

LOSS OF HEALTH CARE COVERAGE
FOR MORRELL RETIREES

Mr. PRESSLER. Mr. President, I join my colleague, Senator DASCHLE, in efforts to find a solution for the Morrell retirees' who have lost their health benefits.

Nearly 1,200 Morrell retirees living in South Dakota have had their health insurance benefits terminated. Many retirees cannot purchase a private health insurance plan. Under the terms of their retirement contract with John Morrell & Co., health insurance benefits were provided to all retirees. But like so many retirees, they have found the ground rules changed. John Morrell & Co. has terminated their health benefits. This decision has caused great hardship for many South Dakota citizens. Benefits, which they were promised and which they earned, have been terminated.

I have taken steps to correct this problem. I have written to Mr. Carl Lindner, president of the Morrell parent company, Chiquita Brands. I asked that they reverse their earlier decision to terminate benefits. In addition I have drafted legislation, which I am garnering support for, which would reduce the health insurance deduction for corporations that terminate health insurance benefits of their retirees. Specifically, my proposal would limit a company to deduct just 25 percent of their health insurance costs—if they terminated the health benefits of their retirees.

The union has appealed this decision and the matter next goes before the Supreme Court. I am working on an amicus brief and hope to file this on behalf of the retirees.

I am prepared to assist in legislation, or take any needed steps, to find a solution. This will be very difficult. However, I am hopeful this can be resolved.

I did want to rise on the Senate floor to say that I am very concerned about what has happened to those retirees who have lost their health insurance in a contract dispute which sprung out of a long and difficult labor dispute that has been going on near the meat packing plant of John Morrell & Co. in Sioux Falls, SD.

So, Mr. President, I wish to announce that I am also prepared to join in a legislative effort to protect not only these retired workers, but other retired workers who believed that they had health care coverage into their retirement. We must make it clearer to people what these contracts contain. I think both unions and management have an obligation to be clearer and more careful about the rights of these elderly retirees in the medical area.

Mr. SIMPSON. Mr. President, I thank the Chair.

(The remarks of Mr. SIMPSON pertaining to the introduction of S. 559 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Maine.

Mr. COHEN. Mr. President, I ask unanimous consent I be allowed to proceed in morning business for a period of time not to exceed 15 minutes.

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

AFFIRMATIVE ACTION

Mr. COHEN. Mr. President, I have been planning to take the floor for some time this week and have not been able to do so, given the Senate's schedule prior to this time. I was not aware that Senator DOLE would be taking the floor to talk about affirmative action.

First, let me say that I have the highest regard and respect for Senator DOLE and I agree completely with what he said earlier that no one—no one—can criticize his position on civil rights or on policies that would benefit those who suffer from any sort of affliction or disability.

Especially in the field of civil rights, he has been a leader. No one can question his motivations. I think he is correct to start calling attention to some revisions that may be necessary in dealing with affirmative action.

Having said that, I want to point out that affirmative action has moved apparently to the center stage of this country's political agenda. Critics of programs designed to address centuries' old discrimination range all the way from Presidential contenders to syndicated columnists.

Some argue that our Nation is or should be colorblind and our laws race and gender neutral. Some have argued—and I am paraphrasing, but I think correctly—that reverse discrimination is as bad as slavery. I want to repeat they believe that reverse discrimination is as bad as slavery. I suggest, perhaps, a reading of Alex Haley or James Baldwin or Gordon Parks might be beneficial in dismissing such a preposterous notion.

One writer has written that, "Compensatory opportunity is advocated by those who want to remedy the presumed victimization of certain groups in the past." Mr. President, since victimization has only been presumed, apparently like the Holocaust, it has to be proven in the present and in the future time and time again.

It is also said that preferential treatment based on race, gender or ethnicity is inherently anti-American and contributes to the polarization of the American people. Finally, some say that 30 years is long enough to compensate for the four centuries of our fathers' sins.

Mr. President, I should point out that these critics of affirmative action are not confined to angry white males. There are a number of prominent blacks, some of whom have no doubt been the beneficiaries of affirmative action programs, who now denounce the programs because of the so-called

Faustian bargain that they had to strike. They resent the fact that they now have scarlet letters "AA" stamped on their brow, which, they believe, forever identifies them as social and intellectual inferiors who could not make it on merit.

Let me say, Mr. President, as a strong supporter of programs designed to help women and African Americans and other minorities break through glass ceilings and concrete walls, I believe, as I said earlier, that no program, however well-intentioned, should be excluded from review, revision, even elimination if circumstances warrant. There is no doubt in my mind that some programs have been used and abused in ways that many of us who are the authors and supporters of affirmative action never anticipated. The Viacom deal, which is about to come before the Senate in the next week or two, is perhaps a classic case of a program that has long since outlived its usefulness. Maybe it needs to be rejected and repealed.

But I say to those who argue that we should not consider any preferential treatment on the basis of group membership, I think we have to look back into our history and look deep into our hearts and remind ourselves that we have a great deal to account for and correct based on discriminatory policies of the past—policies that continue to this very day. Judgments and jobs are not, as we would like to believe, based on the content of our character. They are, in fact, in many, many cases still based on the color of one's skin, gender or ethnic background.

I know that affirmative action is said to be a politically defining issue, a wedge issue, one that is going to drive the middle-class white voters fully into the arms of the Republican Party, leaving the minorities and women and other liberals floating in the backwash of the Democratic Party. The polls actually confirm that this wedge is politically powerful and popular as a force that will, in fact, succeed in dividing segments of our society into clearly defined political camps.

Mr. President, let me say I believe any short-term political success is going to prove to be a long-term policy disaster, because what is truly at stake in the coming debate is not wedges but values.

There are two values that lie deep within the American hearts and minds. One is that every person should be given a fair chance to compete in the classroom, on the athletic fields and in the workplace. Every person under our Constitution should enjoy equal privileges and protections of the law.

Second, there should be no special privileges, no favoritism, no artificial or arbitrary rules that give something to someone that has not been earned. There should be no quotas, no rules of thumb. We want rules of reason instead.