

The agreement addresses illegal immigrant head on. It reverses the serious mistakes by the Republican leadership to use illegal immigration as a pretext to attack legal immigrants.

Entirely different considerations apply to legal immigrants. They come in under our laws, serve in our Armed Forces, pay taxes, raise their families, enhance our democracy, and contribute to our communities. The original Senate bill had rightly rejected harsh attacks on legal immigrants, and so does this agreement. That is a major victory.

First, this agreement drops harmful provisions that would have made the recent welfare reforms even harsher for legal immigrants. Having banned SSI, food stamps, Medicaid, cash assistance, and other services for legal immigrants in the welfare bill, the Republican immigration bill would have expanded the restrictions to include Head Start, job training, and English classes. This was wrong, and this agreement corrects this grave mistake.

The Republican bill would have shifted the rules in midstream for legal immigrants already in America and their sponsors. The bipartisan compromise, on the other hand, retains the formulation in the new welfare law, which applies primarily to future immigrants. Without this compromise, the Nation's hospitals, clinics, and community based organizations would have been overwhelmed, and would have lost millions of dollars in Federal help.

Second, the comprehensive welfare reforms made legal immigrants ineligible for many types of assistance. The Republican bill penalized the few legal immigrants who still qualify for assistance by threatening them with deportation if they actually used the assistance.

If there are immigrants who abuse welfare—or use it illegally—they should be deported. In fact, current laws permit this step, and we should enforce them.

But it is wrong to add to the harsh new welfare reforms by saying to legal immigrants who qualify for child care assistance that if they actually use it, they can be deported. No parent should face that choice—of leaving their children home alone while the parent works or risking deportation by obtaining child care. It was right to eliminate these deportation provisions under the new bipartisan agreement.

Finally, it was wrong for Republicans to insist on putting family sponsorship off limits to lower income working American families. Under the Republican bill, 40 percent of American citizens would have been denied the right to bring in their families. The Republicans try to claim that their party is the party of family values, but this bill was a flagrant denial of such values. Under the Republican proposal, for the first time in the Nation's long immigrant history, low-income working American citizens would have been denied the opportunity to have this

spouses and young children join them in America.

Republicans argue that most Americans who sponsor family members are, in fact, former immigrants, who knew when they immigrated that they would be leaving families behind. The fact is, according to the General Accounting Office, 64 percent of those sponsoring their families in any given year are native-born American citizens who were never immigrants themselves.

Republicans also argue that if we do not set high income standards for sponsors, then low-income sponsors will be pushed onto welfare because they have to support themselves and the sponsored immigrant as well.

To guard against this possibility, the bipartisan agreement establishes an income test for sponsorship at 125 percent of the poverty level. The agreement requires sponsors to sign an enforceable sponsorship contract that requires sponsors to care for those they bring in. And it requires sponsors to prove they can meet the requirement by submitting their tax returns for the past 3 years.

This is the approach which the Senate adopted in May and which was actively supported by many Republicans, including Senator ABRAHAM, Senator DEWINE and others. In fact, in June, Jack Kemp urged congressional leaders to adopt this sponsorship formula. He wrote, "The Senate bill reasonably requires that sponsors have income equal to 125 percent of the Federal poverty level," and he called on Congress to oppose sponsorship formulas that imposed stiffer burdens on sponsorship.

The 125 percent requirement ensures that very few sponsors will be pushed onto welfare. Virtually all welfare programs require 100 percent of poverty or less in order for applicants to qualify. Those with incomes above 125 percent of the poverty level qualify for very few programs. And where they do, they normally qualify for only a few dollars of help.

The price tag that the Republican bill placed on family unity was unnecessary, harsh, and punitive. It was intended as a backdoor reduction in legal, family immigration. The Republican wealth test for sponsorship was 140 percent of the poverty level for those sponsoring their spouses or young children and 200 percent for those sponsoring their parents, adult children, or brothers and sisters. The Republican plan was anti-family. It said to working Americans that their jobs were not good enough to qualify them for sponsorship. This draconian, class-based proposal would have caused unfair hardship for working American families, and was rightly rejected as part of this bipartisan agreement.

In addition, this agreement contains three other worthwhile improvements. It provides assistance to immigrants who are victims of domestic violence. It continues assistance under the Ryan White Act for immigrants with HIV infection or battling AIDS. It allows non-

profit organizations, such as Catholic Charities, church social service programs, or community-based organizations to continue to assist communities with Government funds, without having to check the citizenship and green cards of everyone who walks in their doors.

Rather than making harsh welfare reforms even harsher for legal immigrants, this bipartisan agreement provides modest but needed improvements over those reforms for battered immigrants and for charities and other non-profit organizations that are a lifeline to immigrant communities.

As President Kennedy wrote in his book, "A Nation of Immigrants":

Immigration policy should be generous; it should be fair, it should be flexible. With such a policy we can turn to the world, and to our own past, with clean hands and a clear conscience. Such a policy would be but a reaffirmation of old principles. It would be an expression of our agreement with George Washington that "The bosom of America is open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions; whom we shall welcome to a participation of all our rights and privileges, if by decency and propriety of conduct they appear to merit the enjoyment."

This bipartisan agreement is largely consistent with that goal. It takes a number of worthwhile steps to deal with the problems of illegal immigration, although much more significant steps could have been taken and should have been taken to deal with this serious problem. Equally important, this bill keeps the Nation's doors open, with reasonable limitation, for those who come here as legal immigrants and contribute to a stronger and better America, as they have done throughout the two centuries of our history. I commend all of those who have helped to develop this proposal and have it included in the underlying document.

I urge my colleagues to support this legislation.

Several Senators addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. HATFIELD. Mr. President, I yield 5 minutes to the Senator from South Dakota and 5 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

FEDERAL AVIATION REAUTHORIZATION

Mr. PRESSLER. Mr. President, it is critically important we finish the Federal aviation reauthorization legislation before the Senate adjourns. This legislation is vital to air service in my home State of South Dakota. For example, in my State of South Dakota, the FAA bill we are struggling to bring to closure doubles the size of the Essential Air Service Program to \$50 million. This is particularly important to Brookings, Mitchell, and Yankton, SD. The Essential Air Service Program provides the only air service link these

communities have to the national air service network.

The FAA legislation also will make more Airport Improvement Program [AIP] funds available to small airports for safety-related repairs and improvements. For instance, under this legislation, the Sioux Falls Airport will receive an annual increase in AIP funds of at least \$227,000. The Rapid City Airport will receive an annual increase of at least \$170,000. The same is true for the Aberdeen Regional Airport and the Pierre Regional Airport which each will receive an increase in AIP funds of at least \$100,000. AIP funds are the only source of money for safety-related repairs at these airports and that is one key reason why this legislation is so important to air service in my State.

In addition, the FAA legislation addresses a widely held concern in my home State that air fares to small cities are too expensive. The bill directs the Secretary of Transportation to study why city air fares are so exorbitant and recommend what measures can be taken to make air travel to small cities more affordable.

The FAA legislation contains many very important aviation safety measures. One such measure will ensure the flight service station in our capital city of Pierre will remain open. Constituents traveling to and from Pierre were very concerned that closing the flight service station would compromise safety at the Pierre Regional Airport. I am very pleased the provision I added to this legislation addresses this concern.

Mr. President, there is a continuing struggle over one provision in this vitally important aviation safety and security legislation which is preventing it from being considered by the Senate. I commend the leadership on both sides of the aisle for trying to bring the FAA bill to closure. We cannot leave this city without finishing the FAA bill. It is one of the most important pieces of legislation in this Congress. The air service provisions in this legislation also make it one of the most important pieces of economic development legislation for South Dakota of this or any Congress.

Mr. President, as chairman of the conference on H.R. 3539, The Federal Aviation Authorization Act of 1996, I again rise to urge my colleagues to permit the Senate to proceed to consideration of the conference report for this critically important legislation. H.R. 3539 is a bipartisan, omnibus aviation bill which reauthorizes the Airport Improvement Program [AIP], reforms the Federal Aviation Administration, improves aviation safety and security, and provides long overdue assistance to the families of victims of aviation disasters.

Mr. President, it is absolutely imperative that the Senate approves this conference report before we adjourn and that the President signs the report. Friday, the House met its responsibility to the American traveling pub-

lic by passing this legislation. If the Senate fails to approve this excellent legislation which represents another significant legislative accomplishment for this body, we will have failed to meet our responsibility to the American traveling public. For example, if we do not approve this report, airports across the country will not receive Federal funding which is vital for safety-related repairs and other improvements.

If we fail to pass this report, the Senate will have neglected our responsibility to ensure the United States maintains the safest and most secure aviation system in the world. For example, the conference report implements many of the aviation security recommendations made by the White House Commission on Aviation Safety and Security earlier this month.

Mr. President, there are dozens of important provisions in this legislation, but I would like to focus my remarks on four main areas.

First, aviation safety. Air transportation in this country is safe. Indeed, it remains the safest form of travel. However, we can and we must do more. This legislation facilitates the replacement of outdated air traffic control equipment. It puts in place a mechanism to evaluate FAA's long-term funding which is critically important at a time in which enplanements continue to increase yet Federal budget constraints limit the ability of the FAA to respond to the increased needs of our aviation system. Additionally, this legislation eliminates the FAA's dual mandate. It ensures the FAA finally focuses solely on aviation safety.

A second area I want to highlight is aviation security. This conference report contains numerous provisions designed to improve security at our Nation's airlines and airports. The measure before us today incorporates many of the recommendations of the White House Commission on Aviation Safety and Security of which I am a member. In fact, this legislation provides statutory authority requested by the President to implement several of the Commission's recommendations. Passage of this bill will improve aviation security by: Speeding deployment of the latest explosive detection devices; enhancing passenger screening processes; requiring criminal history record checks on screeners; requiring regular joint threat assessments; and encouraging other innovative procedures to improve overall aviation security such as automated passenger profiling.

The third area I wish to highlight is how this legislation will help small community air service and small airports. The legislation before us today reauthorizes the Essential Air Service program at the level of \$50 million. This program is vital to States such as South Dakota. By adjusting the formula for Airport Improvement Program [AIP] funds, we would now ensure that all airports receive virtually all their entitlement funds in addition to

being eligible for discretionary funds. This is great news for small airports which in recent years have received far less than their full and fair share of these funds.

Also, the legislation directs the Secretary of Transportation to conduct a comprehensive study on rural air service and fares. For too long, small communities have been forced to endure higher fares as a result of inadequate competition. The Department of Transportation will now look into this issue as a result of this conference report. This follows on the important work that I instructed the General Accounting Office to initiate last year.

Mr. President, the final area I wish to highlight is the compassionate measures this legislation would put in place for the families of victims of aviation disasters. Last week, I chaired a hearing of the Commerce Committee in which the families of victims of five aviation tragedies courageously told the committee of their harrowing experiences. I promised those witnesses, as well as other families of victims in the room, that Congress finally would act this year to put in place measures to improve the treatment families receive, protect their privacy in a time of grief, ensure they receive timely and accurate information, and address a number of other concerns they eloquently voiced to the committee. The family advocacy and assistance provisions in this conference report are supported by these families and I hope the Senate will help me keep my promise to families who already have suffered enough. I hope we do not disappoint them.

Mr. President, despite all the vitally important aviation safety and security provisions in this legislation, I understand some members are troubled by one provision. I refer to the amendment the ranking member of the Commerce Committee, Senator HOLLINGS, offered in conference to correct a technical error in the Interstate Commerce Commission Termination Act of 1995. The Hollings amendment, which I strongly support, is not the partisan provision some have claimed it to be. All five Senate conferees—Senator MCCAIN, Senator STEVENS, Senator HOLLINGS, Senator FORD, and I—voted in favor of that amendment because, despite all the rhetoric, it is simply a technical correction which fairness dictates the Congress make.

I would like to briefly discuss the rhetoric that has clouded the Hollings amendment issue and, regrettably, has transformed the Hollings amendment into an issue which some now feel is more important than enhancing aviation safety and security. When the House debated the conference report, I heard a number of Members make blanket statements that the Hollings amendment is not truly a technical correction. Those same Members claimed their statements were based on their purported knowledge of the Senate's intent when it considered and

overwhelmingly passed the ICC Termination Act. With all due respect to those Members of the House, I authorized the ICC Termination Act and can unequivocally say they are dead wrong. The Hollings amendment is nothing more than a technical correction. In the ICC legislation, the Senate never intended to strip Federal Express or any person of rights without the benefit of a hearing, debate, or even discussion. Now, fairness dictates we correct that inadvertent error. That is precisely what the Hollings amendment does. It is exactly why I supported it in conference. It is why I continue to strongly support it.

Today's debate should be about this truly historic piece of aviation legislation which reflects the outstanding work Congress does when it proceeds on a bipartisan basis. Unfortunately, I fear the debate regrettably will focus on the Hollings amendment which is contained in just 5 lines of a 189-page bill. All too often, Congress is criticized for losing sight of the big picture. Today, if this debate proceeds as I fear it may, the Senate will reinforce that perception.

Some members of the American public watching this debate from the gallery of a C-SPAN will understandably ask themselves "has the Senate lost sight of the goal of ensuring the safety and security of air travel in the United States?" Others will ask themselves "has the Senate forgotten the importance of safety-related repairs and other improvements of our Nation's airports?" And the family members of aviation disaster victims will correctly ask "why has the Senate failed to listen to our pleas to put in place measures to improve the treatment of families of future aviation disaster victims?"

And, Mr. President, each and every one of these questions will be perfectly valid. I would hate to be in the position of having to answer them.

We owe it to the American public to preempt these questions by resisting the invitation to lose sight of the bigger picture. Today, we are trying to pass a historic aviation safety and security bill. Let's move beyond 5 lines in a 189-page bill. Let's get the job done for the American public. I urge that the Senate immediately take up for consideration the conference report to accompany H.R. 3539.

Mr. President, earlier today I wrote the Vice President of the United States urging him to support swift and final passage of the conference report accompanying H.R. 3539. In that letter, I reminded the Vice President that two of the most important aviation security recommendations made by the White House Commission on Aviation Safety and Security—deployment of explosive detection devices at our Nation's airports and criminal background checks for baggage screeners—cannot be implemented without the statutory authorization to do so provided in this legislation. These impor-

tant recommendations to enhance the security of air travel in the United States cannot wait until we reconvene next year. We must pass those two provisions before we adjourn. We must pass this legislation before we adjourn. I ask unanimous consent to have that letter printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION
Washington, September 30, 1996.

Hon. ALBERT GORE, JR.,
Vice President of the United States,
Washington, DC.

DEAR MR. VICE PRESIDENT: As the Senate Majority Leader's designee to the White House Commission on Aviation Safety and Security, I am writing to urge you to actively support final passage of the Conference Report accompanying H.R. 3539, the Federal Aviation Reauthorization Act of 1996. As you know, H.R. 3539 is a bipartisan, omnibus aviation safety and security bill. It is vitally important the Conference Report passes the Senate prior to adjournment.

Based on a meeting with your staff, I understand several of the Commission's recommendations require statutory authority to be undertaken. Without such authorization, I was told these recommendations to enhance our nation's aviation security cannot be implemented. Specifically, I am referring to statutory authority to deploy government purchased explosive detection devices in our nation's airports and to conduct criminal background checks on baggage screeners.

The Conference Report to H.R. 3539 responds to the Administration's request for statutory authority in these two areas. Section 305(b) authorizes the deployment of explosive detection devices and Section 304 permits criminal background checks on baggage screeners. In addition, the legislation embraces a number of other recommendations made by the Commission which enjoy bipartisan support such as comprehensive measures to improve the treatment of the families of aviation disaster victims.

Mr. Vice President, I hope you agree the Senate must approve the Conference Report accompanying H.R. 3539 before it adjourns. Otherwise, according to your staff, two of the most important recommendations of the Commission—interim deployment of government purchased explosive detection devices and criminal background checks for baggage screeners—cannot be implemented. We must not let that happen.

I look forward to working with you to ensure this critically important aviation safety and security legislation passes the Senate as soon as possible.

Sincerely,

LARRY PRESSLER,
Chairman.

Mr. PRESSLER. Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

OMNIBUS CONSOLIDATED
APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

Mr. JEFFORDS. Mr. President, I earlier spoke about the problems with this

bill actually resulting in hundreds, if not thousands, of individuals actually being fired from their jobs.

I would like to turn to some good news this time about the bill about the District of Columbia. It includes important provisions for the District of Columbia. In addition to provisions on school facilities, the conference agreement improves the ability of public charter schools to operate in the city.

The condition of school facilities in the District of Columbia has reached a crisis stage. Those who live here know that. It has been front-page news in the papers for weeks.

As of Friday, four public schools still remained closed due to fire code violations, displacing almost 2,000 students. A breakdown in oversight and accountability has occurred at the expense of the children in this city.

Strong and immediate action must be taken to reverse this situation. This bill does it. Children in the District of Columbia must be able to attend public schools that are safe and free of facility deficiencies that lead to their closure. The General Services Administration estimates the cost of repairs at \$88.6 million for severe facility deficiencies in fiscal year 1997. The total deficiencies are about \$2 billion.

As estimated, \$40.7 million will be available from existing appropriations and borrowing. Additional resources are needed to prevent unsafe conditions and school closures. But these resources cannot be provided to a school system which has demonstrated an inability to effectively manage its resources.

I have, therefore, sought inclusion of a provision in the omnibus bill to provide resources to combat facility deficiencies while placing responsibility for the expenditure of funds with the DC Financial Control Board, not the school system. In addition, the General Services Administration will provide program management services for the repairs and capital improvements.

The provision makes available an estimated \$52.7 million to the control board to carry out a program of facility repairs and capital improvements. The bill makes these funds by reallocating \$40.7 million to the Authority from operations funds appropriated, and capital financing authority provided, in previous appropriations acts.

The provision also makes available an estimated \$12 million from the privatization of both the Student Loan Marketing Association, fondly known as Sallie Mae, and the College Construction Loan Insurance Association, commonly known as Connie Lee, as the Senator from Connecticut, who is on the floor, is well aware. We acted at his request.

The availability of these resources means that immediate action will be taken to repair facility deficiencies in DC schools. In addition, the Congress will closely monitor the progress of facility repairs and will consider providing additional funds in a supplemental