

there to strangle us if we do not understand what the invisible hand responds to and what it does not.

As I have mentioned before on the floor of this Chamber, I would recommend that those who frequently call on the ghost of Adam Smith and subscribe to the prescriptions of the invisible hand pull from their shelves a copy of "Wealth of Nations." Dust it off and give it another good read. Smith clearly outlines the role of Government, a perspective with which I would agree.

He states that first, the State has a "night watchman function," to see to the safety and security of its citizens. He argues that the State must educate its labor force—something that we do poorly in this Nation. He continues that the State must build the infrastructure on which commerce depends; that it must build roads, canals, bridges; and in the modern context, airports, the national information infrastructure, basic research laboratories, and export assistance offices. The Government must pay for itself and must therefore tax and charge for its services. And the Government must support development of those technologies that are not at first easily commercializable—in his day, shipbuilding, and in ours, nuclear energy. Adam Smith himself outlines these as the indispensable functions of Government, of minimalist Government, and leaves the rest to be fixed by the market.

Those of us who are tasked with the responsibilities of writing budgets and voting on them cannot neglect the indispensable roles that Government does have. But I believe that the theologies driving recent Republican budgets have neglected these roles. And we must revisit this effort knowing that while we must cut our budget deficit, we must also promote high-end economic growth which creates high wage jobs and a better standard of living for our citizens. And enmeshed as we are in a global economy, we have to export more and erase the chronic deficits that represent real job-leakage from our economy.

I look forward to voting in favor of a Commerce, Justice, State appropriations bill that cuts back unproductive investments that the government makes in favor of those that address the welfare of our Nation, now and into the future. But I am afraid that this bill does not help to secure the welfare of our citizens.

In closing Mr. President, I am disappointed at this legislation as it was presented to the Senate. I am happy that we have been able to make some changes to the more misguided portions of the bill and I am also glad that the managers have agreed to accept amendments I intended to offer to the bill. However, I cannot support a bill that takes our Nation back in time and dismantles programs upon which we should be basing our future.

NEEDED: IMMIGRATION REFORM WHICH PROTECTS FAMILIES AND U.S. WORKERS

Mr. KENNEDY. Mr. President, in the coming weeks, the full Senate will be engaged in the important issue of reforming the immigration laws. Our principal goal is to provide the additional authority needed to combat illegal immigration. Initial progress is being made as a result of increases in resources and personnel of the Immigration and Naturalization Service to deal with this ongoing crisis that is so harmful to the country, but much needs to be done.

It would be a mistake, however, to allow the Nation's concerns about illegal immigration to create an unjustified and unwarranted backlash in Congress over legal immigration.

Legal immigrants come to America within the limits prescribed in the immigration laws. They join their families, roll up their sleeves, and contribute to U.S. communities. There is every reason to believe that today's new Americans will build an even stronger America for the next generation just as our immigrant predecessors did for us.

It is especially important, therefore, that any reforms of the laws governing legal immigration must protect families and U.S. workers.

Most Americans agree that U.S. citizens should have the right to bring spouses, children, and other close family members to this country to be with them here if they wish to do so. Yet, there are those who would deny American citizens the privilege to reunite their families in America.

Proposals currently before Congress would make it illegal for an American citizen to bring a parent who is under age 65. It would be illegal for Americans to bring in their adult children. And it would be illegal to bring in a brother or sister.

In each of these cases, under current law, the U.S. citizen must agree to sponsor their relatives—to provide for them if they fall on hard times. And we must take additional steps to ensure that U.S. citizens fulfill their sponsorship obligations and be prepared to take legal action against them when they fail to care for their immigrant relatives.

Clearly, some reforms may be desirable in the numbers admitted each year. But we should not deny U.S. citizens the privilege of family reunification—whether it involves their parents, their adult children, or their brothers and sisters.

In the case of brothers and sisters, large numbers of Americans have already paid millions of dollars in fees to the Federal Government to have their siblings join them in America. Yet, not only are there those who would eliminate this immigration for the future, they would even deny any possibility of family reunification here for those Americans who have paid hard-earned dollars to the Government and waited

patiently for their brothers and sisters to come.

In addition to protecting families, our laws governing legal immigration must also protect U.S. workers. When immigrants come here at the request of an employer to fill a job vacancy, and not for family reunification, we must make certain that they do not displace a U.S. worker from that job. And we must ensure that employers do not underpay immigrants and undercut the wages of American workers.

Our immigration laws have enabled dedicated workers to come here to contribute their skills and ingenuity to American businesses. At times, they have made the difference between the success and failure of an enterprise and have saved American jobs in the process.

Nevertheless, in many respects, the laws and procedures governing immigration for employment fail to protect U.S. workers adequately. Although U.S. employers are required to attempt to recruit U.S. workers before turning to immigrants, this process results in the hire of an American worker less than one-half of 1 percent of the time. Clearly, the current recruitment requirement does not work and is widely ignored.

I am particularly concerned that the laws permitting temporary foreign workers to come to this country have not kept pace with changes in the labor market. U.S. companies are resorting increasingly to temporary hires, rather than permanent employees, and are contracting out functions which they previously performed in-house with permanent staff. The growth of temporary and part-time employees in the labor market means that temporary foreign workers are now in direct competition with this new class of American worker.

Lax immigration standards on temporary foreign workers—so-called nonimmigrants—have enabled computer consulting firms, health care providers, and too many others to turn to temporary foreign workers. As some U.S. companies lay off U.S. workers from their permanent payrolls, they are hiring temporary foreign workers to take their places.

This practice cannot be permitted to continue. I join with the chairman of the Immigration Subcommittee, Senator SIMPSON, in seeking reforms of this aspect of our immigration laws. Clearly, when employers cannot find a qualified U.S. worker, the immigration laws should fill the gap. But these laws must not be a pretext for hiring cut-rate foreign labor at the expense of U.S. workers.

The immigration issue is about our roots as Americans. It is also about how we see our future. We all agree that we must control illegal immigration. But very different considerations apply to legal immigrants. In the process of enacting immigration reform, we must remember and honor the many benefits which legal immigrants have

brought to our Nation. The reforms we enact must crack down on illegal immigrants, but they must also protect U.S. workers and the right of American citizens to reunite with their families.

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. The hour of 11 a.m. having passed, morning business is closed.

CUBAN LIBERTY AND DEMOCRATIC
SOLIDARITY [LIBERTAD] ACT OF
1995

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 927, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 927) to seek international sanctions against the Castro Government in Cuba, to plan for support of a transition Government leading to a democratically elected Government in Cuba, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 2898, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. HELMS. I thank the Chair. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HELMS. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. HELMS. Mr. President, I am about 6 minutes late in reaching the Senate floor because of my responsibility of presiding this morning over the Foreign Relations Committee, at which our former Senator Sasser from Tennessee appeared as President Clinton's nominee to serve as U.S. Ambassador to Communist China.

It was good to see so many people from Tennessee, including Senator Sasser's attractive family. I listened with great interest to his testimony.

Mr. President, we now resume consideration of the Libertad bill involving the question of whether the United States will continue to tolerate a Communist tyrant 90 miles off our shore, the tyrant being, of course, Fidel Castro.

We have a lot of friendly activity around this place from time to time, bipartisan some of it, but much of it intensely partisan. But after all is said and done, most of the times those who participate in partisan exchanges leave the Senate Chamber with friendships intact. That is what I so often do with the distinguished Senator from Connecticut [Mr. DODD].

Senator DODD is an interesting gentleman. He is the son of a distinguished

U.S. Senator whom I knew. And I think it is fair to say—and I know that CHRIS DODD, the present Senator, would acknowledge the fact—that he and his father differed very sharply in their philosophical views, their views about foreign policy, and so forth. That is certainly the case with respect to the pending legislation, the so-called Helms-Burton bill.

This Libertad bill has already been passed by the House. Yesterday, the distinguished majority leader, Mr. DOLE, made the judgment that it was time for the Senate to act on the Senate version of the bill. They are almost identical. But Senator DOLE realized that the Senate would have to confront another filibuster by our Democrat friends.

Now, our friends across the aisle here have filibustered just about everything that has come up this year. A filibuster is not unusual because it is done by both sides. As a matter of fact, I must confess once or twice at least in my years in the Senate I have raised questions at some length about various pieces of legislation.

But as I listened to Senator CHRIS DODD yesterday while he spoke at some length about the pending Cuban Libertad bill, I frankly could not tell which bill he was talking about. He certainly was not talking about the bill pending at that time, which in fact is pending now, the Libertad Act. He was talking about some imaginary bill that was totally unrecognizable to me. I decided it was mostly tongue-in-cheek on his part. But it is hard to tell.

Anyway, Mr. President, I thought about it last night as I was driving home, and again this morning. I wish that Senator DODD were here now. He may presently be, because he, like me, is a member of the Foreign Relations Committee, and he attended the Sasser hearing this morning.

But, as I listened to Senator DODD's oratory talking about a nonexistent bill, I made the judgment that I would like to join him in opposing the bill that he was condemning—a fictional bill that does not exist, a bill that has nothing to do with the pending legislation which the clerk has just reported.

That said, let us talk about what is before the Senate, the pending Cuban Libertad bill. It goes by various names. The Senate version is known as the Dole-Helms Libertad Act.

When I first introduced my version early this year—with Congressman BURTON offering very similar legislation in the House, it became the Helms-Burton bill.

I don't care whose name is attached to it or who gets the credit for it; I believe that the U.S. Government and the American people had better make clear that we are not going to kowtow to Fidel Castro, a Communist who has murdered literally thousands of his own people, a tyrant who has imprisoned his political enemies for as long as 30 years.

And yet there are some voices in this country, and in this Senate, who say,

well, we need to get along with Fidel Castro and we need to trade with Castro. Well, that reminds me of the distinguished Prime Minister of England, Neville Chamberlain, who went over to Munich to meet with Adolph Hitler. Chamberlain returned to London exuberant. Boasting, in effect: "We can do business with this fellow Hitler. We can have peace in our time." And the press in England, the London Times and all the rest, put Lord Chamberlain all over their front pages, praising Chamberlain to the skies.

But there was one patriot who dared to stand up to be counted, who said: "Wait a minute. I will not be a party to this." That voice was Winston Churchill, and as Paul Harvey says, now you know the rest of the story.

Neither the British nor anybody else had peace in their time. Adolph Hitler was a bloody tyrant. World War II put an end to Hitler and Winston Churchill led the free world to victory over tyranny. Winston Churchill has gone down in history as a hero. Neville Chamberlain is all but forgotten.

But what is before this body, Mr. President—let us call it the Dole-Helms Libertad Act—is simply a proposal to perfect and improve a bill that passed the House of Representatives by a margin of 294 to 130 earlier this year.

So what is now before the Senate is a bill that has been improved to reflect the legitimate concerns of the Clinton administration and others who support the pending Libertad Act.

Now, let me try to focus in on some of the details of the pending bill. Title I of the Dole-Helms Libertad Act is designed to be the next logical step in building on the Cuban Democracy Act.

The Cuban Democracy Act was passed by Congress and signed into law in 1992. It was intended to strengthen the U.S. embargo against Castro. It was intended to seek, aggressively, international sanctions against Fidel Castro's repressive regime, and it was intended to support directly the Cuban people who were being brutalized by Fidel Castro and his henchmen.

Mr. President, some of the provisions of the Dole-Helms substitute:

First, to authorize the President, whoever he may be, to furnish assistance to support democracy-building efforts and to assist victims of political repression and to facilitate visits of international human rights monitors;

Second, to prohibit loans, credits or other financing for transactions involving U.S. property that has been confiscated by the Castro thugs;

Third, condition any U.S. aid that may be contemplated to any republics that belonged to the former Soviet Union. Such conditions will be based on whether these former republics are now subsidizing the Castro economy or are benefiting from Cuban intelligence facilities directed against the United States. The Dole-Helms bill authorizes the President to implement a fully reciprocal exchange of news bureaus between the United States and Cuba.