totals have risen over the last year, but their rise is part of a short term confluence of factors that is expected dissipate within the next two to three years. Under U.S. law, an American citizen can petition for (1) a spouse or minor child, (2) a parent, (3) a married child or a child 21 or older, or (4) a brother or sister. A lawful permanent resident (green card holder) can petition only for a spouse or child.<sup>1</sup> There are no "extended family" categories for aunts or uncles in the U.S. immigration system. Approximately three-quarters of all family immigration visas went to the spouses and children categories in 1996. The other one-fourth went to the parents and sibling of U.S. citizens. In addition, up to 140,000 people a year can immigrate with employment-based visas. Refugees are admitted after entering the country following the annual consultative process by which Congress and the President set each year's refugee totals. Finally, there are a limited number of "diversity" visas distributed to immigrants from "underrepresented" countries. In the immigration system as a whole, no country may receive more than 7 percent of the total visas allotted in a given year, although an exception is made for the spouses and children of lawful permanent residents.<sup>2</sup>

LEGAL IMMIGRATION IS PROJECTED TO PLATEAU  
AND THEN DECLINE

The analysis performed by the staff of the Senate Subcommittee on Immigration leads to one overarching conclusion: The 1996 increase in immigration is not part of a long-term rise in legal immigration but rather a temporary increase.

The conclusion that legal immigration will fall after a temporary two- to three-year bump upwards is already part of the public record. At a May 16, 1996 hearing before the House Subcommittee on Immigration and Claims, Susan Martin, executive director of the U.S. Commission on Immigration Reform, stated, "As the INS figures released on April 25 show, immigration levels will increase, without any change in current law, for the next two years and then return to approximately the level of last year."<sup>3</sup> [Emphasis added.] The 1995 total was 720,461, well below the 1996 total.

1. Processing Delays Artificially Inflate 1996 Totals

At the same hearing, House Immigration and Claims Subcommittee Chair Lamar Smith (R-TX) correctly pinpointed the primary reason that legal immigration was expected to rise from 1995 to 1996. He stated, "The FY 1995 figures were artificially low. An administrative logjam prevented the issuance in 1995 of immigrant visas to tens of thousands of individuals who were eligible to receive them and to be admitted immediately to the United States. This logjam resulted from delays in processing applications for green cards under section 245(i) of the Immigration and Nationality Act, a new provision that was effective for the first time in 1995."<sup>4</sup>

As Rep. Smith pointed out, a new procedure that allowed people to obtain green cards in the United States rather than having to travel to a consulate in their home countries significantly increased processing at INS offices in 1995 and caused delays. Those delays caused at least tens of thousands of people who would have been counted as immigrants in 1995, to be counted in 1996 instead. In other words, the 1996 increase is in many ways a bookkeeping phenomenon. As Figure 2 illustrates, when one smooths out the one-year blips in 1995 processing and other one-time anomalies and instead uses two-year averages, the data show that since

1990 the general direction in immigration has been downward.

2. The Aftermath of the Amnesty Artificially Increased 1996 Totals: Many People Newly Counted Were Already in the Country

The years 1989, 1990, and 1991 were artificially high because of the amnesty of undocumented immigrants signed into law by President Ronald Reagan under the Immigration Reform and Control Act of 1986. Yet it is equally true that much of the increase we have seen in annual immigration totals since those years are also a result of that amnesty.

That brings us to an important point that illustrates why many of those included in the 1996 increase do not represent an increase in new people physically entering the United States. In other words, many additional people being counted as immigrants for the period 1996-1999 are already here.

Here is what happened as a result of the 1986 law: When Congress granted amnesty to undocumented immigrants, it made no additional visas available for close relatives of the amnesty recipients, which eventually created a large backlog in the category. Between 1986 and 1990, the INS adopted the administrative policy of not deporting those relatives and allowing them to obtain work authorization. In 1990, Congress provided 55,000 visas a year to help these spouses and children gain permanent residence and to remain lawfully under Family Unity. Therefore, the spouses and children of many immigrants legalized by the amnesty have been waiting for their green cards while living with their sponsors in the United States. Amnesty recipients have now completed their five years of permanent residence required to apply for citizenship. Now that those formerly illegal immigrants are becoming citizens, under the law they can gain visas immediately for their spouses and children without a waiting list, since the spouses and children would be the immediate relatives of U.S. citizens (and there is no quota on the immediate relatives of U.S. citizens). In essence, that means that much of the increase in immigration in 1996 and 1997—most of which is in the category for the immediate relatives of U.S. citizens—will be the INS handing out green cards to spouses and children already physically here. It is that accounting phenomenon that will disappear after a few years.

3. One Additional Factor: Unused Employment Visas

Another reason for the 1996 increase is the combination of the lower immediate relatives total, which is related to the INS processing delays, and unused employment visas from 1995. Under U.S. law, if the number of immediate relatives of U.S. citizens does not exceed a certain level (in practice 254,000), then the unused employment visas from that year are added to the next year's total of family preference visas. In 1996, that made 85,000 more immigrant visas available to the family preference categories. Under the law, all of those additional visas went to the spouses and children of lawful permanent residents. However, the way the law operates, those additional visas will not be available in 1997 (because immediate relative immigration in 1996 was above 254,000.) The U.S. State Department has calculated that family preference visas will decline from 311,819 in 1996 to 226,000 in 1997, a drop of 27 percent.<sup>5</sup>

Figure 1 (on page 1), based in part on INS projections, shows that after a plateau is reached potentially in 1997, but more likely in 1998, legal immigration is projected to decline again. The latest information from the INS indicates that 1998 may be the peak year. It is possible that due to INS processing and naturalizations we will find that 1999

is the high point. Most important, however, is that these numbers will decline after this short-term rise. Note that the INS projections in Figure 1 did not take into account the impact of the income and sponsorship requirements passed under the 1996 immigration bill. Those new requirements are expected to have at least some effect in reducing legal immigration, particularly among spouses and children, that is not reflected in the INS projections.

#### IN HISTORICAL TERMS, LEGAL IMMIGRATION REMAINS MODERATE

As a percentage of the U.S. population—the most accurate measurement of the impact of immigration—legal immigration is moderate by historical standards. The annual rate of legal immigration in 1996 equaled just 0.3 percent of the U.S. population—less than one-third the rate near the turn of the century and lower than every year in the nation's history between 1840 and 1930. Even in absolute terms, the 1996 total is less than the annual totals near the turn of the century when America was smaller and less economically developed, and therefore less capable of absorbing new people than it is today. Numerically, legal immigration in 1996 was below the level recorded in 10 other occasions since 1904.

#### CONCLUSION

Our legal immigration system is based on America's historical commitment to immigration and to the principle that it is sound public policy to unite close family members, help employers sponsor needed employees, and provide humanitarian relief for those fleeing religious or political persecution. While numbers are a part of the system, it is important that we understand what the numbers mean and approach them with a minimum of rhetoric, but rather with a premium on intelligent debate.

Ben Wattenberg of the American Enterprise Institute describes the current level of immigration using this illustration: Imagine you are in a giant ballroom where 1,000 people are gathered for a Washington cocktail party. Champagne is being poured, waiters are carrying trays of hors d'oeuvres, and into the room walk three more people. Those three people represent the proportion of the U.S. population that immigrants add each year. There is little evidence these immigrants are spoiling the party.

#### FOOTNOTES

<sup>1</sup>INA Sections 201 and 203.

<sup>2</sup>INA Section 202(a)(1) states that the "total number of immigrant visas made available to natives of any single foreign state . . . may not exceed 7 percent" in a fiscal year. Under the law, 75 percent of the visas for the spouses and children of lawful permanent residents are not subject to the 7 percent ceiling.

<sup>3</sup>Statement of Susan Martin, Executive Director, U.S. Commission on Immigration Reform, Subcommittee on Immigration and Claims, U.S. House of Representatives, May 16, 1996.

<sup>4</sup>Opening Statement, Chairman Lamar Smith, "Projected Increases in Legal Immigration," Hearing Before the House Subcommittee on Immigration and Claims, May 16, 1996, p. 3.

<sup>5</sup>Immigrant Visa Control and Reporting Division, U.S. Department of State, "Various Determinations of Numerical Limits of Immigrants Required Under the Terms of The Immigration and Nationality Act as Amended by the Immigration Act of 1990," for FY 1996 and FY 1997. Under the law, a minimum of 226,000 family preference visas are available each year.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, April 22, 1997, the Federal debt stood at \$5,340,281,332,685.87. (Five trillion, three hundred forty billion, two hundred

eighty-one million, three hundred thirty-two thousand, six hundred eighty-five dollars and eighty-seven cents)

One year ago, April 22, 1996, the Federal debt stood at \$5,101,586,000,000. (Five trillion, one hundred one billion, five hundred eighty-six million)

Five years ago, April 22, 1992, the Federal debt stood at \$3,889,360,000,000. (Three trillion, eight hundred eighty-nine billion, three hundred sixty million)

Ten years ago, April 22, 1987, the Federal debt stood at \$2,271,567,000,000. (Two trillion, two hundred seventy-one billion, five hundred sixty-seven million)

Fifteen years ago, April 22, 1982, the Federal debt stood at \$1,058,288,000,000 (One trillion, fifty-eight billion, two hundred eighty-eight million) which reflects a debt increase of more than \$4 trillion—\$4,281,993,332,685.87 (Four trillion, two hundred eighty-one billion, nine hundred ninety-three million, three hundred thirty-two thousand, six hundred eighty-five dollars and eighty-seven cents) during the past 15 years.

#### U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING APRIL 18

Mr. HELMS. Mr. President, the American Petroleum Institute reports that for the week ending April 18, the U.S. imported 7,984,000 barrels of oil each day, 684,000 barrels more than the 7,300,000 imported during the same week a year ago.

Americans relied on foreign oil for 55.5 percent of their needs last week, and there are no signs that the upward spiral will abate. Before the Persian Gulf war, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970's, foreign oil accounted for only 35 percent of America's oil supply.

Anybody else interested in restoring domestic production of oil—by U.S. producers using American workers? Politicians had better ponder the economic calamity sure to occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the United States—now 7,984,000 barrels a day.

#### RECOGNITION OF HOME EDUCATION IN MISSOURI

Mr. ASHCROFT. Mr. President, I rise today to congratulate home schoolers in Missouri who are celebrating Missouri Home Education Week, May 4-10, 1997. As a parent and former teacher, I understand the vital importance of sound education in a child's development. The opportunities for students who achieve educational excellence are virtually limitless.

As a U.S. Senator I fully recognize that the character and productivity of our Nation are directly linked to the quality of education provided to America's youth. Throughout my career in

public service, I have been pleased to support the efforts of home schoolers to provide quality education.

Home educators in Missouri are making an extra effort to give their children the best chance for success in an ever-changing society. They recognize the importance of family and judge home schooling to be the educational setting that is most appropriate. By personally guiding the scholastic endeavors of their children, home educators ensure that all facets of a child's development are considered when preparing them to become active, productive, and responsible citizens.

In Missouri, home education has enjoyed considerable success in recent years because of the tremendous support received from citizens all across the State who realize the significance of family participation in the educational process. Furthermore, Missouri home schoolers are establishing one-on-one relationships with adult role models and mentors who enrich home education learning by providing hands-on business experience. This exposure to the marketplace allows home schoolers the opportunity to interact with business, community, and civic organizations.

I commend the achievement realized by home schools in the State of Missouri and applaud your noble work on this special observance of Home Education Week in Missouri, May 4-10, 1997.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-1619. A communication from the Commissioner of the Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the annual report for fiscal year 1994; to the Committee on Labor and Human Resources.

EC-1620. A communication from the Assistant Secretary for Labor for Occupational Safety and Health, transmitting, pursuant to law, a rule entitled "Abatement Verification" (RIN1218-AB40) received on March 31, 1997; to the Committee on Labor and Human Resources.

EC-1621. A communication from the Acting Secretary of Labor, transmitting, pursuant to law, a report relative to alternative tax proposals; to the Committee on Labor and Human Resources.

EC-1622. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report on the Orphan Products Board for calendar years 1993 through 1995; to the Committee on Labor and Human Resources.

EC-1623. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a rule entitled "Individual Market Health Insurance Reform" (RIN0938-AH75) received on April 10, 1997; to the Committee on Labor and Human Resources.

EC-1624. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant