

following the terrorist attack on Khobar Towers in Dhahran in June 1996. Their living quarters made the Allenwood Federal Prison in Pennsylvania look palatial.

I had met with FBI Director Louis Freeh before departing, and discussed, among other issues, the level of Saudi cooperation with our counter-terrorism effort. In Riyadh, I met with Saudi Intelligence Director Prince Turki, and strongly objected to the Saudis' refusal to honor their commitment to allow the FBI to question suspects in the Khobar Towers bombing. Prince Turki replied that Saudi national sovereignty entitled his government to handle the matter as it chose. This is particularly irksome, given the sacrifices that our troops are making in the region to provide the Saudi government protection from Iraq.

FOREIGN RELIGIOUS PERSECUTION

The fourth phase of my trip involved gathering information on foreign religious persecution. Worldwide persecution of religious minorities, focused particularly on Christians in Muslim countries China and Tibet, led last year to the introduction of the SPECTER-Wolf bill which would create a U.S. office to monitor such persecution and impose trade sanctions on countries which systematically persecute any religious group.

Toward the goal of fact-finding, I met with religious leaders and governmental officials in Egypt, Saudi Arabia, Ethiopia, and Eritrea and Yemen. I had wanted to visit Sudan to investigate persecution of Christians by the fundamentalist Islamic Sudanese government, but was told by the State Department that Sudan was unsafe for American delegations. I did meet with the Sudanese government-in-exile in neighboring Eritrea, and discussed reports of Sudanese persecution with His Holiness Abuna Paulos, the Patriarch of the Ethiopian Orthodox Church, and with the leadership of the Ethiopian Supreme Islamic Council in Addis Ababa.

My fact-finding corroborated the widespread reports of bias, mistreatment and even persecution of religious minorities in the Middle East and Africa.

Egyptian President Mubarak and Saudi Arabian Intelligence Director Prince Turki told me that public intolerance toward non-Muslim religions springs from the Koran. Conversion from Islam to Christianity or any other religion carries the death penalty under Muslim laws that are based on teachings of the Koran.

I heard conflicting statements in Saudi Arabia about whether the death penalty is actually imposed on conversion. One U.S. citizen living in Riyadh told me of a videotaped beheading by Saudi authorities of a Filipino Christian, but there was some question as to whether this individual was put to death solely because of his faith. There appeared to be more substance to a claim of religious motivation for the execution of a Christian charged only with robbery, since that punishment far exceeded the usual penalty for that crime.

Aside from the issue of capital punishment, there is no doubt that the religious police in Saudi Arabia are very repressive against Christians. A Mormon U.S. citizen reported a Saudi investigation seventeen years ago arising from prayer meetings in a private home. A dossier, he said, has been maintained by Saudi authorities on participants resulting in a recent deportation of a Mormon found in possession of a religious video.

Other U.S. citizens in Riyadh told of Christmas decorations being torn down in hospitals, seizures of personal bibles by Saudi customs officials and prohibition of displaying a Christmas tree in the window of a private home if it could be seen from out-

side. Another Christian from India told of a Sunday School being ransacked by Saudi religious police with the arrest and detention of a pastor, his wife and three children.

American soldiers of Jewish faith feel particularly at risk in Saudi Arabia. They change their "dog tags" to eliminate any reference to their religion during their tours there. When a rabbi from the Chaplain Corps recently visited U.S. military posts in Saudi Arabia, many Jewish soldiers declined to meet with him.

The Saudi answer on the religious questions was identical to their rationale on refusing to allow the FBI to interrogate the Khobar Towers suspects. The only difference was that source of their obstinacy was the Koran instead of national sovereignty. Nevertheless, I believe the Saudi attitude on religious bias can be changed at least to some extent in the face of sufficient U.S. and world persuasion and pressure.

On September 12, 1997, Prince Sultan reportedly made a commitment to the Pope that Christians would be permitted to pray together in the solitude of their homes. Even that remains to be seen. Prince Turki claimed that Saudi policy did not preclude people from bringing bibles for their own personal use through customs; but, he said, zealous customs bureaucrats often act on their own in confiscating these items.

From my discussions with foreign leaders and with religious minorities, it was clear that just the introduction of the SPECTER-Wolf bill has had an effect on foreign repressive practices. My friend, the Special Advisor to President Mubarak, Osama el-Baz, came to see me in my Senate office before my trip to ask that Egypt not be included among countries which persecuted Christians. Also, fifty-three Egyptian Christians recently publicized a letter saying, in effect, the U.S. should mind its own business even though they acknowledged that "there are certain annoyances that [Christians] in Egypt suffer from."

Egyptian evangelicals were not as restrained. They cited cases of eight and nine months in jail for Muslims who sought conversion to Christianity. One scholar produced statistics showing 1624 people were killed by religious violence in Egypt from 1990 through 1992 including the deaths of 133 Christians. Evangelicals in both Egypt and Ethiopia also complained about the long time it took to secure official permission to build churches, a snag that, in effect, stymied their religious activity.

Since the State Department advised against visiting Sudan, we sought information on that country's practices in the neighboring countries of Eritrea and Ethiopia. Eritrean Christians confirmed claims of Sudanese children being sold into slavery. They attributed it to profiteering by the militia as part of the booty of war. One Eritrean Christian commented on Sudanese governmental action in closing churches in 1997.

Our Christian, Jewish and Moslem interlocutors in Saudi Arabia, Egypt, Ethiopia and Eritrea were particularly pleased that the U.S. Congress was considering the issue. An Egyptian Muslim almost withdrew his objection to the Specter-Wolf bill when he heard it applied to other nations and had no sanctions against Egypt on U.S. foreign aid. Archbishop Silvano Tomasi, Vatican Ambassador to Ethiopia, complimented the proposed legislation for raising the level of dialogue, adding that, if it were enacted with a "little bite," then so much the better.

By raising the profile of the religious persecution issue in the current discourse of foreign policy, Congress has been able to make some progress on advancing the cause of religious freedom abroad. Still, many problems remain. For this reason, Congressman Wolf

and I will continue to pursue our bill toward the goal of putting teeth in our country's longstanding policy against foreign religious persecution.

MAGNETIC LEVITATION TRAIN TECHNOLOGY

On my way back to Washington, I stopped in Lathen, Germany, to announce the completion of an agreement to bring German high-speed magnetic levitation ("maglev") train technology to Pennsylvania. I took a demonstration ride on the maglev train, which is capable of speeds as high as 310 miles per hour.

This is something I have been working on in the area of Transportation Appropriations for a long time. The maglev train ride would improve the quality of life of all Pennsylvanians who feel they spend too much time in traffic or at congested airports. This technology would also bring Pennsylvania's steel industry roaring into the 21st Century because the maglev train uses steel guideways over hundreds of miles.

The train went a little over 250 miles per hour and it was exhilarating to be in a kind of mass transit which goes so fast, a little like Buck Rogers. It would be tremendous for Pennsylvania and a tremendous boon to the economy of every stop along the line from Philadelphia to Pittsburgh, such as Lancaster, Harrisburg, Lewiston, State College, Altoona, Johnstown, and Greensburg. People could go from Philadelphia to Pittsburgh in one and a half hours non-stop, revolutionizing our transportation system. I look forward to continuing to support this economical, forward-looking technology in the future.

Mr. SPECTER. I thank the Chair and yield the floor.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I ask unanimous consent to be able to speak as if in morning business for up to 10 minutes.

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

Mr. GRAMS. Thank you, very much.

THE PRESIDENT'S BUDGET

Mr. GRAMS. Mr. President, I rise today to make a few, brief observations about the President's budget.

Let me say I welcome the fact that President Clinton has come up with a budget that may finally be balanced in the next fiscal year, although I do not agree with the outlines of his plan. The good news is that if the economy stays as strong as expected, we may soon enjoy a unified budget surplus for the first time since 1969.

However, Mr. President, again, after a thorough examination of President Clinton's budget, I must say this is not at all a responsible and honest proposal. Here is why:

First, President Clinton claims it is his fiscal policies that have reduced the federal deficit and brought the budget to the edge of balance. That would be stretching the truth. The productivity of the American people has brought us to this point, in spite of what Congress has done or the President's tax-and-spend habits. The truth is, the President has only been willing to balance the budget, if he is allowed

to use all increases in revenues, plus even higher taxes, to match his appetite for spending on expanded programs, new programs, and new entitlements.

In 1992, candidate Bill Clinton promised he would balance the budget if he were elected. When President Clinton arrived at the White House in 1993, he abandoned that promise at the front door. The first budget he proposed called for the largest tax increase in history and increased federal spending of more than a trillion dollars in just five years, a jump of 20 percent.

In 1995, the President again promised America he could balance the budget, first in ten years, then nine, then eight, and finally, seven. He made a similar balanced-budget promise in 1996. Finally, after spending all of the \$225 billion revenue windfall "miraculously" discovered by the CBO, President Clinton and the Congressional leadership agreed last year to achieve a balanced budget in six years.

Mr. President, it is the American economy that produced this unprecedented revenue windfall for the federal government, and the unexpected dollars have come directly from working Americans—taxes paid by corporations, individuals, consumers, and investors. Washington did not do any heavy lifting; the people did. Yet, Washington takes all the credit.

Second, the Clinton Administration claims that this budget will produce surpluses "as far as the eye can see." Sure, as long as you are looking through rose-colored glasses. Such claims are explicitly intended to mislead the American people. Mr. President, this projected surplus is only a surplus under a unified budget. Without borrowing from the Social Security trust funds, the real federal deficit could reach \$600 billion over five years. The total deficit will reach a trillion in the next decade. This means we will see deficits, not surpluses, as far as the eye can see.

In fact, the CBO estimates the possible budget surplus could easily turn into a \$100 billion deficit. I asked Dr. O'Neill last week what the odds were we would achieve a budget surplus versus ending up with a deficit, and she said it was 50/50. This uncertainty requires us to exercise fiscal discipline, not to run off and approve another \$123 billion in spending as the President has proposed—money from a surplus we have not seen yet and a tobacco settlement that is only a proposal.

I need to stress that a unified balanced budget is an unacceptable prospect if it is achieved at the expense of responsible governing. The truth is that the President's budget continues the tax-and-spend policies that have been the hallmark of this Administration. Again, after setting spending limits that in 1997 grew the government three times faster than inflation, or the incomes of working Americans, the President wants to blow those spending caps with another \$123 billion increase

in federal spending. The ink is barely dry on last year's budget agreement, which gave working Americans, or at least a few of them, \$90 billion in tax relief, and now the President proposes wiping out that tax cut with \$115 billion in new taxes—or increases in existing taxes, permits, or fees.

The most untruthful thing about this budget is President Clinton's rhetoric that the era of big government is over. OMB director Raines testified in the Senate Budget Committee last week that by any standard, big government was indeed over. A \$100 billion government 35 years ago is now 18 times larger, at \$1.8 trillion. Who is kidding who?

If he does not get those new taxes through Congress, the President wants to borrow from the Social Security Trust Fund. Mr. President, the Congress must not permit the President to finance his spending programs, his big-government solutions, by borrowing from Social Security.

If you count what Senator GRAMM calls "hidden spending" of \$42 billion, actual spending under the President's budget would reach \$1.775 trillion, a 6.4 percent increase, and a Washington record. And it continues to grow from there. In 2003, the President is asking for \$1.945 trillion in federal spending. Total federal spending for the next five years would reach \$9.2 trillion. Annual government spending was \$1.4 trillion when Mr. Clinton became president.

In five years, the President has already increased government spending by 27 percent. Is there any sign of leaner government? No. The truth is that the government is growing bigger and bigger and bigger.

Nor does this budget do anything to eliminate wasteful and unnecessary Federal programs. It does nothing to make the government more accountable and efficient. It actually increases civilian nondefense employment by 9,200. This is big, central government by any standard.

Mr. President, as I said on the floor the other day, if this is a race to prove who can be the most "compassionate" with the taxpayers' dollars, it is a race nobody is going to win, and one the taxpayers most certainly will lose. The truth is simple: you cannot buy compassion.

Third, the President claims that he will not bust the spending caps set up by last year's budget agreement. Again, this is not true. President Clinton has not only violated the spirit of the budget deal, he has also in effect broken the statutory spending caps established under the Balanced Budget Act of 1997.

Secretary Rubin assured us last week that the President would be bound by the budget agreement we reached last year. But by the President's own estimates, his budget does not meet the statutory caps on discretionary spending by actually reducing that spending.

The offsets proposed in the budget are highly questionable. To stay within the caps called for by last year's Bal-

anced Budget Act, the President anticipates the use of \$60 billion in tax increases to offset discretionary spending.

By doing so, without amending the law, the budget in effect violates the two separate enforcement measures set up by the 1990 Budget Enforcement Act, and it violates the spirit of last year's budget deal.

Mr. President, we broke the 1993 statutory spending caps last year, and we must never repeat that mistake. The current spending caps must stay in place.

Fourth, President Clinton claims that his budget will save Social Security. Again, the President is not being truthful to the American people. On the contrary, his budget does nothing to address our long-term financial imbalances.

And his call for increased spending would use all of any surplus, leaving nothing for Social Security. In fact, under the unified budget, the President will borrow another trillion dollars from the Social Security Trust Fund by the year 2012.

The President's Medicare proposal in this budget does more harm than good. Although the President has proposed putting the projected budget surplus into the Social Security trust funds, he has no specific plan of how to save Social Security.

Simply throwing money into the system without real reform will not preserve it. President Clinton's own Social Security Commissioner, Kenneth Apfel, recently said the President's proposal to bail out Social Security could not alone come close to solving the system's impending deficit. It may only extend the fund for two to five years.

Mr. President, I am deeply disappointed with this budget and troubled by its untruthfulness to the American people.

Although our short-term fiscal condition has improved in recent years, thanks to what Chairman Greenspan called an "exceptionally healthy" economy, our long-term fiscal imbalances still impose a threat to our future.

Washington's bills remain astronomical. We have a \$5.5 trillion national debt, at least \$14 trillion in unfunded liabilities for Social Security and Medicare, and more than \$5 trillion worth of government contingencies. These risks will shatter our economy if we fail to take action now.

If the President will not step up and take the lead in ensuring fiscal responsibility, then Congress must. We must continue to cut government spending, shrink the size of the government, and reform Social Security and Medicare to save them.

Mr. President, in the next few months, I intend to work with my colleagues and the Administration to exercise the fiscal discipline necessary to ensure the federal budget will be balanced—and stay balanced—without

new taxes, without new spending, and without borrowing from the Social Security Trust Fund.

That is the responsible thing to do. That is the honest thing to do. And, Mr. President, that is the right thing to do.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have two different items that I want to visit with my colleagues about. No. 1 is on international trade, and the second one will be on the Massiah-Jackson nomination that is before the Senate.

(The remarks of Mr. GRASSLEY pertaining to the submission of S. Con. Res. 74 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

EXECUTIVE SESSION

NOMINATION OF FREDERICA A. MASSIAH-JACKSON, OF PENNSYLVANIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The Senate continued with the consideration of the nomination.

Mr. GRASSLEY. Mr. President, I want to make a few comments on the nomination of Judge Frederica Massiah-Jackson to the Federal District Court for the Eastern District of Pennsylvania.

Recent resistance to her nomination has moved beyond individual opponents to wide-spread, bipartisan opposition. We've heard about opposition from the Pennsylvania District Attorneys Association.

Additional opposition comes from a Philadelphia lodge of the Fraternal Order of Police, as well as the Fraternal Order of Police, National Legislative Program. The F.O.P. has written letters to the Senate and the President voicing their concerns over the safety and welfare of the Philadelphia police force if Judge Massiah-Jackson is confirmed. They fear her established record of being extremely lenient on criminals and her insensitivity to victims of crime will "pose a direct threat" against police. Also, the National Association of Police Organizations, which represents more than 4,000 police unions and associations and over 220,000 sworn law enforcement officers, opposes the confirmation of Judge Massiah-Jackson.

If this isn't a strong indication of the problems this nominee's confirmation would cause, I don't know what is.

The Northampton County District Attorney has also written a letter to the Senate detailing twelve separate instances illustrating the improper conduct of Judge Massiah-Jackson. The facts on which the letter is based were compiled from internal memorandums, court transcripts and other documents from the office of the Philadelphia District Attorney's Office. The most egregious example disclosed by

the letter was a 1988 acquittal of a man charged with possession of two and a half pounds of cocaine. The acquittal was the second by Judge Massiah-Jackson of alleged drug dealers arrested by the same police officers. In open court she told these arresting officers, who were working undercover, to turn around and told the drug dealers and other spectators to "take a good look at the undercover officers and watch yourselves." The incident was reported in a Philadelphia newspaper and, as has been mentioned, the Judiciary Committee has also received the signed statements of Detective Sergeant Daniel Rodriguez and Detective Terrance Jones, the officers involved. This conduct not only significantly reduced the crime fighting effectiveness of the officers, but more importantly, they believed it put their lives in serious peril. This is not the type of conduct expected from a Judge, nor can it be tolerated.

In addition to this letter, the members of the Judiciary Committee also received a letter from Philadelphia District Attorney Lynne Abraham, who stands in opposition to this nomination. The opinion of Mrs. Abraham, who by the way is a Democrat, is particularly relevant since she campaigned with and served on the bench at the same time as Judge Massiah-Jackson. Mrs. Abraham concludes that, "the nominee's record presents multiple instances of a deeply ingrained and pervasive bias against prosecutors and law enforcement officers and, by extension, an insensitivity to victims of crime. Moreover, the nominee's judicial demeanor and courtroom conduct, in my judgment, undermines respect for the rule of law and, instead, tends to bring the law into disrepute." She further notes that, "this nominee's judicial service is replete with instances of demonstrated leniency towards criminals, an adversarial attitude towards police, and disrespect and a hostile attitude towards prosecutors unmatched by any other present or former jurist with whom I am familiar."

These are not the biased opinions of racist or sexist opponents, as some have irresponsibly charged. They are the informed opinions of respected district attorneys and law enforcement officers with personal knowledge of the nominee. In fact, District Attorney Abraham has publicly said she "firmly believes the next appointee to the U.S. District Court here should be an African-American woman. But that appointee should be one of the many eminently well-qualified African-American women lawyers in the area, and not Massiah-Jackson."

Despite these fact-based opinions, supporters of the nominee have repeatedly insisted that she should not be judged on a few cases, and that her overall record can be characterized as fair to law enforcement and crime victims. They also point out that sentencing statistics show she is right in

line with other judges. I must say these arguments are misleading, as demonstrated by the statistics provided to the Senate Judiciary Committee.

In reality, Judge Massiah-Jackson deviated from state sentencing guidelines, in favor of criminals, more than twice as often as other judges according to statistics compiled by the Pennsylvania Commission on Sentencing. From 1985 till 1991, Judge Massiah-Jackson sentenced below the Pennsylvania guidelines 27.5 percent of the time. Other Pennsylvania judges sentenced below the guidelines in only 12.2 percent of the cases. This record cannot be characterized as fair to victims or law enforcement, and is not in line with other judges. We've also heard the argument that district attorneys regularly disagree with judges. Well, Mr. President, in the seventeen years I've been voting on judicial nominees, I don't ever recall such local, public opposition as we've seen in this case. This is truly unprecedented.

We in the Senate can no longer overlook and excuse a record that is clearly against the interests of law enforcement personnel and victims of crime, or professional conduct which is below the dignity of a judge. No person, of any race or any gender, should be able to serve on the federal bench if she or he demonstrates a bias against police and prosecutors, is soft on crime and shows a lack of proper judicial temperament. For these reasons, I will oppose the confirmation of this nominee and urge my colleagues to do the same.

The PRESIDING OFFICER (Mr. COATS). The Chair recognizes the Senator from North Dakota.

ISTEA

Mr. DORGAN. Mr. President, I want to visit for just a minute the issue about the highway bill and roads.

I would say to the Senator from Indiana, the Presiding Officer, that when I was in high school in a small town in North Dakota, I was agitating pretty hard to get a car. The way my dad warned me off from this desire to purchase a car was he said I'll let you buy a car because I have one spotted for you. But he insisted that I would have to restore it.

Sure enough, my father, who delivered gasoline to rural users, family farmers, with his rural delivery gasoline truck, had been out on a farm and he saw a 1924 Ford Model T in a granary. It had been sitting in that granary for many, many years. He said, you know the fellow who used to own that farm and put that Model T in there, he lives out of State. You should write him a note and see if he would want to sell you that Model T. So I did, and the fellow wrote back and said he would be glad to sell me his 1924 Model T Ford. He sold it to me for \$25 and sent me the original key and original owner's manual.

I went out to look at this car I just bought and the rats had eaten out all the seat cushions and all the wiring