Yes, we are for trade, but we are for fair trade. It is time to insist on fair trade and get rid of these ballooning trade deficits.

Let me thank my colleague, Senator BYRD, from West Virginia. He is, as is always the case, most gracious to allow me to continue beyond the time allotted.

Mr. BYRD. Will the Senator yield briefly?

Mr. DORGAN. I will be happy to yield.

Mr. BYRD. Sign me up. Sign me up as one of those who will stand with the Senator to defeat fast track. We have seen too many American jobs take a fast track out of this country. We have seen what happened to pottery in my State. We have seen what happened to glass, what happened to leather goods, what has happened to textiles, what is happening to steel, what is happening to chemicals.

I will be with my colleague. I am opposed to fast track. I am for free trade but fair trade.

Next year will be my 50th year in Congress, and I see one administration after another, Republican and Democrat, go down this same fast track, and I am tired of it. I have been against it. I do not stand here today and propose we ought to deliberate on putting a duty on every toothbrush or every fiddle or fiddle string or every paint brush that comes into this country, but there are a few major questions that we should be allowed to debate and offer amendments on when that measure comes before the Senate. What's wrong with that? I wouldn't mind, half a dozen, six, three, but why should we go along with our eyes closed and continue to join in this fast track of American jobs and American industries across the seas?

Getting our ducks in a row, we have become sitting ducks. These are the ducks that our forefathers gave us to put in a row. Section 8, article I, the U.S. Constitution:

> The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States * * *

It doesn't say anything about getting our ducks in a row. It doesn't say anything about fast track. It doesn't say anything about binding and gagging ourselves when it comes to trade legislation. It says the Congress shall have power to regulate commerce.

Let's exercise that power. Let's exercise our rights as Members of the Senate, elected by a free people. Count me, register me, make me a first lieutenant in the ranks. I am ready. I volunteer.

I thank the Senator for his contributions. I thank him very much for his leadership on this issue.

Is the Senate in a period for morning business?

The PRESIDING OFFICER (Ms. STABENOW). The Senator is correct.

Mr. BYRD. Are there any limitations?

The PRESIDING OFFICER. Each Senator is restricted to 15 minutes.

Mr. BYRD. I ask unanimous consent to speak for not to exceed 45 minutes.

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

Mr. BYRD. Madam President, I thank the Chair.

U.S. IMMIGRATION POLICY

Mr. BYRD. Madam President, the inscription on the base of the Statue of Liberty that has welcomed immigrants for generations can be found in the poem, ''The New Colossus,'' by Emma Lazarus:

> Not like the brazen giant of Greek fame,
> With conquering limbs astride from land to land;
> Here at our sea-washed, sunset gates shall stand
> A mighty woman with a torch, whose flame
> Is the imprisoned lightning, and her name
> Mother of Exiles. From her beacon-hand
> Glows world-wide welcome; her mild eyes command
> The air-bridged harbor that twin cities frame.
> ''Keep ancient lands, your storied pomp!'' cries she
> With silent lips. ''Give me your tired, your poor,
> Your huddled masses yearning to breathe free,
> The wretched refuse of your teeming shore.
> Send these, the homeless, tempest-tost to me,
> I lift my lamp beside the golden door!''

The United States has a proud history of welcoming immigrants fleeing religious persecution, political oppression, and economic hardship. My own forebear on my father's side came to these shores in 1657, settled on the banks of the Rappahannock River where all—with the exception of possibly one in this Chamber—are children, grandchildren, great-grandchildren, and great-great-grandchildren of immigrants. The magnanimous promise of a better life that is inscribed in the base of the Statue of Liberty has deep roots in both the American mind and American law. George Washington captured that promise in his dictum two centuries ago that the United States should be ''a country which may afford an asylum, if we are wise enough to pursue the paths which lead to virtue and happiness, to the oppressed and needy of the Earth.''

I understand the American dream that has lured immigrants here for more than 200 years. I have a son-in-law who is an immigrant from Iran. He is a physicist. I have a grandson who is married to an immigrant from Korea. My own State of West Virginia has benefitted from the many contributions made by our foreign-born citizens. West Virginia's coal miner population in the early part of the 20th Century reads like a United Nations roster: British—English, Welch, Scottish—Irish, Italian, Hungarian, Lithuanian, Swedish, Austrian, Russian, Greek, Syrian, Romanian, German, Polish, Slavic, and on and on.

In recent months, this administration has been working with its Mexican counterparts to craft a new immigration policy that would, among other things, legalize three to four million undocumented Mexican immigrants now working in the United States.

According to the latest numbers from the U.S. Census Bureau, immigrants now comprise about 11 percent of the total U.S. population. That is about 30 million immigrants living in the United States—13 million to 14 million of whom arrived just in the last 10 years.

These numbers are quite extraordinary because they suggest that at least 1.3 million immigrants are settling in the United States each year. That is more than arrived during the last great wave of immigration between 1900 and 1910, when about 850,000 people entered the country each year.

In addition to their arrival in the United States, during the 1990's, immigrant women gave birth to an estimated 6.9 million children. If we add together the number of births to immigrants and the number of new arrivals, immigration during the 1990's led to the addition of 20 million—or two-thirds of the nearly 30 million people who populated the United States over the last 10 years.

If current trends continue, according to the Census Bureau's middle-range projections, the U.S. population will grow from 280 million to 404 million people by 2050, with immigration accounting for about 63 percent of that growth. That means the number of new immigrants entering this country over the next 50 years, about 78 million immigrants, will be roughly equal to 43 times the current population of West Virginia.

As I have said, many of these immigrants will contribute to the economic, cultural, and political development of the United States. But, let us not forget, let us not be unmindful of the fact that there will also be real costs associated with this population increase. Many of these new citizens will come in search of access to quality health care services. Yet too many of our Nation's 5,000 emergency rooms are already operating at critical capacity.

Go over to Fairfax Hospital. I just had my wife of 64 years over to that hospital twice within the last 6 weeks. And I took her both times—once through a call to 911. You will be amazed at what you see. The hospitals are overcrowded.

According to the LA Times, at many of the nation's hospitals, ''ambulances are being turned away and patients are stacked in the hallways.'' If we are to accept these new citizens, it is clear that we will have to spend billions of taxpayer dollars to expand our health care infrastructure.

This Nation also has the responsibility to provide a quality public education to its citizens. Yet, the Department of Education recently reported that the number of children in public schools has grown by nearly 8 million in the last two decades. This growth has strained the resources of many

school districts, resulting in overcrowded classrooms and overgrown schools where discipline is difficult if not almost impossible, and individual attention is nearly impossible.

These are questions we ought to think about. We need to think about these things.

In 2000, there were about 8 million school-age children—ages 5 to 17—of immigrants who had arrived since 1970, according to the Center for Immigration Studies. This is roughly equal to the total growth in elementary and secondary school enrollment over the last 20 years. If we invite more immigrants into our public school system, we must consider the absorption capacity of American public education. This means that we will have to spend billions of taxpayer dollars to expand our public education infrastructure. The current infrastructure is being strained to the hilt.

We also have a responsibility to ensure that these new citizens, at the very least, have access to the resources to become proficient in the English language. The Census Bureau recently reported that nearly one in five Americans does not speak English at home. Among Spanish speakers, only half the adults described themselves as speaking English well, and only two-thirds of the school-age children in Spanish-speaking homes described themselves as speaking English very well. If we accept these potential citizens, we have an obligation to help ensure that they can assimilate themselves into our society.

Population growth will also continue to cause more and more land to be developed. Both past experience and common sense strongly suggest that population growth of this kind has important implications for the preservation of farm land, open space, and the overall quality of life throughout our country. A nation simply cannot add nearly 120 million people to its population without having to develop a great deal of undeveloped land.

There are also environmental concerns that must be considered. A growing nation requires increasing amounts of energy and greater recovery of natural resources, which results in larger output of pollution in our streams and greater accumulations of solid waste in our landfills.

Our resources, as never before, are limited. For all the talk we have heard in recent months from the administration about liberalizing our immigration laws, the President has not made any suggestions—I haven't heard them if he has made any—about how to pay for the additional infrastructure investments that will be required.

Just look around you. The infrastructure is being asked to bear far more than the traffic will bear. Look at our schools. Look at our hospitals. Look at our welfare programs.

Does the Administration want to increase taxes to support these newcomers? We have been cutting taxes. How much of our limited resources is the administration willing to sacrifice? At what price are we willing to accept all of these new immigrants?

These are the questions that our immigration policy needs to address if we are to offer a higher standard of living and a better life to the immigrants that our nation accepts. Instead, the American public is witnessing an immigration debate unfold that threatens to move this nation's immigration laws in exactly the wrong direction.

Today the President of Mexico, Vicente Fox, in addressing a joint session of Congress, spoke about the need to regularize the flow of migrant workers between the United States and Mexico. The Bush Administration contends that we can regularize this migrant flow through a new ''temporary worker'' program.

I assure you, that there is nothing new about ''temporary worker'' programs and the amnesties that usually accompany them. In fact, these kinds of proposals have become a frightenly familiar routine in recent years that have contradicted our immigration laws and sent exactly the wrong message abroad.

In 1986, Congress granted an amnesty to 2.7 million illegal immigrants, based on the promise that it would stem the tide of illegal immigration when combined with a ban on the hiring of illegal immigrants by employers. I supported that proposal, although it later proved to be a false promise. Illegal immigration increased dramatically.

More recently, there have been efforts by Congress to pass the so-called 245(i) status adjustment, which would allow illegals—for a $1,000 fee—to waive the requirement that would force them to leave the country and effectively bars them from reentering the United States for up to 10 years.

This kind of legislation, in particular, flies right in the face—right in the face of the Congress' recent efforts to stop the flow of illegal immigrants. The section 245(i) provision nullifies those measures passed by the Congress that would punish immigrants who enter this country illegally.

Not only is this legislation unfair to every immigrant—both present and past—who waited to legally enter this country, but it sends the message abroad that as long as you can gather together enough money, you can circumvent our laws whenever they prove to be inconvenient.

State and local governments have not done much better at discouraging illegal immigration. Many States are making it easier for undocumented immigrants to apply for a driver's license, government health care benefits, and lower state college tuition. None of these initiatives will act as a deterrent to illegal immigration.

Let us continue to have legal immigration. Let us not offer attractions to illegal immigration.

The Immigration and Naturalization Service estimates that there are about 6 million illegal aliens living in the United States, a number which increases by more than 200,000 per year. And these numbers are based on 1997 population statistics. Once the Census 2000 population statistics are available, immigration experts expect this number to increase to somewhere between 8.5 million illegals and 13 million illegals. That's double the estimated number of illegals in 1986.

The number of amnesties that have been proposed in recent years, and the corresponding rise in illegal immigrants, suggests that something is seriously wrong with this country's immigration laws. It suggests that the basic framework either doesn't work or that we are not serious about enforcing it.

I am amazed at the political support for these amnesty proposals. As I say, I voted for them. I was misled.

Both political parties—Republican and Democrat—support broader immigration rules.

But no one is talking about the additional costs to the American taxpayers. Not one is talking about the strain on our natural and financial resources.

Building a political base is no reason to encourage illegal immigration, nor is building up union membership, nor is importing cheaper labor to replace U.S. workers. We must not glibly rush forward on immigration policy without adequate thought about unintended consequences, tangential ramifications or adequate public education and debate. Whether this rush to loosen our enforcement of immigration laws is due to jockeying for political advantage as cynics might contend, or simply an outgrowth of commendable altruistic urges on the part of our nation's political system, we need to step back, slow down and take a serious look at our immigration policies.

I well understand that there are segments of the American economy which profit greatly by the labors of illegal immigrants. I well understand the human sorrows endured by immigrant families who cannot earn an adequate living in their native land, and so must send a wage earner across the border to work and establish a foot hold for future generations. My experience growing up in the coal fields during the years of the Great Depression was not too far afield from the immigrant experience of today. I know extreme poverty. I know what it is to start out life with the bottom rungs of life's ladder missing. I remember being at the mercy of the coal company employer in the coalfields. I understand the stigma of being undereducated, poor, and without the bottom rungs in the ladder. I understand that. That is why I am so concerned about the direction of our immigration policy of today.

I believe that not enough thought has been given and not enough questions have been asked. I question the sincerity of our rush to appease. Are we really acting in the best interests of the Mexican immigrants or of our own citizens?

I have lived 84 years and one lesson that I have learned in my years of observation and service is that the most precious commodity in public policy is that of honesty—intellectual honesty.

I hope that this rush to further relax our immigration laws is not just a competition for political advantage, but I fear that that is in fact the driving force. If I am right, and ''votes ripe for plucking'' is driving the altruistic claims of both parties, I urge that we draw back and face the ugly possibility of unintended exploitation of foreign workers as the outcome of political jockeying for the Hispanic vote.

In the first place there is no easily identifiable ''Hispanic vote.'' Cuban peoples, Mexican peoples, and other Latin peoples who may have immigrated to the United States have radically different political views and decidedly different priorities. In the second place hispanic peoples who have resided in the United States for some years often deplore the laxer rules which allow new immigrants easier access to U.S. shores, and resent the unfortunate image which newer immigrants may project. The Hispanic votes is not a monolith and it is an insulting, shallow proposition to portray all people's of Latin descent as such.

Then there is the question of honesty again. Are we not skating dangerously close to falsehood when we politicians pretend that we can handle these vast numbers of future immigrants in any sort of decent and humane way? Anyone even vaguely familiar with the health care system in this nation knows that it is inadequate to service our present population and becoming more inadequate each day. Go visit the hospitals in the area. How can we pretend that we can address even the most mundane health care needs of these new immigrants?

We read about those needs in the newspapers—in the Washington Post and the Washington Times. The stories are frequent in those newspapers about the health needs, about the poverty, and about education shortcomings. We are so stretched now that we cannot handle the present load. Our infrastructure just simply can't handle it.

How can we pretend that our overcrowded, underachieving school system can possibly deal with thousands of new immigrant children and come even close to preparing them to cope with the competitive job market in America today.

We are not being intellectually honest. We are not being honest with the legal immigrants who are already in this country. We are not being honest with these people.

We are not being honest with ourselves.

We can't assure these children an adequate education, and that is the truth. Are we consigning these children to a sort of permanent underclass when we fail to give them basic tools with which they can achieve? The truth is, our American infrastructure—both physical and human resource related—is 20 years behind, and falling further behind with each passing year.

From everything to inadequate roads and transportation, to a health care system that assists fewer and fewer people, to an education system that fails to impart either discipline or knowledge, we need to face the fact that our resources are limited. It is a sad yet very true fact that we must all face. And we ought to think about it. I think these are proper questions to ask. We are no longer a land of unlimited possibilities because we no longer provide the basics which allow the people to flourish. We have disinvested in our own Nation. We have disinvested in our own people. The cupboard is not bare, but its contents are decidedly skimpy, and it is a grave disservice to invite the neighbors to a sumptuous feast at our house when we know that there is nothing left in the cupboard, nothing to serve but poke greens and salads that are cut from the hillside.

We risk turning a blind eye to the needs of our own Nation in future years when we try to absorb huge, huge numbers of underskilled, uninsured, undereducated immigrants without a cogent plan for handling their needs and fostering their eventual assimilation into our own society.

We must not rush to appease the demands of our friends to the south of our border without stopping to contemplate the consequences. President Fox of Mexico has the responsibility of delivering on his promise to the Mexican people of more jobs and a stronger economy. He cannot look solely to the United States to solve his economic and political problems.

We must also proceed with caution when we advocate policies that circumvent the intent of our own immigration laws. Those laws are passed by the Congress of the United States and signed by a President of the United States. Those laws are intended to allow for the orderly absorption of immigrant populations, and to prepare that population to become productive, participating English literate, United States citizens.

I can tell you Madam President, as the chairman of the Appropriations Committee in the Senate and as a member of the Senate Budget Committee—as is the distinguished Presiding Officer at this moment—we do not have the infrastructure in place to absorb the number of immigrants to whom this administration is seeking to open our borders.

It would be nice, it would be good, if we were able to solve the economic problems of other countries and provide a higher standard of living for people around the world—but, we cannot. This is no longer the late 19th century or the mid 18th century. Our resources are more limited today than they were a hundred years ago.

The Congress already faces enormous challenges in stretching our ever shrinking financial resources—and they are ever shrinking. The Congress will have to appropriate the 13 annual appropriations bills this year with less than adequate resources to finance our infrastructure needs. I am opposed to the further erosion and draining of the limited resources that are available.

I did not vote for the tax cut. I vigorously opposed it. And my wife and I are returning our check. And as resources shrink, we run the risk of resentment, increasing resentment between those who are coming and those who are here, and those are forces that we do not want to unleash.

We cannot be so generous that we strain our own resources to the breaking point. And if we allow illegal Mexicans to come here, and to stay, what about illegal immigrants from elsewhere? How can we be fair to them if we do not treat them all alike? We cannot be so generous that we strain our own resources to the breaking point.

It is time for us to think of the people of America, and their children and their grandchildren. We need a national debate. We do not need something that can be rushed through on the consent calendar. We need a national debate on our immigration policies. The people out there must seriously ask the politicians, what are the answers to these questions that are being asked? They are legitimate questions. What are the answers?

We must seriously ask ourselves just how many more people our country will be able to accommodate. This is not something, Madam President, that should be rushed through Congress in 4 months or in 4 years, without adequate debate. These are questions that should be thoroughly aired.

Whatever proposal the President sends to Congress, it should be debated at length in the Senate. The American people must know what costs they are being asked to absorb. They must know what sacrifices they are being asked to make. And legal immigrants should be asking the same questions. What are the sacrifices they are supposed to make on behalf of illegal immigrants? Those immigrants who have waited patiently, knocking at the door, how do they feel about it? America is a nation of immigrants. Our golden door should always be open to those who seek refuge from oppression—''those huddled masses yearning to breathe free.'' But we must not turn America's promise into a hollow shell. It is well to remember that illegal immigrants don't just break the law when they come here. They undermine the earning power of America's workforce by reducing wages for the U.S. workforce who do not have high school diplomas.

Madam President, in 1939, John Steinbeck's epic novel, the ''Grapes of Wrath,'' was published. Its protagonists, the Joad family, traveled from the Midwest to California, not to make their fortunes but merely to survive as migrant workers. Through labor camps, hobo jungles, and ruined farms westward to California, they faced a

peculiar kind of torment—the torment and isolation of hardship and poverty amid plenty. Let us proceed with caution—I say this to my political colleagues in this body, in the other body, and in the executive branch, and in the State legislatures, in the counties, in the towns and communities, cities across this Nation—let us proceed with caution, lest we turn America's sweet promise of a cornucopia to bitter grapes of wrath for us all, including our legal immigrants.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. COCHRAN. Madam President, I ask unanimous consent that I may proceed as in morning business for up to 10 minutes.

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

MISSILE DEFENSE

Mr. COCHRAN. Mr. President, I will take a few minutes to make some observations about some of the discussions I have read in recent days in various news articles and have heard from Senators who have commented on these articles relating to missile defense and the President's efforts to discuss with Russia and other friends and allies around the world our intentions with respect to the development of missile defenses to protect the security interests of the United States.

For some reason or other, in recent weeks there have been some misinterpretations made of comments that have appeared in news articles. Some have suggested that the administration, for example, is going to abandon the ABM Treaty or is developing plans and asking for funding in this year's appropriations bills to conduct tests and do development projects for missile defense which would violate the provisions of the ABM Treaty.

It is clear from everything the President himself has said that he would like to replace the ABM Treaty, after full discussions with Russian officials, allies, and friends around the world, with a new strategic framework that more closely reflects the facts as they exist now in the relationship we have with Russia.

The ABM Treaty was written, as we know, in 1972. It was written in an atmosphere where the prevailing doctrine of national security was mutual assured destruction where we would actually have, as a matter of national policy, a plan to annihilate or destroy cities with innocent civilians in retaliation against a nuclear missile strike against the United States from the Soviet Union. And the mutual assured destruction doctrine was very troubling in and of itself, but it was the only thing we had. Deterrence was a way of life—and also a promise of a way of death in case someone decided to authorize a strike against the other. This was an agreement that was entered into at a time when each side seemed to be intent on building new and more sophisticated and more lethal weapons systems targeted to military targets in the other's nation state.

But times have changed. The Soviet Union no longer exists. Even though the Clinton administration attempted to negotiate a succession agreement, it has never been submitted to the Senate for ratification. The succession agreement lists Russia, Belarus, and another nation state as the successor states to the Soviet Union. Think about that. I am sure the Senate would discuss that very carefully and probably at great length, and whether or not the Senate would advise and consent and permit the ratification of that treaty, to permit it to go into effect and have the force and effect of law, is problematical.

But that is just one indication of how times have changed. The Clinton administration continued to respect the ABM Treaty to the extent that it would not undertake testing of even theater missile defense systems if the Russians objected. And in the discussions with our representatives in Geneva and elsewhere, talking on these subjects, it became clear that this country was going to be inhibited in its testing programs of theater missile defense systems because of provisions of the ABM Treaty.

By now, it ought to be very clear that there are threats to our soldiers and sailors who are deployed around the world from these very theater missile offensive systems that we saw Iraq use in the desert war—in the war that we helped organize and wage against them to liberate Kuwait. Twenty-eight or twenty-nine members of a National Guard unit lost their lives in Dhahran as a result of a Scud missile attack.

We cannot tolerate being inhibited and subject to the approval of another country to test and develop and deploy a system that would protect soldiers in that circumstance in the future. We have already, as a matter of fact, developed follow-on systems to the Patriot system, which was the only thing we used to try to counter the Scud missile attacks. And we continue to upgrade and make progress in developing systems that will offer the kind of protection against those missile attacks in the future. The PAC–3 program, for example, has had a succession of successful tests, using the hit-to-kill technology of a defensive system.

There are other examples of theater missile programs. The Army's High Altitude Air Defense Systems—the acronym is THAAD. It sounds like my name is a system that offers protection against missile attack. But to hear some Senators and look at the authorization committee's mark right now, you would think these theater systems were the same as the national missile defense system. We saw reports in the paper that the chairman had presented the Armed Services Committee with a committee print of a military authorization bill for the next fiscal year, and it cuts $1.3 billion out of missile defense. This is being described in the newspapers, and by Senators, too, as a reduction in the amount of money that would be authorized for national missile defense.

When you look at the exact dollar amounts in the bill—and it is not national missile defense—approximately $347 million is cut from the Navy theater-wide program in the chairman's mark, along with $210 million for the THAAD program and $80 million from the airborne laser program. These are not long-range missile programs. These are not missile programs designed to counter intercontinental ballistic missile threats to our country; these are designed to protect men and women in the military service of the United States who are deployed all over the world right now. And they are now under threats from the same kind of missile weapons systems that were used by Iraq. Now they have been modernized, we hear from our intelligence sources, and are more accurate and more reliable and more lethal than they were in the desert war.

These programs should not be cut in the name of trying to restrict the President from using funds that the Congress appropriates for national missile defense. These are intermediate-range defensive systems, the testing and deployment of which were not intended to be covered by the ABM Treaty. And even though the Clinton administration was negotiating with the Russians our rights to test in developing these programs—to some degree at least—it is not the subject of the ABM Treaty. The ABM Treaty wasn't designed to deal with these threats at all.

So what I am suggesting is that the Senate ought to be on early warning that we are seeing an effort being developed here—at least in the Armed Services Committee—to lay groundwork for restrictions on funding, for restrictive language, which I understand is also included in the chairman's mark, which would more closely restrict the President and the Department of Defense in their effort to fully explore the use of technologies that would help defend our service men and women when they are in harm's way around the world today.

There are some other programs that are cut in this bill that I understand are in the chairman's mark. One is the space-based infrared system, which will provide satellites to track missiles after launch—$97 billion is cut from that program.

So there is a pattern here of undermining the entire effort to develop our