

sincerely what Teddy Roosevelt said. I have quoted Teddy Roosevelt a few times on this floor. To paraphrase, he said Americans have a responsibility to critique the President more than any other person in America. To not do so is both base and servile.

My friend also knows that I have spoken out about the leadership of Presidents of my own party. President Reagan busted the budget with his defense spending. I questioned his wisdom and leadership in cracking down on welfare queens while letting welfare queens in the defense industry squeeze through the cracks. I questioned President Bush when he proposed raising taxes in 1990. He promised he would not, but he did; and I criticized him.

Now I am criticizing this President, President Clinton, for failing to set a good example across the board. It is a pattern. It is pervasive. It encourages more cynicism by our people.

If we want to set a good example for the young people of this country and for the next generation, if we want to stop the growing cynicism in this country toward our elected leaders and our institutions, then we must begin by setting higher standards of conduct for ourselves. We must set a good example for our country.

When we do not, Mr. President, when we do not do that, it is precisely because of a failure of moral leadership. I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. As I understand it, we are in morning business and entitled to address the Senate for 5 minutes.

The PRESIDING OFFICER. The Senator is correct.

#### THE MINIMUM WAGE

Mr. KENNEDY. I thank the Chair. Mr. President, in just a few moments we are going to return to the immigration bill. We have orders for votes on various amendments. Then, hopefully, we will have the legislation that will be open for amendment. I intend at the earliest possible time to offer an amendment on increasing the minimum wage. I would be more than glad to enter into a time limitation so that our side would have 30 minutes and the other side would have 30 minutes. It seems to me that the 13 million families that will be affected by the minimum wage are entitled to have at least 30 minutes of the U.S. Senate's time in order to make their case before the U.S. Senate, and it seems to me that they are entitled to a decision by the U.S. Senate as to whether we are going to provide some economic justice and decency for those Americans who have been left out and left behind on the lower rung of the economic ladder—who are working hard, trying to provide for their families, and still existing in poverty.

Mr. President, I think the urgency for offering that amendment is just

emphasized once again by what the leader in the House of Representatives talked about just yesterday, that he, Mr. ARMEY, as the House majority leader, has indicated his continued opposition to the increase in the minimum wage. What he is basically talking about is a brand new entitlement program, the elimination of the earned income tax credit, which is a lifeline to working families, particularly working families with children. All of us understand that the earned income tax credit, which Ronald Reagan himself said was the best poverty program, provides help and assistance for working families with children. The minimum wage makes a difference for those families. For the individual or couple who does not have children, the increase in the minimum wage makes the greatest difference to them.

But what Mr. ARMEY is talking about is the elimination of the earned income tax credit. He says we will develop a program. Who will run it? The IRS, the Internal Revenue Service. They are going to be the ones who run a new entitlement program.

Now, Mr. President, he says this will save \$15 billion. You know where that \$15 billion is going to come from? It will come from those who benefit from the earned income tax credit, who are the neediest working families in this country.

The increase in the minimum wage will provide \$3.7 billion a year to these families. So, in effect, what he is saying is we will take the earned income tax credit away from those families, we will put in the Internal Revenue Code a subsidy program, and the subsidy program, which will be paid for by Federal taxpayers, generally will be contributed to by other workers.

Mr. President, it is about time we had a clear vote and a clean vote on the increase in the minimum wage. We have a bipartisan group here in the U.S. Senate, Republicans and Democrats alike, who have supported the increase in the minimum wage. We are going to take the first opportunity that presents itself, after the disposition of these votes, to offer that with a time limit so the American people will be able to find out who is on their side.

I would hope that we would be able to work that out as a matter of comity, but we are going to continue to press that issue as we move through with this legislation and other legislation until we have an opportunity to speak for those 13 million families that are, today, being left out and left behind.

There is no excuse for the majority leader not to schedule this program. We would not need to offer this amendment if we were given a reasonable time to debate this on a clean bill and do it at any time of the day or evening that the majority leader wants to do it.

Let us have at least an opportunity to speak to this issue. Mr. Majority Leader, do not deny us economic justice for working families.

Mr. LOTT. Noticing that the manager of the bill is not on the floor yet,

I ask unanimous consent that the time for morning business be extended for 10 minutes so I may address some comments to the ones just made and speak briefly about this bill.

The PRESIDING OFFICER (Mr. SANTORUM). The Senator from Massachusetts.

Mr. KENNEDY. Reserving the right to object, I will not object as long as my friend and colleague will somehow be recognized during consideration of morning business.

Mr. DORGAN. Parliamentary inquiry. My understanding was that morning business was already extended 10 minutes by the unanimous consent, agreed to by the Senator from Iowa, Senator GRASSLEY. If that is the case, the Senator from Mississippi is asking the 10 minutes be added to that time?

Mr. HATCH. Will the Senator yield?

Mr. LOTT. I am happy to yield to the Senator. First, Mr. President, is that correct, it had already been extended?

The PRESIDING OFFICER. Morning business closes at 10:10.

Mr. HATCH. Mr. President, I was supposed to be accorded 15 minutes for my remarks. I have to make these remarks this morning. I appreciate if it could be extended. I was on the list. Could I follow the distinguished Senator from Mississippi?

Mr. LOTT. Mr. President, if I could inquire of the Chair, does the distinguished Senator from North Dakota desire time also?

Mr. DORGAN. Yes.

Mr. LOTT. How much time is he interested in?

Mr. DORGAN. Eight minutes.

Mr. LOTT. Mr. President, I ask unanimous consent that the time for morning business be extended until 10:30.

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

Mr. HATCH. Could it be in this order: the distinguished Senator from Mississippi, then the Senator from Utah, then the Senator from North Dakota?

Mr. LOTT. I modify the unanimous consent to that effect.

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

Mr. LOTT. Thank you, Mr. President. I thank my colleagues for working with us as we get that worked out.

#### IMMIGRATION

Mr. LOTT. Mr. President, we are here today going to take up legislation that I hope will pass before the end of this legislative week. It is very important legislation. It is major immigration reform.

We have a problem in America with illegal immigration. We are not controlling our borders. We have illegal immigrants in this country that are taking advantage of the taxpayers of this country. There needs to be some changes. There needs to be some relief in the way we handle immigration in America, particularly as it applies to illegal immigrants.

This legislation has already been delayed a week now while we argue over

whether or not to allow extraneous matters, amendments that are not relevant to this legislation. Whether or not they will be added, it is a distraction. We can work out these matters. They can be offered on other occasions, on other bills. I plead with my colleagues for us to keep our focus on the bill before us—illegal immigration reform. If you want this problem to be dealt with, you have to give us the time to deal with the amendments that are relevant, those that are pending. Others, I am sure, will be welcomed.

We can work on this legislation today and hopefully finish it tomorrow. If we get sidetracked with issues that are not relevant, have not been considered by the committee that is bringing this bill up, it will delay it, maybe even cause it to be withdrawn or maybe not be completed. The American people want this action. We need to face up to doing the right thing.

The Senator makes the point about the minimum wage. I know there are discussions going on now in a bipartisan way, and among the leadership on all sides of the Capitol, both sides of the Capitol, to come up with a way to consider how we address the problems of job security in America.

I am worried about job security. I am worried about people that will lose their jobs and small businesses that could lose jobs in their business or have to pay the costs of what the Senator from Massachusetts is proposing. We need to think about how we proceed on this. I think we can come up with a degree to proceed.

In the meantime, we need to address this problem: How we can help State and local officials in dealing with illegal immigrants. The bill reported from the Committee on the Judiciary focuses on the problem of illegal immigration, entry into the territory without official approval as an immigrant, refugee, or alien. That illegal entry is a crime. We need to start with that. It is a crime. "Illegal" means you are doing something that is wrong and is a crime.

It may have extenuating circumstances. It may make sense for those who undertake it to come into this country. Obviously, they are attracted to the free enterprise system in America. They have economic and social concerns for their families. It is a crime and strikes at the heart of one of the conditions of nationhood: the ability to control the borders of our own country. That is what this bill is about and what our debate this week should be about.

I hope we will not be treated to accusations of xenophobia and racism from those who oppose a legitimate crackdown on illegal immigration. You talk about job loss; there are problems where jobs are being improperly taken by these illegal immigrants. What we are trying to do with this legislation is reestablish order and control over the process of entering the United States. Orderly immigration has always been a

net good for our country. If we tried to catalog the major contributions—scientific, economic, cultural, patriotic—of immigrants in the last few decades, it would take more time than we could spare here. Just as industrial America grew strong from the human capital of Ellis Island, so is our country's future being created anew by our new citizens that come in from every corner of the world. That is fine.

The Republican platform in 1992, the one some of the news media denounce as antiimmigrant, put it this way:

Our Nation of immigrants continues to welcome those seeking a better life. This reflects our past, when some newcomers fled intolerance; some sought prosperity, some came as slaves. All suffered and sacrificed but hoped their children would have a better life. All searched for a shared vision—and found one in America. Today we are stronger for their diversity.

Uncontrolled immigration, however, is a different matter. We simply cannot allow our borders to be overrun, our laws flouted, and our national generosity abused. Every year, over one million persons are turned back while attempting illegal entry into this country. But many more are not apprehended and get into the country. There are probably more than 4 million illegal aliens now in this country. Their numbers are growing at about 300,000 to 400,000 people each year. That is unacceptable. The American people are paying a tremendous price because of it.

It was not so long ago that Congress legislated amnesty for persons then illegally in the United States. Hundreds of thousands of illegal aliens and undocumented aliens, they were preferred to be called, took the opportunity to regularize their presence here. Many of them have now become citizens. More power to them. But to balance that unprecedented amnesty—and to make sure it need never be repeated—we need to pass this legislation.

I urge my colleagues to keep their focus on this important legislation. We should get it done. It is overdue.

#### JUDGES AND CRIME

Mr. HATCH. Mr. President, I wish to respond to some of the extraordinary remarks President Clinton made during the recent congressional recess on crime and judicial appointments. Let me note, again, that there is simply no substitute, as a practical matter, for the sound exercise of Presidential judgment in nominating persons to lifetime Federal judgeships.

I find President Clinton's remarks on April 2—which have been echoed by Vice President GORE and by White House aides—concerning the administration's record on judges to be a remarkable effort to dodge the consequences of his own judicial selections and to deflect the attention of the American people from these selections. I welcome the opportunity to set the record straight and to dispel the administration's myths they are at-

tempting to weave to protect their judges and themselves.

MYTH NO. 1

The President said, regarding criticism of his judicial selections, that this side is "sort of embarrassed" by our crime record. Vice President GORE repeated this assertion before a group of newspaper editors, and Jack Quinn, the White House counsel, echoed it in yesterday's USA Today. This simply is not true, no matter how many times the President repeats himself. And this from a President AWOL—absent without leadership—in the war on drugs. He mentioned the Brady bill, the so-called assault weapon ban pertaining to 19 firearms, the 100,000 police he keeps talking about, and the 1994 crime bill. I will examine each in turn.

It is the swift apprehension, trial, and certain punishment of criminals that is our best crime prevention mechanism, not the gun control measures the President mentions. Hard-nosed judges, tough prosecution policies, and adequate prison space will do more to control crime than these measures. I might add that it is particularly ironic to hear the President's comment this month. This side of the aisle has just sent the President the product of over a decade of Republican efforts to curb endless, frivolous death row appeals. The bill also places prohibitions on terrorist fundraising; contains provisions on terrorist and criminal alien removal and exclusion; strengthens the laws pertaining to nuclear, biological, and chemical weapons; authorizes \$1 billion over 4 years for the FBI, the Drug Enforcement Agency, the INS, U.S. attorneys, the Customs Service, and other law enforcement agencies; and a number of other tough provisions.

Although I expect the President to sign the antiterrorism bill today, he worked against its key restrictions on the abuse of the writ of habeas corpus. He even sent his former White House Counsel, Abner Mikva, to lobby on the Hill to dilute these provisions, which will provide for the swifter execution of death row murderers.

Meanwhile, his Solicitor General, Drew Days, has failed to appeal decisions, such as the case of United States versus Cheely, that may hamper efforts to impose the death penalty on terrorists such as the unabomber in California. During a November hearing chaired by myself and my good friend Senator THOMPSON, the Judiciary Committee learned that the Clinton administration's Solicitor General generally has ceased the efforts of the Reagan and Bush administration to vigorously defend the death penalty and tough criminal laws.

Instead, the Clinton administration's Solicitor General has refused to appeal soft-on-crime decisions to the Supreme Court, and he even has argued before the Court to narrow Federal child pornography laws.

The President talks about 100,000 new police officers. His plan will not add