

IMMIGRATION

Mr. KENNEDY. Mr. President, Republicans in Congress say they want to work out an immigration bill that can become law. Yet, the only negotiations now going on are between Republicans and Republicans. The struggling Dole campaign is desperately trying to keep the poison pill Gallegly amendment in the bill, over the objections of many Republicans who want to deal responsibly with illegal immigration. Dr. Dole is prescribing a poison pill, but Congress doesn't have to swallow it.

The record is clear. Members of both parties have worked together effectively and intensively for the past 2 years to develop bipartisan legislation to address the crisis in illegal immigration, and it is irresponsible for Bob Dole to sabotage the possibility of agreement.

This bill had its origin in the work of the bipartisan Jordan commission, which conducted extensive hearings and produced a comprehensive set of recommendations in September 1994.

Senator SIMPSON then conducted extensive Judiciary Committee hearings in 1995 on needed enforcement at the border, and on measures to deny jobs to illegal immigrants and prevent document fraud. The Immigration Subcommittee held 3 days of markup in June 1995 and again in November.

The full Judiciary Committee considered almost 150 amendments during 8 days in February and March 1996.

The full Senate adopted by the bill by an overwhelming vote of 97 to 3 in May, after almost 2 weeks of intense debate.

So we know how to work together to develop responsible legislation to combat illegal immigration. But instead of working together in this final stage, Republicans Tuesday canceled our immigration meeting at the last minute.

So far, Republicans are still fighting among themselves because of Bob Dole's irresponsible 11th hour intervention to salvage his campaign by sinking the bill, so that President Clinton will not have this bill to sign.

We need a bill that is tough at the border and tough in the workplace, not tough on children. We need a bill that tackles the problem of document fraud head on, so that illegal immigrants can no longer steal American jobs by using counterfeit documents to pose as legal workers. We need a bill that continues to protect Americans and legal immigrants from job discrimination. We need a bill that preserves the ability of American citizens to bring close family members to the United States.

We need a bill that protects all refugees from exclusion, not just those from Cuba. We need a bill that treats legal immigrants fairly under the welfare laws.

The current Republican bill winks at unscrupulous employers, and then lowers the boom on innocent school children through the Gallegly amendment.

The Nation's police officers and educators vigorously oppose the Gallegly

amendment, and for good reason. As Chief of Police Jerry Sanders of San Diego wrote in his June 25 letter to Congress:

If the proposed legislation becomes law, thousands of children may be turned away from school. Many of these children will be drawn to trouble or victimized by it, and I believe that both gang activity and juvenile crime will increase. I hope you will take these factors into consideration, and I encourage you to oppose the legislation.

Expelling children from school and dumping them on the street is no solution to the problem of illegal immigration, and is not even a partial solution. It will only make other problems worse. The cost to America in crime and other social costs will be immense.

A UCLA study found that each student kicked out of school will cost the Los Angeles government \$6,100 in police costs, judicial and penal costs, and health, welfare, and employment services.

Teenage pregnancy rates rise dramatically when students leave school. The pregnancy rate for teenagers in school is 8 percent, compared with 41 percent for those who are out of school. The result is huge costs in emergency medical services, intensive care for babies born prematurely to teenage mothers, and welfare costs for the children.

Every major study of illegal immigration reaches the same conclusion. The reason illegal immigrants come to the United States is for jobs. Jobs are the overwhelming magnet. They don't come so that their children can attend U.S. schools.

That was the conclusion of the 1976 report of the Ford administration's Domestic Council Committee on Illegal Immigration. That was the conclusion of the 1981 report of Select Commission on Immigration and Refugee Policy chaired by Father Theodore Hesburgh. That was the conclusion of the Bush administration survey of illegal immigrants in 1992. That was the conclusion of the Barbara Jordan commission in 1994. That was the conclusion this year of a study by the Center for Population Research at the National Institutes of Health, which concluded that "the estimated value of welfare, medical, and educational benefits that migrants could expect to receive in the United States had no clear relationship to the likelihood of migrating."

Expelling children from school won't prevent illegal immigration. Some 80 percent of the children have brothers or sisters or parents who are legally in the United States or who may even be citizens. These families have roots here, and the Gallegly amendment won't make them leave.

Some versions of the Gallegly amendment have proposed that States charge tuition, rather than expelling children from school. The average cost of public school is \$5,600 per child per year. Charging tuition is the same as kicking children out of school. Their parents can't afford tuition, even if

they were willing to identify themselves by writing a check.

The Gallegly amendment is only the beginning of the problems with the current Republican bill. Republicans have kowtowed to special business interests and eliminated needed provisions to protect American jobs from illegal workers. In fact, for American workers under the Republican bill, it is three strikes and you're out.

First, the bill denies the Department of Labor the additional inspectors needed to make sure employers obey the law. The Senate bill added 350 more inspectors, a 50-percent increase. The House bill contained a similar increase when it was approved by the House Judiciary Committee. But under pressure from business lobbyists, the House Republican leadership quietly stripped that provision from the bill, with no vote and with no debate.

No one can say to the American people with a straight face that this bill combats illegal immigration, when it gives employers a slap on the wrist if they hire illegal immigrant workers.

Second, this bill fails to deal adequately with the serious problem of document fraud. Too many illegal workers obtain jobs by using fake documents to pass as legal immigrants or even U.S. citizens.

What's needed is more secure forms of birth certificates and other documents widely used to prove citizenship and identification. Birth certificates in particular are breeder documents. A fake birth certificate breeds a host of other fraud. With a fake birth certificate, an illegal immigrant can get a Social Security card—and often a passport, too. These fake documents enable them to get jobs illegally, and get welfare benefits illegally, too. Yet the Republican bill, under pressure from unscrupulous employers, doesn't crack down the way it should.

Third, this Republican bill gives employers who discriminate against Hispanic-American workers and Asian-American workers a green light to continue that discrimination. The bill sets an impossibly high standard for proving that employers put Hispanics and Asians through more hoops to get jobs than other American workers. This kind of job discrimination is flagrant and wrong, and Congress should not let employers continue to get away with it.

The Republican bill also puts an unfair dollar sign on family reunification. American citizens who want to bring in family members—even wives or husbands or young children—must meet excessive income standards. It doesn't matter if the family members they are sponsoring have a job or have assets of their own. These citizens are out of luck and out of hope for reuniting their families in America, and Congress should reject this harsh antifamily standard.

Finally, the Republican bill hurts refugees, makes the recent welfare reforms even worse, and gratuitously endangers the environment. All of these

issues can be satisfactorily resolved in a fair bipartisan conference. But they cannot be resolved if Republicans continue to quarrel among themselves and let the Dole campaign dictate steps that have nothing to do with reasonable immigration legislation. Bob Dole may not want action by Congress on illegal immigration but the country does, and the vast majority of Americans and Congress do.

I also ask unanimous consent to have printed in the RECORD the excellent editorial in the New York Times today.

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

A DANGEROUS IMMIGRATION BILL

As the White House and members of Congress make final decisions this week about a severely flawed immigration bill, they seem more concerned with protecting their political interests than the national interest. The bill should be killed.

Debate over the bill has concentrated on whether it should contain a punitive amendment that would close school doors to illegal-immigrant children. But even without that provision, it is filled with measures that would harm American workers and legal immigrants, and deny basic legal protections to all kinds of immigrants. At the same time, the bill contains no serious steps to prevent illegal immigrants from taking American jobs.

Its most dangerous provisions would block Federal courts from reviewing many Immigration and Naturalization Service actions. This would remove the only meaningful check on the I.N.S., an agency with a history of abuse. Under the bill, every court short of the Supreme Court would be effectively stripped of the power to issue injunctions against the I.N.S. when its decisions may violate the law or the Constitution.

Injunctions have proven the only way to correct system-wide illegalities. A court injunction, for instance, forced the I.N.S. to drop its discriminatory policy of denying Haitian refugees the chance to seek political asylum.

On an individual level, legal immigrants convicted of minor crimes would be deported with no judicial review. If they apply for naturalization, they would be deported for such crimes committed in the past. The I.N.S. would gain the power to pick up people it believes are illegal aliens anywhere, and deport them without a court review if they have been here for less than two years.

The bill would also diminish America's tradition of providing asylum to the persecuted. Illegal immigrants entering the country, who may not speak English or be familiar with American law, would be summarily deported if they do not immediately request asylum or express fear of persecution. Those who do would have to prove that their fear was credible—a tougher standard than is internationally accepted—to an I.N.S. official on the spot, with no right to an interpreter or attorney.

Scam artists with concocted stories would be more likely to pass the test than the genuinely persecuted, who are often afraid of authority and so traumatized they cannot recount their experiences. Applicants would have a week to appeal to a Justice Department administrative judge but no access to real courts before deportation.

The bill would also go further than the recently adopted welfare law in attacking legal immigrants. Under the immigration bill they could be deported for using almost any form of public assistance for a year, in-

cluding English classes. It would make family reunification more difficult by requiring high incomes for sponsors of new immigrants. The bill would also require workers who claim job discrimination to prove that an employer intended to discriminate, which is nearly impossible.

A bill that grants so many unrestricted powers to the Government should alarm Republicans as well as Democrats. This is not an immigration bill but an immigrant-bashing bill. It deserves a quick demise.

Mr. KENNEDY. I will read the lead paragraph and the final paragraph.

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I yield the remainder of my time. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. FRAHM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CONRAD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator is recognized for 30 minutes.

Mr. CONRAD. I thank the Chair.

THE DOLE ECONOMIC PLAN—IT DOESN'T ADD UP

Mr. CONRAD. Madam President, we are now about 7 weeks away from critically important decisions about our country's future. We are 7 weeks away from the Presidential election—7 weeks away from decisions on who will represent the United States in the Halls of Congress.

This election is becoming a debate on the economic policy that will guide this country's future. There can be no more important debate. For a long time the conduct of economic policy in this country has been central to the question of who will guide our country in terms of political leadership.

Madam President, once before we had a Presidential candidate who told the American people that we could cut taxes dramatically, we could increase defense spending while holding large parts of the Federal budget harmless, and that somehow it would all add up. We took that gamble once before. It didn't work. It didn't add up.

We can just go back to 1981, and administration of Ronald Reagan, when he told the American people we could have massive tax cuts, we could increase defense spending, large parts of the Federal budget would not be touched, and it would all add up. We can see what happened.

President Reagan inherited a deficit of about \$80 billion, but it quickly exploded to \$200 billion a year. Then we had years of some small improvement,

and years when the deficit jumped back up. But the deficit was averaging over \$200 billion. At the end of his term the deficit declined slightly.

Then President Bush came into office. He inherited a deficit of \$153 billion, and it promptly skyrocketed to \$290 billion in 1992. President Clinton came into office at that point, and every year since the unified budget deficit has declined. Four years in a row the unified deficit has gone down. It has now been reduced by 60 percent since 1992.

So that is the record of the last three administrations with respect to deficit reduction.

Madam President, this chart shows that, even though we have made significant progress on reducing the budget deficit, if we do not keep pressure on Federal spending and if we do not keep our eye on the need for deficit reduction, very quickly we are going to see the deficit rise again. In fact, if no changes are made, the deficit from 1997 to 2006 is going to start rising dramatically. This country faces a demographic time bomb. It is called the baby-boom generation. When those baby boomers start to retire in very short order they are going to double the number of people who are eligible for our basic Federal programs—Social Security, Medicare. And that is going to put enormous pressure on the Federal budget.

That is why it is critically important that we continue to keep our eye on deficit reduction. That means we have to do more, even though without question much has been accomplished under the leadership of President Clinton. The deficit has come down dramatically. But even with all the progress that has been made, much more needs to be done or this problem once more will get away from us.

This next chart shows in a very clear way the challenge that we face over the next 6 years. This chart shows what the spending will be under current law over the next 6 years—\$11.3 trillion. That is what will happen if no changes are made. And on the revenue side, if no changes are made, over the next 6 years we will get \$9.9 trillion in Federal revenue.

So we can see very clearly that we are going to be adding more than \$1.4 trillion to the national debt over the next 6 years if we do nothing.

What does Senator Dole propose? Senator Dole suggests, looking at these numbers—\$11.3 trillion of spending, \$9.9 trillion of revenue—that the first thing we ought to do is cut our revenue. He says the first thing we ought to do is, since we are going to have \$9.9 trillion of revenue, let us cut that \$550 billion. Let us dig the hole deeper before we start filling it in. Madam President, it does not take any great mathematician to figure out, if we are going to add more than \$1.4 trillion to the debt, if we do not make any changes, and the first change Senator Dole wants to make is to cut our revenue \$550 billion,