United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, MONDAY, MAY 17, 1999 *No. 71*

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. PEASE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 17, 1999.

I hereby appoint the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We long for peace in our hearts, O God, and we long for peace in our world. We pray that all people who have responsibility for the welfare of the nations will be surrounded with Your gifts of discernment and wisdom, with patience and understanding. May we be always fervent in our concern for those who suffer and diligent in our prayers for peace. Bless all Your people, O God, whatever their concern or need. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Nevada (Mr. GIBBONS) come forward and lead the House in the Pledge of Allegiance.

Mr. GIBBONS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

NBC MINI-SERIES, ATOMIC TRAIN

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, last night on national television, millions of Americans tuned in to watch the NBC mini-series, ''Atomic Train.'' This movie attempts to portray how serious and potentially disastrous a nuclear waste carrying train accident would be for America.

Well, Mr. Speaker, just the prospect of this movie has made the nuclear power lobbyists more nervous than an alligator in a luggage factory.

So much so, that they pushed NBC into making script changes in an effort to hide the real dangers of transporting nuclear waste on trains.

So tonight, as this mini-series concludes, Americans should know the dangerous reality that exists in transporting nuclear waste through American neighborhoods.

Members of Congress should know that this type of disaster could be a reality in their district, in their hometowns, next to their children's schools and playgrounds. I urge my colleagues to oppose H.R. 45 and tell the special interests no to an atomic train coming through their districts.

Do not let them pull the wool over your eyes.

I yield back the balance of my time to NBC to tell the American people the truth about transporting nuclear waste.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HOW LONG MUST THE BOMBING IN YUGOSLAVIA CONTINUE?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. WHITFIELD) is recognized for 5 minutes.

Mr. WHITFIELD. Mr. Speaker, how long must the bombing of Yugoslavia continue? Fifty-four days of continuous bombing in Yugoslavia. For what purpose? The President, Vice President and Secretary Albright adopted a policy saying that we must stop the ethnic cleansing of Kosovo Albanians. They said that they must act to forestall a new round of ethnic cleansing by Mr. Milosevic, and that was the reason the bombing started.

The bombings have not worked. Today, there are nearly 800,000 refugees in Macedonia, another 500,000 internally displaced within Kosovo. Thousands have been murdered. Macedonia has been destabilized, and our foreign relations with Russia and China severely strained. It is difficult to imagine how the situation could be much worse than what it is today.

This administration, as part of its policy, and rightfully so, criticizes Milosevic for killing innocent civilians, and he has killed innocent civilians. However, our bombings are killing innocent civilians in Yugoslavia today.

Mr. Milosevic has destroyed the infrastructure of Kosovo, and that is a valid criticism. Our bombings are destroying the infrastructure in Yugoslavia today.

As Mr. Michael Dobbs wrote in yesterday's Washington Post, this administration's oversimplistic comparison between Kosovo and Bosnia or

Milosevic and Hitler has helped transform what would otherwise have been a Balkan crisis into a global crisis, the ramifications of which are being felt not only in America, not only in Yugoslavia but also in Moscow and in Beijing.

NATO's senior military officer, General Klaus Naumann said this weekend, we are nibbling away night by night and day by day at Milosevic's military capabilities.

Paul Watson of the Los Angeles Times reported from Yugoslavia on some of NATO's nibblings. Bomblets from cluster bombs have been aimed in the middle of the night at military forces and a park and playground in the village of Stare Garko. At least three of the unexploded bomblets lay in the playground, where three empty bunkers suggested that soldiers may have been based. There were no signs of damage to any military vehicles. Instead, four-year-old Dragan Dimic was dead, along with his neighbors Bosko Jankovic and Mr. Jankovic's wife Jenverosima. Their bodies lay smeared with dried blood where they fell at the edge of their small front patio.

Mr. President, stop the bombings. Give negotiations an opportunity to work. Are we willing to continue bombing whatever the cost in human life, in pain and in suffering until Mr. Milosevic removes all of his forces from Kosovo? There must be some other way. Bombing is not the answer. How long must the bombing in Yugoslavia continue?

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1654

Mr. GORDON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1654.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1739

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 5 o'clock and 39 minutes p.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mrs. MYRICK, from the Committee on Rules, submitted a privileged report (Rept. No. 106–144) on the resolution (H. Res. 173) waiving points of order against the conference report to accompany the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mrs. MYRICK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 18, 1999, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2154. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Karnal Bunt; Reclassification of Regulated Areas [Docket No. 96–016–36] (RIN: 0579–AA83) received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2155. A communication from the President of the United States, transmitting his requests for FY 2000 budget amendments for the Departments of Agriculture, Defense, Energy, and Transportation, and International Assistance Programs, and the Legislative Branch, pursuant to 31 U.S.C. 1107; (H. Doc. No. 106—66); to the Committee on Appropriations and ordered to be printed.

2156. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—''Annual Report of Cable Television Systems,'' Form 325, filed pursuant to Section 76.403 of the Commission's Rules [CS Docket No. 98–61] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2157. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—Streamlining of Cable Television Services Part 76 Public File and Notice Requirements [CS Docket No. 98–132] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2158. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Howell, MI [Airspace Docket No. 99–AGL–6] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2159. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Flint, MI [Airspace Docket No. 99–AGL–7] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2160. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; and modification of Class E Airspace; Alpena, MI [Airspace Docket No. 99–AGL–11] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2161. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revocation of Class E airspace, Saginaw, Harry W. Browne Airport, MI; revocation of Class E Airspace, Saginaw, Tri-City Airport, MI; and establishment of Class E Airspace; Saginaw, MI [Airspace Docket No. 99–AGL–9] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2162. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marlette, MI [Airspace Docket No. 99–AGL–10] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2163. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Detroit, MI [Airspace Docket No. 99–AGL–8] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2164. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Fremont, OH [Airspace Docket No. 98–AGL–75] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2165. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Waverly, OH [Airspace Docket No. 98–AGL–79] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2166. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Cahokia, IL [Airspace Docket No. 99–AGL–4] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2167. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; San Antonio, TX [Airspace Docket No. 98–ASW–54] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2168. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Monroe, LA [Airspace Docket No. 98–ASW–55] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2169. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Boonville, MO; Correction [Airspace Docket No. 99–ACE–6] received May 3,

1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2170. A letter from the Program Analyst, Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; El Dorado, KS; Correction [Airspace Docket No. 99–ACE–5] received May 3, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2171. A letter from the Attorney General, Secretary of Health and Human Services, transmitting the Annual Report on the Health Care Fraud and Abuse Control Program for Fiscal Year 1998; jointly to the Committees on Commerce and Ways and Means.

2172. A letter from the Chairman, Federal Prison Industries, Inc., Department of Justice, transmitting the 1998 Annual Report of the Federal Prison Industries, Inc. (FPI), pursuant to 18 U.S.C. 4127; jointly to the Committees on the Judiciary and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MYRICK: Committee on Rules. House Resolution 173. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes (Rept. 106–144). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BURTON of Indiana (for himself, Mr. ARMEY, and Mr. OSE):

H.R. 1827. A bill to improve the economy and efficiency of Government operations by requiring the use of recovery audits by Federal agencies; to the Committee on Government Reform.

By Mr. BLILEY (for himself and Mr. DINGELL) (both by request):

H.R. 1828. A bill to provide for a more competitive electric power industry, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Resources, Agriculture, Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAHAM:

H.R. 1829. A bill to amend title 10, United States Code, to improve the administration of the volunteer civilian auxiliary of the Air Force known as the Civil Air Patrol; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEVIN (for himself, Mr. ENGLISH, Mr. KLECZKA, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mr. KUCINICH, and Ms. SCHAKOWSKY):

H.R. 1830. A bill to enhance the Federal-State Extended Benefit program, to provide incentives to States to implement procedures that will expand eligibility for unemployment compensation, to strengthen administrative financing of the unemployment compensation program, to improve the solvency of State accounts in the Unemployment Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEHAN:

H.R. 1831. A bill to authorize and request the President to award the Medal of Honor posthumously to Charles Richmond Metchear for his actions at Cienfuegos, Cuba during the Spanish-American War; to the Committee on Armed Services.

By Mr. OXLEY (for himself, Mr. ENGEL, Mr. MEEKS of New York, and Mr. KING):

H.R. 1832. A bill to reform unfair and anticompetitive practices in the professional boxing industry; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORBES:

H. Con. Res. 108. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued to raise public awareness of the serious problem of driving while intoxicated; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 85: Ms. CARSON.

H.R. 241: Mrs. MINK of Hawaii and Mr. BEREUTER.

H.R. 306: Mr. GEPHARDT, Mr. LIPINSKI, Mr. COOK, and Mr. PETERSON of Minnesota.

H.R. 323: Mr. CRANE.

H.R. 348: Mr. BOEHLERT.

H.R. 353: Mr. JOHN, Mr. GOODLING, Mr. ADERHOLT, Mr. KIND, Mr. SAXTON, Mr. MCKEON, Mr. BLUMENAUER, and Mr. ROEMER.

H.R. 483: Mr. LUCAS of Kentucky.

H.R. 534: Mr. SMITH of Texas.

H.R. 607: Mr. MCCRERY and Mr. HERGER.

H.R. 684: Mr. MARKEY.

H.R. 902: Ms. CARSON, Mrs. MEEK of Florida, Mrs. JONES of Ohio, and Mr. BARRETT of Wisconsin.

H.R. 984: Mr. LEWIS of California, Mr. CANNON, Mr. BRADY of Texas, Mr. EHLERS, and Mr. NUSSLE.

H.R. 1041: Mr. BAKER.

H.R. 1071: Mr. MEEKS of New York.

H.R. 1093: Mrs. CHRISTENSEN, Mr. SMITH of New Jersey, Mrs. JONES of Ohio, and Mr. LARSON.

H.R. 1111: Mr. ENGLISH.

H.R. 1160: Mr. RODRIGUEZ.

H.R. 1219: Mr. FATTAH.

H.R. 1244: Mr. GREEN of Wisconsin, Mr. LEACH, Mr. THOMAS, Mr. MARTINEZ, Mr. BALLENGER, Mr. BATEMAN, and Mr. WALDEN of Oregon.

H.R. 1248: Mr. BERMAN and Mr. PAYNE.

H.R. 1269: Mr. LUTHER.

H.R. 1299: Mr. BAKER.

H.R. 1476: Mr. ABERCROMBIE and Ms. BERKLEY.

H.R. 1484: Ms. BERKLEY.

H.R. 1485: Mr. CROWLEY and Ms. SCHAKOWSKY.

H.R. 1515: Mr. MCNULTY, Mr. LATOURETTE, Mr. FRANK of Massachusetts, Mr. QUINN, Mr. HOEFFEL, Mr. HORN, Mr. MCGOVERN, Mrs. THURMAN, Mr. FILNER, Mr. RAHALL, and Mr. FARR of California.

H.R. 1549: Mr. VENTO, Mrs. JONES of Ohio, Mr. EHLERS, Mr. FORBES, and Mr. PALLONE.

H.R. 1560: Ms. SLAUGHTER.

H.R. 1631: Mr. PAUL and Mr. THOMPSON of Mississippi.

H.R. 1654: Mr. GARY MILLER of California.

H.R. 1661: Ms. SLAUGHTER.

H.R. 1717: Ms. CARSON.

H.R. 1764: Mr. CRAMER and Ms. BERKLEY.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1654: Mr. GORDON.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE *106th* CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, MONDAY, MAY 17, 1999 *No. 71*

Senate

(Legislative day of Friday, May 14, 1999)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, as we begin this new week, we make a solemn declaration of dependence. We depend on You for wisdom to confront soul-sized issues, strength to take the pressure of the busy week ahead, and patience to deal with our differences.

Sovereign of our beloved Nation, we are profoundly concerned about our culture. We ask You to bless and strengthen the families of our land. Today we want to praise You for mothers and fathers who take seriously their immense responsibility for the character development of their children. Especially we thank You for parents who exemplify the qualities and virtues they seek to engender in their children. We renew our commitment to the families You have given us and to the strategic role of the family in our Nation. Help us live our faith and communicate Your love, absolutes, and justice to the children. Through our Lord and Savior. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT, is recognized.

Mr. LOTT. I thank the Chair.

THANKING THE CHAPLAIN

Mr. LOTT. I thank the Chaplain for, as usual, a very appropriate and wonderful prayer.

SCHEDULE

Mr. LOTT. Today, the Senate will be in a period of morning business until 1 p.m., with Senators permitted to speak for up to 10 minutes each. It is expected the Senate will resume debate on the juvenile justice bill this afternoon. Senators who have amendments on the list with respect to the juvenile justice bill should be prepared to offer their amendments today. I understand at least three Senators are prepared to offer one or more amendments, so that will take up, I am sure, a considerable amount of time. I understand that Senator SANTORUM and Senator WELLSTONE and Senator MCCONNELL have amendments they will be prepared to offer this afternoon. No rollcall votes will occur during today's session.

Also, today it is the intention of the leadership to debate the Y2K legislation for an hour or so at the end of the day, which would then, of course, take us over into tomorrow, when, under a previous unanimous consent agreement, there will be a cloture vote on a motion to proceed to Y2K at 9:45 a.m.

For the remainder of the week, the Senate will, hopefully, complete action on the juvenile justice bill and the Y2K legislation. Also, the Senate will turn to the supplemental appropriations conference report. I understand that may not be available until late tomorrow afternoon or perhaps even Wednesday. Exactly when that will be brought up will depend, in part at least, on the disposition of these other two bills. Senators should expect rollcall votes throughout each day and into the evening, if necessary, although I would not anticipate a late night on Tuesday, but we could have to go into late nights Wednesday and Thursday.

On Friday, we will not have any legislative business even though we may have a pro forma session. There is a Democratic retreat similar to the one the Republicans had last month, and that is scheduled for Friday. So we will not have any recorded votes so that they can attend this meeting.

Mr. President, I want to again ask for cooperation by Senators in offering amendments and also trying to complete action on these two very important bills. The Y2K liability issue is one of growing concern. If you read the newspapers Friday and Saturday, you learned that there is a growing problem with small businesses trying to become Y2K compliant. There is a great deal of consternation about the liability exposure, and this bill provides a way for these problems to be addressed without leading to a myriad of lawsuits. I have even seen one statement that the Y2K litigation costs could exceed the cost of asbestos, breast implants, and tobacco litigation. That is massive. I do not know whether that is accurate or not, but it is a problem with which we need to try to deal.

Also, on juvenile justice, this underlying bill has been in the making for 2 years. We have had amendments, and we will have other amendments offered with regard to violence in the schools, how you deal with that, with the impact of certain laws that we already have on the books as to schools and, of course, gun amendments. I hope we can come to a reasonable agreement of how we can complete both of these bills this week and then go to the supplemental appropriations bill and be prepared late this week or early next week to turn to the defense authorization bill. At a time when we have our men and women engaged in combat, we need to go ahead and move this very important piece of legislation.

So those, along with the DOD appropriations bill, I hope to have completed by a week from Thursday night before the Memorial Day recess.

With that, I yield the floor, Mr. President, and I observe the absence of a quorum.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

The PRESIDING OFFICER (Mr. ROBERTS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Acting in my capacity as a Senator from Kansas, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Acting in my capacity as a Senator from Kansas, I ask unanimous consent that the Senate stand in recess until 1 p.m.

There being no objection, at 12:17 p.m., the Senate recessed until 1:08 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. CHAFEE).

Mr. WELLSTONE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Y2K ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to S. 96, which the clerk will report.

The legislative assistant read as follows:

A bill (S. 96) to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date.

The Senate resumed consideration of the motion.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask the Y2K bill be set aside and we return to the——

Mr. WELLSTONE. I object.

Mr. HATCH. It is my understanding——

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, notwithstanding the pendency of the current bill, I ask unanimous consent that the distinguished Senator from Minnesota be permitted to offer an amendment to the juvenile justice bill, after my opening remarks.

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

Mr. WELLSTONE. Mr. President, I thank my colleague from Utah for his graciousness.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Rachel Gragg and Ben Highton be permitted privilege of the floor during the discussion of the juvenile justice bill.

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

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

Mr. HATCH. Mr. President, the Senate today resumes consideration of the youth violence bill. As we resume debate on this measure let me quote from a recent New York Times editorial:

In the past it was not hard to be struck by the way time seemed to roll over a tragedy like a school shooting, by the disparity between the enduring grief of parents who lost children in places like Paducah and Jonesboro and the swift distraction of the rest of us. This time, perhaps, things may be different. The Littleton shootings have forced upon the nation a feeling that many parents know all too well—that of inhabiting the very culture they are trying to protect their children from. * * * The urge to do something about youth violence is very strong * * * but it will require an urge to do many things, and to do them with considerable ingenuity and dedication, before symptomatic violence of the kind that occurred at Littleton begins to seem truly improbable, not just as unlikely as the last shooting.

While I may not agree with the New York Times on everything, I doubt that I could have described our task any better. I commend them for this editorial. This issue is a complex problem which requires dedication, a spirit of cooperation, and an agreed-upon set of objectives.

When I assumed chairmanship of the Senate Judiciary Committee, one of my first actions was the creation of the Youth Violence Subcommittee. The subcommittee made dealing with the problem of youth violence a priority, and our efforts on this front were paid greater attention in the wake of juvenile crime tragedies. Yet, as the editorial in the New York Times notes, the Nation's attention always seemed to be swiftly distracted. Still, we pushed forward with our legislative efforts.

Senator SESSIONS held hearings in nearly empty hearing rooms. We spent more than 6 weeks in committee marking up the predecessor to the bill we have before us today. Some questioned our political equilibrium. After all, juvenile justice is fundamentally a State matter, and our economy is robust. Why bother? That is what some felt. Well, we have worked on this bill and pushed for this bill because we think it is the right thing to do and because it will improve juvenile justice and deter youth violence.

Some of us have invested substantial time, effort and political capital in this bill. I have invested even more in this bill in these last few days by supporting measures which, at an earlier time, I may not have supported. I have put the goal of changing our culture of violence and helping our young people first. The question for us now, however, is: Do we have the political strength as an institution to come together and pass this bill promptly?

I firmly believe the work we have undertaken these last several days demonstrates that we, on this side of the aisle, are dedicated to addressing the problems of youth violence and that we are willing to put our children first. We have made significant progress on this bill to date. We have voted on 14 amendments and I plan to accept even more in the managers' amendment. We have spent 4 legislative days on this measure. As a result, this is a better, more comprehensive bill than when we began the debate. If we focus our effort on where we can agree, as opposed to where we may differ, I believe we can pass this bill expeditiously.

Mr. President, the problem of school violence and juvenile crime is not going to go away because we have debated the issue and voted on some divisive amendments. In fact, the problem continued this weekend in Michigan where four juveniles, ages 12 through 14, were arrested and charged with conspiracy to commit murder for plotting a school shooting similar to the massacre at Columbine High School. These four juveniles allegedly planned to kill their classmates by opening fire in the middle school assembly and then detonating a bomb on school grounds. Michigan prosecutors reported that the juveniles planned to kill more students than were killed at Columbine High School. A bomb that was discovered near the middle school campus on Thursday led school officials to conduct school-by-school inspections and cancel school activities.

Senator FEINSTEIN and I have filed our antibomb amendment. It is astounding to me—the hundreds of articles on the Internet that teach kids how to do violence and make bombs.

In addition, a 13-year-old boy was arrested in Indiana this weekend for planting seven pipe bombs in a car owned by one of his classmate's parents. One of the bombs exploded while the car was being driven. Reportedly, the juvenile stalked the family after their daughter told authorities that the boy had brought a gun to school.

Moreover, just days after the tragedy in Littleton, four junior high students in Wimberley, TX, were charged with plotting to kill students and teachers in a planned attack eerily similar to the one committed at Columbine High School. Gun powder, explosive devices, and bomb-making instructions downloaded from the Internet were found at the juveniles' homes. Incredibly, this was not a copycat plan. Rather, these 14-year-old boys had been planning the attack since the beginning of the year.

Mr. President, today, we believe and pray that the Columbine High School rampage will never be forgotten. Let's make sure that is the case. Let's pass this bill. Remember, we said the same about similar shootings in recent years in schools in Pearl, MS, which left two dead; West Paducah, KY, which left three dead; Jonesboro, AK, which left five dead; Edinboro, PA, which left one dead; and Springfield, OR, which left two dead.

These disturbing trends, which have occurred in every region of the country, provide further evidence that we should pass this legislation. No longer can we reasonably say that youth violence is a random or inconsequential problem. In reality, this legislation is needed now more than ever because juvenile crime and youth violence is unacceptably high by historical standards.

Given the magnitude of this problem—and the number of warning signs that future tragedies may be imminent—we cannot afford to delay passage of this bill through amendment. Instead, we should come together and reach unanimous consent to pass this bill tomorrow. For the sake of our children, let's wrap this bill up. This is a bipartisan bill. We have been open for suggestions from the administration and from the Justice Department. We haven't had any until this last week. But most of those suggestions we have embodied in the bill or will embody in the bill.

So let's pass this bill tomorrow. Let's get this bill enacted into law. Let's get the President to sign it, and let's do everything we can to prevent future tragedies like the one at Columbine High.

Elaine and I just had our 18th grandchild born a few days ago—a little girl named Madison Alysa. We are very concerned. We have 6 children and 18 grandchildren now. The 19th is on its way, and will be here sometime in August. I have to say that I want to leave this world a better place for them than it currently is. This bill is one magnificent attempt to get us there. Nothing we do is going to absolutely guarantee no future problems. But this bill will absolutely guarantee that there will be less of those future problems than we have today, and it may even, in the end, help us to guarantee that there are none of these types of problems again, although I fully confess that I am probably wishing for too much under today's circumstances, with the influences that are besetting our kids throughout our society today.

Our problems are primarily cultural today. They are cultural. There is no question that we need to have accountability where kids learn to be responsible for their actions, and learn that there is a price to be paid for actions that are denigrating to society. But we also need the prevention moneys in this bill that basically will help kids to realize that if they have made a mistake, we are going to help them to get back, we are going to help them to be able to resolve their problems in life.

We need the safe schools section of this bill. We need the section that will help to change our culture by giving the entertainment industry the tools by which they can voluntarily require compliance with their retailers and their wholesalers so these adult and mature materials are not sold and disseminated to children.

We have a study in this bill by the FTC, the Federal Trade Commission, to study just whether or not some of these industries are actually targeting kids. Of course, we have other provisions as well. We have the antitrust exemption, which would allow the companies to get together to voluntarily stop some of the things that are going on.

Last, but not least—I can talk about this all day—we need to get tough on violent juveniles. Some of these kids are every bit as bad as the Mafia. They kill at the drop of a hat. They don't have any conscience. They laugh at those who are righteous and decent and morally upright. And, frankly, we have to make sure that when they commit these heinous crimes, that they pay a price for it. Hopefully, we can rehabilitate them with the prevention moneys. But if we can't, they ought to be removed from society so they can't kill other people or maim other people or cause the problems that they are currently causing.

All of these things we can do with this bill. This is a bipartisan bill. We have good people on both sides of the aisle supporting it. I believe we need to get it done.

I appreciate the efforts of those who are here today willing to present their amendments so we can get this matter finished, and so we know, hopefully by the end of this day, just how many amendments we have and what we need to do.

I yield the floor.

Mr. WELLSTONE. Mr. President, I will be offering a number of amendments to this piece of legislation. First of all, I want to give these amendments a little bit of context. I came to the floor last week ready to offer these amendments. We had a whole series of other amendments, many of them dealing with gun control and other important amendments, we wanted to debate. I always said to my colleagues I was ready, willing, and able to go forward with amendments that I thought would dramatically improve this legislation.

I want to outline some of these amendments and then go to the amendment which is before the Senate.

The first amendment would allow States to use the new juvenile justice delinquency prevention block grant funds ''for services to juveniles with serious mental and emotional disturbances in need of mental health services'' before they land in the juvenile justice system.

This amendment also allows States to make the decision to use the JJDP block grant funds for ''projects designed to provide support to State and local programs designed to prevent juvenile delinquency by providing for assessment by qualified mental health professionals of incarcerated juveniles who are suspected to be in need of mental health services'' who need an individual treatment plan, and so forth.

Let me say to my colleagues on the other side of the aisle that this language is very similar to what is actually in the House bill. I am trying to say we ought to allow States to use the block grant funds for a couple of different things.

No. 1, on the front end of this system, you have a kid—and this happens to be an area in which I have done a fair amount of work—struggling with mental illness. You want to be in a position to be able to use this money to identify this child with this particular problem and get the child into the kind of treatment that is needed as an alternative to incarceration.

We have entirely too many kids locked up who probably shouldn't be—not probably; who shouldn't be—locked up in the first place. I met some of these kids, kids who stole a moped or kids charged with breaking and entering. They have never committed a violent crime, they have a whole history of struggling with mental illnesses, but these kids weren't identified. There was no way of assessing this and providing these kids with some treatment as an alternative.

We want to make sure we have specific language that provides funds for services to juveniles with serious mental and emotional disturbances, to juveniles in need of mental health services, before they land in the juvenile justice system. It seems to me that any piece of juvenile justice legislation would want to include this language.

The second thing, it is absolutely brutal, it is absolutely harsh, it is absolutely unconscionable, that there are so many kids locked up in these facilities ages 11, 12, and 13 who struggle with mental illness and don't get any treatment. Again, we want to make sure that we allow States to use these JJDP block funds to do a much better job of assessing the kid's needs once that kid is incarcerated, figuring out what kind of individualized treatment plan will make sense and make sure the kids are treated.

I am sick and tired of the stigma about mental illness. It is pretty horrible to see what can happen to kids. I think what many of my colleagues absolutely have to realize is that many children—and there are children who wind up in these facilities—really are brutalized. They are brutalized. They are not even in a position to defend themselves, and they receive no treatment at all.

I am going to go on and come back to this amendment.

The second amendment I will be introducing is an amendment which allows States to use block grant funds for implementation of the training of justice system personnel. This comes out of the Mental Health Juvenile Justice Act I introduced in January, a bill I have been working on for about a year.

Again, basically what this says to States is, if you want to use these block grant funds to make sure a lot of the individuals who are in our juvenile justice system—from the judges, to the probation officers, to school officials, to a whole bunch of other people—are

trained so they can recognize kids who are struggling with these mental problems, then you should be able to do so. Often you do not have people within this juvenile justice system who have the training to recognize a child who is struggling with mental illness, who needs treatment for that illness. What this amendment says is let's allow States to use some of this block grant money for such training. Again, I will go into this amendment in detail later on, but I find it difficult to believe this is an amendment that would not be accepted to a piece of legislation called juvenile justice.

The third amendment I am going to introduce has to do with children who witness domestic violence. This area of work for me has become the opposite of academic. I do a lot of this work with my wife Sheila. It is based upon all sorts of women and children who have been victims of family violence.

As I said before on the floor of the Senate, roughly speaking, about every 15 seconds a woman is battered in her home. A home should be a safe place. All too often, children are battered as well. The connection to this legislation is that if you ask judges what the files look like of kids who appear in their court at 13, 14 years of age, quite often those judges will talk about the violence in the homes.

We have not done a good job. We are beginning to focus on the need to provide support for women. That was the Violence Against Women Act on which Senator BIDEN and Senator MURRAY and many others provided a tremendous amount of leadership as did Senator HATCH. But what we have not recognized is the effects of this violence against the parent—and all too often that is the woman—on the children. Even if the child himself or herself is not battered—and quite often that happens—they see it all the time. When they come to school, quite often they cannot do well. Often it is not recognized by school authorities.

So this amendment, which is extremely relevant to this legislation, would provide a comprehensive intersystem approach to limiting the effects of domestic violence on the lives of children. This is an amendment, again, on which I will go into great detail, that will provide the funds for our Nation to do a better job at the community level, to bring together all the different adults who come in contact with these children, and get some support to these children.

I do not know how to put it except this way: You can have the smallest class size, you can have the best teachers, you can have the best technology, but if that child has been in a home where that child has seen his mother beaten up over and over and over again, the chances are that child is in trouble. The chances are that child may not be able to do well in school. And the chances are right now we have a whole lot of people, from school officials to law enforcement officials, you name it, who will not recognize that. We need to figure out ways of enabling adults in the community to recognize children who are going through this, and we need to figure out a way to provide more support for these children.

The fourth amendment is an amendment of which I am very proud. I have a lot of different support for it, from the Conference of Mayors to the American School Health Association. This amendment would provide for 100,000 new school counselors, plus school psychologists and school social workers. This would be Federal funds matched by funds from States and local school districts.

It is very simple. There is no be-all, there is no end-all, but when I marshal evidence for this amendment I think my colleagues are going to be shocked at the extent to which we have really no infrastructure of support for so many of these kids when it comes to mental health services. We do not have enough counselors. We do not have enough school psychologists. We do not have enough social workers. We cannot even begin to help a lot of kids who need somebody to whom they can go. So, again, I think this amendment is right on point.

Finally, I will have an amendment that will take some time, which is indirect to this legislation, which is the welfare recipient accountability amendment. There are two other amendments.

Just to put colleagues on notice on this, what I want to say is—and I, unfortunately, will be able to marshal a lot evidence—now that we are beginning to get the fragmentary reports of what is going on with the welfare bill, we are finding, for the majority of women who are off welfare, a dramatic reduction in the welfare roll is not equal to a dramatic reduction in poverty. The majority of these women are working at jobs, the prevailing wage of which is less than they were receiving before. In a lot of cases, these children are not getting decent child care. Therefore, I have to worry about where these kids are going to go.

Let's at least call on Health and Human Services to require States to provide us with the data as to where these women and children are: What kind of jobs do they have at what kind of wages? What is the situation with their children? We ought to know. We ought to know.

Tomorrow, this amendment, I think, will cause a major debate. I hope there will be overwhelming support for it. There really were close to 400 votes in the House of Representatives, I believe.

One of the flaws of this legislation is to take out the language that deals with disproportionate minority confinement. I will spend a lot of time on the floor tomorrow, with Senator KENNEDY, on this question, because right now this piece of legislation takes us backwards. It takes us backwards from the current situation, or from what the House of Representatives has proposed, which is we want to know about the ''why'' of disproportionate minority confinement. We want to know why so many children of color are the ones who are picked up, so many children of color wind up in the court system, so many of them wind up in these so-called correctional facilities—all out of proportion to number of crimes committed. We do have to come to terms with race in America.

The fact of the matter is the disproportionate minority confinement language right now has enabled some States to do some very good work. States on their own—on their own because of Federal legislation—are doing some very good analysis of why we have so many of these kids of color in these facilities. This legislation would basically stop that effort. This legislation takes us backwards. It is a huge mistake. I have not seen the civil rights community more focused on trying to get an amendment agreed to than this amendment. I look forward to this debate. I think it is extremely important.

Mr. President, let me, then, introduce the first two amendments that I am hoping will be noncontroversial. They are drawn from the Mental Health Juvenile Justice Act. Again, this legislation I introduced several months ago received the support of over 40 organizations. They go all the way from the American Bar Association to the Children's Defense Fund, to district attorneys' offices, to State judges, probation, and police officers, you name it. Right now, S. 254 pays only lip service to the problem of children with mental illness in our juvenile justice system. These amendments have teeth, providing States with grants to fund programs to keep children who struggle with mental illness out of the juvenile justice system altogether and to identify and treat those who are in it.

Elie Wiesel once said:

> More than anything—more than hatred and torture—more than pain—do I fear indifference.

We must be diligent and not allow ourselves to be indifferent to children's misery, particularly those children who may be sick, difficult, and test our patience, our understanding and our compassion.

Yet, we have become in our country, I fear, deeply indifferent to how we treat juveniles in the justice system who live in this shadow of mental illness. Each year, more than 1 million youth come in contact with the juvenile justice system and more than 100,000 of these youth are detained in some type of jail or prison. These people are overwhelmingly poor and a disproportionate number of them are children of color.

By the time many of these children are arrested and incarcerated, they have a long history of problems in their very short lives. As many as two-thirds suffer from mental or emotional disturbance; 1 in 5, 20 percent, has a serious disorder; many have substance

abuse problems and learning disabilities; most of them come from troubled homes.

The ''crimes'' of these children vary. While some have committed violent crimes—and we have to hold a child or an adult accountable for a violent crime—some have committed petty theft or skipped school. Still others have simply run away from home to escape physical or sexual abuse from parents or other adults.

The vast majority of children who are in these juvenile justice facilities have not committed a violent crime. In fact, despite popular opinion, most of the children who are locked up are not violent. Justice Department studies show that 1 in 20 youth in the juvenile justice system has committed a violent offense—1 in 20 of youth in the juvenile justice system has committed violent offenses.

Jails in the juvenile justice centers are often found unprepared to deal with the mentally ill. For instance, medication is not given when it should be given or it is not properly monitored or guards may not know how to respond to a disturbed youth who is just not capable of standing in line for orderly meals. As a result, many of these children are disciplined and put in solitary confinement.

What is happening to these troubled children—and this is why I want my colleagues to accept this amendment; this is why I have been waiting days for this amendment—is a national tragedy. All across the country, we are criminalizing mental illness of children, and we are dumping emotionally disturbed kids into juvenile prisons.

What this amendment says is we at least allow States to take the block grant money to do a better job of assessing these children when they get into trouble, and if these children are struggling with mental illness or struggling with emotional problems and they have not committed a violent crime, let us at least make sure we provide some diversionary programs, some community-based treatment, as opposed to incarcerating these children.

This comes right from this juvenile justice mental health legislation. We ought to pass this amendment, I say to my colleagues.

What is happening to these troubled children is a national tragedy. Why do so many youth with mental illness end up in the juvenile justice system? Children with mental disorders often behave in ways that bring them in conflict with family members, with authority figures and peers.

Over the last 10 years, the public attitude toward juvenile crime has grown tougher. Consequently, the juvenile justice system is casting a wider net. A growing fear and intolerance of children who misbehave or commit nonviolent offenses have pushed children into the juvenile justice system who would not have ended up there in earlier times.

At the same time, our country has failed to invest adequately in services and programs that can reduce the need for their incarceration. These include mental health services. The warning signs for delinquency are well known: School failure, drug and alcohol abuse, family violence and abuse, and poverty. Yet, we have failed to put in place community prevention, screening, and early intervention services for those children who are most at risk.

Proper mental health treatment can prevent or reduce the offending, but many, many, many communities do not have adequate services for children and their families. Let me read a couple of examples.

Matthew—and I am not going to use the full name—Matthew I. has a history of mental health problems. He has received services from the public mental health center and has been hospitalized several times in private psychiatric institutions.

One night in 1996, Matthew heard voices telling him to run away from home. He listened to the voices, and in the process of running away, he stole two bicycles. Matthew was arrested and charged with theft. He was sentenced to the Swanson Correctional Center for Youth. While in Swanson, Matthew was beaten and witnessed guards abusing other youths. Matthew received disciplinary tickets for falling asleep. His psychotropic medications made him sleepy, so he stopped taking his medicine. Without his medication, Matthew was impulsive and had difficulty following orders. So, again, he received disciplinary tickets.

Despite continued requests from his mother, Matthew did not receive an evaluation by a psychiatrist until he attempted suicide. After the suicide attempt, Matthew saw the psychiatrist in 6-week to several-month intervals. He did not receive mental health counseling services. Matthew made several suicidal attempts after the first one.

After almost 2 years of confinement in the juvenile prison, Matthew is now at home. That is one example. This is from Shannon Robshaw, executive director of the Mental Health Association in Louisiana.

Daron R. was physically and sexually abused by his babysitters from infancy to age 7. He has marks on his face where this couple threw rocks at him and hit him with a broom.

Daron is a brilliant child and categorized by the school as ''gifted.'' Daron is explosive and has a hard time controlling his temper. He is impulsive and has difficulty following directions. Now 10 years old, Daron has a history of psychiatric hospitalization and is taking several medications.

In September 1998, he became uncontrollable at home and was sentenced to Jetson Correctional Center for Youth. At his mother's request, Daron's school psychologist attempted to assist him by participating in a telephone conference call. During this conference, she was told Jetson did not have to provide educational services for gifted children.

In Jetson, Daron had problems so the guards responded by throwing the 10-year-old against the wall. The psychologist asked if the guards were trained in passive restraint and was told no. Daron's mother and psychologist took pictures of the bruises on Daron's body. Daron was released to a State mental hospital last Christmas.

A final example—and when people come back tomorrow, I am going to get colleagues to listen before we vote on this amendment. These are children's lives.

Travis M. was charged with stealing a bicycle. I met him. Travis M. was charged with stealing a bicycle and sentenced to Tallulah Corrections Center for Youth for 3 months. Fourteen at the time, Travis had been hospitalized for psychiatric problems three times, the most recent only 1 month before being sentenced to Tallulah. Travis was labeled with attention deficit disorder, oppositional defiant disorder and mild mental retardation. Travis takes three psychotropic medications.

At Tallulah, Travis was unable to successfully complete the boot camp and received numerous disciplinary tickets for not following orders and for falling asleep. These tickets extended his sentence by a year and a half.

While at Tallulah, Travis was abused by guards and saw guards beat others. Travis witnessed guards putting a hit out on youths. While at Tallulah, Travis contemplated suicide and was told by a guard to ''go ahead, that will be one less to deal with.''

Eighteen months after being placed in Tallulah, Travis was released. Now he suffers from post-traumatic stress syndrome and has flashbacks of his violent experience in Tallulah.

(Mr. LUGAR assumed the Chair.)

Mr. HATCH. Will the Senator yield for a question?

Mr. WELLSTONE. I am pleased to yield for a question.

Mr. HATCH. Will the Senator be amenable to having a time agreement on this amendment, because up to now we have been working on very short time agreements and going back and forth. We have an amendment over here that will be offered and then we can come back to the Senator for his next amendment. If we can work pursuant to time agreements, it will be very helpful to the managers of the bill.

Mr. WELLSTONE. Mr. President, I say to my colleague that I do not intend to take a long time. It depends on what my colleague means by a ''time agreement.''

Mr. HATCH. Can we agree to a unanimous consent time agreement of some limit so we know when we can get somebody over here to present his or her amendment? I understand the distinguished Senator has three amendments. We will be glad to come back to the distinguished Senator for his second one, and then we will go back over here again, and then come back again.

But I would like to be able to have some ability to know when I should

have people here so we do not waste floor time, because we are pressured. We have worked all weekend to get our amendments down from the thirties to seven. The Democrat amendments are in the forties. I would like you to do the same, to work them down to seven. But it does mean some cooperation on both sides. I do not want people over here going on with any length either. And I will try to make sure they cooperate with reasonable time constraints.

Mr. WELLSTONE. Mr. President, let me ask my colleague. I would be pleased to accommodate him. Here is the question from me. In fact, I am almost surprised these first two amendments have not even been accepted. I have been working most of my adult life in this area, and I really want to talk about mental health and juvenile justice.

I think there are two amendments here. I don't want to rush through this and not give justice to what I think is an agonizingly important and painful question.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. But I have no intention of going on and on; so if we could get a reasonable time limit. Could I ask this: Since I have a lot of amendments here, how long are we allotting to different Senators? In other words, Senator SESSIONS has an amendment.

Mr. HATCH. Senator SESSIONS has an amendment.

Ten minutes equally divided on your side, so we can keep the time constraints here?

Mr. SESSIONS. I would like about 10 minutes.

Mr. HATCH. For yourself? So 20 minutes equally divided?

Mr. SESSIONS. Yes.

Mr. HATCH. If there is no one to argue on the other side, it would be a 10-minute amendment. Thus far, I do not know of anybody who is going to argue against it.

Mr. WELLSTONE. Mr. President, I would be pleased to finish up on my amendment in a short period of time. It sounds as if my colleague does not need a lot of time, but I would like to be able to offer my amendments here today.

Mr. HATCH. That is the purpose here. If I could bring to the Senator's attention, that is why we are listening to him, because we believe he is going to offer his amendments today. And we are certainly going to look at them.

I also tell the Senator, I am a strong supporter of mental health programs.

Mr. WELLSTONE. I know about that.

Mr. HATCH. We will have a major debate on mental health on the SAMHSA bill this year, and I am going to try to help him and others who feel deeply about it. Certainly mental health concerns are a part of this bill, because we provide, in one block grant, that mental health concerns can be part of that block grant. So we have not failed to consider that. But we left it up to the States to make those determinations rather than dictate to them or tell them what they have to do.

Now, I guess what I am saying——

Mr. WELLSTONE. I say to my colleague, this is why we may need more time. This actually just allows for the States, but it has the same language the House has which specifically lists mental health services so we make it clear this is part of what is to be done. We do not mandate this.

Mr. HATCH. I have no problem with the Senator bringing up his amendment. Could we, on this first amendment——

Mr. WELLSTONE. I say to my colleague, I can finish in 10 minutes and then we can go to another amendment.

Mr. HATCH. I ask unanimous consent that the distinguished Senator be granted 10 more minutes on his amendment and then we go to the Senator from Alabama for 10 minutes.

Mr. WELLSTONE. Reserving the right to object, after my colleague from Alabama is recognized, I ask that we then return to me and I can offer my next amendment.

Mr. HATCH. Could we determine a time limit on your next amendment? I do not know of anybody here who is going to speak in opposition at this point. They will probably wait until the 5 minutes before the amendments are called up for a vote. But could we have a time limit on your second amendment, as well? Then I will be able to tell the next Senator offering an amendment when to be here.

Mr. WELLSTONE. Mr. President, I am almost finished on the first one, but I cannot——

Mr. HATCH. Will the Senator give it some consideration, and we will talk about it?

Mr. WELLSTONE. Yes.

Mr. HATCH. Then I ask that my unanimous consent agreement be approved.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. I thank the Chair.

AMENDMENT NO. 356

(Purpose: To improve the juvenile delinquency prevention challenge grant program)

The PRESIDING OFFICER. Would the Senator from Minnesota send his amendment to the desk.

The clerk will report the amendment.

The legislative assistant read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 356.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 89, line 18, strike ''or'' at the end.

On page 89, line 21, add ''or'' at the end.

On page 89, between lines 21 and 22, insert the following:

''(H) to provide services to juveniles with serious mental and emotional disturbances (SED) who are in need of mental health services;

On page 90, between lines 7 and 8, insert the following:

''(4) projects that support State and local programs to prevent juvenile delinquency by providing for—

''(A) assessments by qualified mental health professionals of incarcerated juveniles who are suspected of being in need of mental health services;

''(B) the development of individualized treatment plans for juveniles determined to be in need of mental health services pursuant to assessments under subparagraph (A);

''(C) the inclusion of discharge plans for incarcerated juveniles determined to be in need of mental health services; and

''(D) requirements that all juveniles receiving psychotropic medication be under the care of a licensed mental health professional;

On page 90, line 8, strike ''(4)'' and insert ''(5)''.

On page 90, line 17, strike ''(5)'' and insert ''(6)''.

On page 91, line 1, strike ''(6)'' and insert ''(7)''.

On page 91, line 11, strike ''(7)'' and insert ''(8)''.

On page 91, line 17, strike ''(8)'' and insert ''(9)''.

On page 91, line 22, strike ''(9)'' and insert ''(10)''.

On page 92, line 6, strike ''(10)'' and insert ''(11)''.

On page 92, line 16, strike ''(11)'' and insert ''(12)''.

On page 92, line 24, strike ''(12)'' and insert ''(13)''.

On page 93, line 5, strike ''(13)'' and insert ''(14)''.

On page 93, line 13, strike ''(14)'' and insert ''(15)''.

On page 93, line 17, strike ''(15)'' and insert ''(16)''.

On page 93, line 20, strike ''(16)'' and insert ''(17)''.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, just again, to summarize, this is not a mandate. The amendment allows States to use the new juvenile justice delinquency prevention block grant funds for ''services to juveniles with serious mental and emotional disturbances . . . who are in need of mental health services'' before they land in the juvenile justice system.

This is the language from the House legislation. And this is language which is critically important, because if we do not have, I say to my colleague from Utah, language with this kind of specificity, then I think once again these kids just get lost in the shuffle.

I say to my colleague from Alabama, the second thing this amendment does is it says that for those kids who are incarcerated, let's allow States—they do not have to do it—to use the block grant funds for programs which will enable them to do an assessment of these kids, once in these facilities, who are struggling with mental problems, and make sure that they can get some treatment to these kids.

That is what these two amendments do.

I will talk about my visit to Tallulah—it is but one example—a facility in Louisiana. The only thing I

can tell you is that all across the country, unfortunately—and Tallulah is but one example—you have a lot of kids locked up who do not need to be. They stole a moped. They did not commit a violent crime. They have all sorts of mental problems. They are not getting the care they need. They could be treated in their community. You do not want to have them incarcerated. And then, God knows, for those who are incarcerated, you want to make sure they get the treatment.

That is what this amendment says. When I was in Tallulah, there were about 650 kids, and about 80 percent were African American—we will get to the whole problem of disproportionate minority confinement tomorrow in the amendment—as young as age 11; and many of them—I am sorry, too many of them—quite often are locked up in solitary confinement for up to 7 weeks, 23 hours a day, as young as age 11.

What I am saying is, at least let's allow States, with some clear language here, to provide mental health services to these kids who need services. That is what this amendment is all about. The way these children are treated is brutal; it is harsh; it is unconscionable; it is not right. I hope to get very strong support for this legislation.

While I am speaking, for those who may be watching, I thank the Chair personally, as opposed to reading or writing notes, for having the courtesy to listen to what I have to say as a Senator. I thank Senator LUGAR from Indiana for doing that. That is very important to me as a Senator when I am speaking about an issue that I think is important. I thank the Senator for his courtesy.

How much time do I have?

The PRESIDING OFFICER. The Senator has 7 minutes 55 seconds.

Mr. WELLSTONE. Are we going to try to see whether we can work this out? I would reserve time if I thought there was going to be debate. I am ready to debate amendments. Whatever you want to do.

Mr. HATCH. I think the Senator's statements are going to be the only ones until prior to the votes.

Mr. WELLSTONE. OK. Then I will yield the floor and come back with an amendment after my colleague.

Mr. HATCH. The Senator may put into the RECORD any additional comments that he cares to.

Mr. WELLSTONE. I would be pleased to do so. I just say to my colleague from Utah, whom I do not want to anger, not because I mind debating him—I appreciate the debates—but because I know how accommodating he can be, I am not going to come out here and talk and talk and talk, but I want to have the opportunity to give some context to these amendments. I think it is really important.

So I would like to ask unanimous consent that I follow Senator SESSIONS. And I will try to do it in as efficient a way as possible.

I do not think I can do every amendment in 10 minutes. I do not intend to. I just want to be honest with my colleague.

The PRESIDING OFFICER (Mr. ALLARD). Is there objection? Without objection, it is so ordered.

Mr. WELLSTONE. I thank my colleague.

Mr. SESSIONS. I thank the Senator from Utah for his leadership on crime issues of all kinds for quite a number of years. In particular, I have had the honor to work with him on this juvenile crime bill. He is a skilled legislator. He understands the criminal justice system in America and contributes significantly to it. He is also an outstanding spokesman on behalf of a rational and well-thought-out system of criminal justice in America.

Mr. President, I have an amendment that I believe will be accepted which is very important and can be an effective step in improving juvenile justice. It deals with a juvenile hotline.

A number of years ago, when I was a U.S. attorney in Alabama, 7or 8 years ago, not too long, we had a conference about young people carrying guns and committing crimes and what we could do about it. We came up with a plan—the chief of police, the district attorney, the probation officer, the Coalition for a Drug Free Mobile, and other groups—to encourage people who saw children in trouble or in danger to call. The police worked out their 911 number, and it can be boiled down to a bumper sticker. It said: ''Kid with gun, call 911.'' The idea was to get people involved in that kind of program.

Just recently, the State of Alabama developed a program to call a statewide 1–800 number hotline. They have had some remarkable successes with that.

I would like to introduce as one of the permissible uses of the funds in this bill a program we call the CRISIS grant program. It is a confidential reporting of individuals suspected of imminent school violence. I will introduce this amendment to S. 254.

Hotlines are violence prevention tools. The establishment of confidential hotlines that parents, students, and teachers would call to alert State and local enforcement entities of threats of imminent school violence or other suspicious criminal acts is an important prevention tool that can save kids' lives and prevent other wrongdoing.

Early identification of and intervention with potentially violent juveniles before they commit a violent act is certainly to be supported. This amendment will allow the States to use this CRISIS grant money to support both the independent State development and State operation of hotline programs. It will ensure that State personnel who will be answering those calls are trained properly. It will allow the State to acquire technology necessary to enhance the hotline's effectiveness, including Internet web pages perhaps, enhance State efforts to offer appropriate counseling services to individuals who call the hotline threatening to do themselves or others harm, and to further State efforts to publicize the service so that people will know about it and will be encouraged to use it. No additional funds will be expended out of this program, but it will utilize funds that have already been considered part of our juvenile crime bill.

So this would be a program under the State, not Federal control. State governments are, I think, anxious in considering just these kinds of projects. I believe it will be something every State should give the most serious consideration to.

Let me tell you a recent Alabama example, really in response to the Littleton tragedy. People asked themselves, what could we do? How could we avoid that? Is there a communication problem? How can we respond to it? Alabama established this confidential free hotline. The program has the support of Alabama's Democratic Governor and Republican Attorney General. In the first 2 weeks of operation, the Department of Public Safety reports receiving over 800 phone calls from communities, large and small, urban and rural, throughout the State in Alabama. Each of these incidents reported to the hotline are forwarded to the appropriate local law enforcement for investigation and followup. The program grades these calls in terms of severity of threat.

Of the 800 calls that came in to the hotline, almost 50 percent were classified as an imminent threat, a possible threat, or a drug threat—the three most severe categories. Calls made in these threat categories are referred immediately to local law enforcement for investigation.

In addition to law enforcement, Alabama has someone available from the State Mental Health Department to counsel or refer individuals who call in who are threatening suicide or to hurt someone else. It will help States achieve both the goals of enhancing law enforcement and provide appropriate counseling to individual callers.

Additionally, the majority of the calls made to the State hotline occurred during the hours of 4 to 9 p.m. each day, and they came predominantly from parents of schoolchildren who are repeating or passing on things they heard from their children, perhaps some at the supper table. Parents are serving as filters of information. They are not likely to call in if they do not think there is any possibility of a problem.

Usually most of the calls are deemed to have been credible that are being received by the hotline. It allows for the identification of individuals who may have multiple complaints. So multiple calls about a particular individual could lead to a positive law enforcement response.

The Huntsville Times editorialized in favor of this and wrote an article about an incident in which five students at a junior high school in Russell County

were charged with planning to bomb their school and who had created a hit list of teachers and administrators. In addition to the hit list, some witnesses reported seeing a detailed map of the school. It is the kind of information that could be brought in through a hotline.

I will quote from that editorial.

Because of the Columbine shooting spree, we will never again be sure if threats are threats or merely false alarms . . . We don't recommend panic or paranoia. But if the threats come, they must be investigated. And if the evidence is found, it can't be ignored or assumed to be a prank.

I believe this is a good program. I thank Senator HATCH for his interest in supporting this. If I am not mistaken, I believe that Members on the other side are perhaps prepared to accept this as an amendment to our bill. I am pleased to note that.

The PRESIDING OFFICER. Will the Senator from Alabama please have his amendment reported to the desk?

Mr. SESSIONS. Mr. President, I will leave my remarks at this time. I am hopeful the managers will make that part of a managers' amendment.

AMENDMENT NO. 357

(Purpose: Relating to the placement of a disclaimer on materials produced, procured or disseminated as a result of funds made available under this Act)

Mr. SESSIONS. I did want to offer at this time another amendment, without objection, a disclaimer amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative assistant read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself and Mr. INHOFE, proposes an amendment numbered 357.

Mr. SESSIONS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 265, between lines 20 and 21 insert the following:

SEC. 402. DISCLAIMER ON MATERIALS PRODUCED, PROCURED OR DISTRIBUTED FROM FUNDING AUTHORIZED BY THIS ACT.

(a) All materials produced, procured, or distributed, in whole or in part, as a result of Federal funding authorized under this Act for expenditure by Federal, State or local governmental recipients or other non-governmental entities shall have printed thereon the following language:

''This material has been printed, procured or distributed, in whole or in part, at the expense of the Federal Government. Any person who objects to the accuracy of the material, to the completeness of the material, or to the representations made within the material, including objections related to this material's characterization of religious beliefs, are encouraged to direct their comments to the office of the Attorney General of the United States.''

(b) All materials produced, procured, or distributed using funds authorized under this Act shall have printed thereon, in addition to the language contained in paragraph (a), a complete address for an office designated by the Attorney General to receive comments from members of the public.

(c) The office designated under paragraph (b) by the Attorney General to receive comments shall, every six months, prepare an accurate summary of all comments received by the office. This summary shall include details about the number of comments received and the specific nature of the concerns raised within the comments, and shall be provided to the Chairmen of the Senate and House Judiciary Committees, the Senate and House Education Committee, the Majority and Minority Leaders of the Senate, and the Speaker and Minority Leader of the House of Representatives. Further, the comments received shall be retained by the office and shall be made available to the any member of the general public upon request.

Mr. SESSIONS. This amendment simply says that with regard to the materials that can be printed—and we expect a lot of materials will be printed as a result of the almost $900 million-plus that will be going forward for juvenile crime programs—that those materials be accountable to the American people. I ask that we simply print on those materials a disclaimer that will note that this material was produced by the Federal Government. It would say, in fact, this:

This material has been printed, procured or distributed, in the whole or in part, at the expense of the Federal Government. Any person who objects to the accuracy of the material, the completeness of the material, or to the representations made within the material, including objections related to the material's characterization of religious beliefs, are encouraged to direct their comments to the office of Attorney General of the United States.

It further requires that the Attorney General designate one of her offices to receive the complaints, and to submit summaries of those complaints to the Congress, including the Senate and House Judiciary Committees, the majority leader, the Speaker, and minority leaders in the House and in the Senate.

We believe this would be a unique opportunity to allow persons who are receiving materials funded by the Federal Government to express concerns and provide information that may make those materials better. In addition, we believe like it would allow the Congress to be able to monitor the material, because what so often happens—and most people may not even realize it—this Congress proposes funds and they go out to various organizations who print material that can be very helpful, and some of it is excellent. Some of it is not good. Periodically, we receive complaints on materials that go against deeply held views of Americans, and which are inaccurate.

So this amendment would allow for a disclaimer on such materials. When people see it, they will know where to write. They would have a central place within the Department of Justice to receive it. Then they could, in fact, review the complaints and we could take steps to correct it.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. There is no time limit on this amendment.

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

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will send an amendment to the desk shortly.

I appreciate my colleague's heartfelt words. Again, I hope we will have a thorough debate about this legislation. I think there are some kids who commit really violent crimes, and they should be held accountable.

I want to say this very carefully to my colleague from Colorado, who is now in the Chair. From my own part, given what the Senator from Colorado has been through, and what his State has been through—I have said it before and I will say it again—I don't want to make any one-to-one correlation. I still very honestly and truthfully believe that every once in a while there is an act of violence that is such a nightmare, so God awful, it is so crazy, it is so sick, it is so incomprehensible that all of us should be very careful about doing any one-to-one correlation. I think there are many things we can do better in our country to reduce violence in the lives of children and in our communities. But I don't want my remarks to be correlated at least 100 percent to what happened at Columbine High School. I am not comfortable doing that.

Mr. President, where I would disagree with my colleague from Utah—this is why I was on the floor earlier; this is why I have been waiting patiently for days to become involved in this debate—is that again we need to understand that the vast majority of kids—I think over 90 percent of kids, as I read the statistic earlier—who are in these juvenile correctional facilities haven't committed a violent crime.

If this is juvenile justice legislation, then we ought to be talking about justice. I will say one more time that a lot of these ''correctional facilities'' don't correct, and that a lot of these kids, by the time they leave these facilities, are not on their way toward productive citizenship. These places basically become kind of a staging ground for them moving on to committing more crime and winding up in prison. That is one of the major flaws of this legislation.

If you do not look at this disproportionate minority confinement, and you want to sort of take us backward so that States no longer can really do a careful assessment of what is going on when so many of the kids who are winding up in prison are kids of color, not only is this not right, not only is this a matter of discrimination, not only should we not be allowing States and encouraging States to take a look at this, quite often when those kids leave, they are far worse off than when they got there.

I have talked about just this one visit to the Tallulah facility. I am sorry to pick on the facility, but I will

tell you the truth—most of these kids, about 80 percent of them, are African American, as young as age 11, and 95 percent have committed nonviolent crimes.

I have done a lot of community organizing and a lot of low-income neighborhood work in my life. I probably would have been willing—I did a lot of work with young people before I came to the Senate. I still try to do that work. I would have been pleased to meet with any of them at 10 o'clock at night but not all of them, not after they were in Tallulah, not after they were in the facility.

I will not support a piece of legislation that doesn't deal with the disproportionate sentences of kids of color, or any piece of legislation that takes us backward, that really calls on us to turn our gaze away from this, any piece of legislation that allows, albeit incidental, contact between these kids and adults in some of these facilities, with, God knows, what consequences. I cannot support a piece of legislation that doesn't do better. I am hoping we can have some agreement on mental health services so that a lot of kids who should not be in these institutions who never committed a violent crime, can get treatment in their own communities as opposed to being incarcerated, or making sure if they are incarcerated, for God's sake, that they get treatment. Any piece of legislation that doesn't allow States to use the funding for that, or doesn't have explicit direction that States can use that funding is short on the justice part.

Let me also say, although this is not today's topic but it is related, the fact is we can build a million new prisons and we can fill all of them. We are never going to stop this cycle of violence in this country unless many more children in this country have hope. When we have, roughly speaking, close to one out of every four kids under the age of six growing up poor in America, and close to 60 percent of kids of color growing up poor in America, we have a whole agenda to deal with here. Nobody should dismiss that agenda.

The amendment I am going to be sending to the desk speaks directly to what my colleague from Utah was talking about. This is the 100,000 school counselors amendment.

The tragic school shootings in Littleton, CO—again, I don't want to do any one-to-one correlation; I don't want to be glib about this, but it certainly shows that we must do better by way of making sure that kids who have some fear problems are identified. There has to be a lot more infrastructure in our schools so we can do a better job of maybe seeing what could happen and getting to these kids earlier. There are no easy answers. There is no simple solution to the problem of school violence, but there are some steps we can take to make our schools safer and healthier.

I want to talk about expanding and improving the available mental health services in our Nation's schools as an essential step forward. For this reason, I rise to offer this amendment, the 100,000 school counselors amendment, to S. 254.

For months I have been receiving letters and calls—and I imagine other Senators have as well—from my constituents in Minnesota who have been asking for my help to find a way to get students the mental health services they desperately need. They call and ask, Is there a way we can hire more counselors to serve our schools in the State of Minnesota? I have a whole stack of letters I could hold up. Let me read from a few of them.

Betty Jo Braun, a school counselor from Cleveland public schools, a small town in Minnesota:

> In my 15 years as a counselor, I observe younger and younger students who feel that their only recourse is to repay violence with violence. If I could somehow get to all of them with violence prevention at an early age, we might have a better chance with positive outcomes in High School. But not at 767 students to 1 counselor unless overworked teachers do all the work and all I do is consult. The violent incidents that frighten me most are not the ones that I manage to avert (fights, suicide attempts, etc.); the scary ones are the ones I don't know about and that are waiting like the other shoe to drop into our mostly calm rural life, as they did in a neighboring school not too long ago. There a young man came into the school with a pistol and managed to shoot a police officer before being apprehended. Somehow I believe that a good school counselor with his ear to the ground could have avoided this incident by intervening with this young man along the way. Unfortunately, this district has a 1000 to 0 student to counselor ratio; they cut both counseling positions the year before this incident occurred.

There are schools all across this country that cry out for an infrastructure of counselors to be able to provide more support for kids who really need this additional help.

Across the country, counseling positions are being cut. It is incumbent upon the Federal Government, if we are going to talk about how we respond to some of the violence that has taken place in our schools across the country, to share in this responsibility to hire more counseling and mental health professionals.

Schools vary greatly in their support for counseling services. Due to current incentives under Federal law, schools often place a higher priority on the hiring of additional instructional staff than on the establishment of even modest counseling programs. Up until recently—maybe the world has changed since Colorado, but up until very recently the whole idea of school counselors was that counselors were like icing on the cake; they weren't part of the cake; they were not that essential to what goes on in schools. Well, they are.

The letter continues:

> We must make it affordable for schools to hire counselors, school social workers and school psychologists.

My State of Minnesota prides itself on being a great education State, but we fail those students who are in most need of our help because Minnesota has one of the worst counselor-to-student ratios in the country. California is dead last. Minnesota's student-to-counselor ratio is 1,011 to 1.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield.

Mr. HATCH. Has the Senator sent his amendment to the desk?

Mr. WELLSTONE. I am going to.

Mr. HATCH. Is the Senator prepared to enter into a time agreement?

Mr. WELLSTONE. Mr. President, I have an idea it will take me a while to make the case, because I think it is pretty darn important. So I can't say 10 minutes, 5 minutes. I will not go on all afternoon.

The Senator from Utah knows me. In very good faith, I have a statement to make and I will finish the statement. I will probably do it sooner if my colleague doesn't keep asking me when I will be done.

I think I will be done within the next 20 minutes or so, not much longer.

Mr. SESSIONS. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield for a question.

Mr. SESSIONS. My question is, Is the Senator aware of just how much flexibility the prevention funds, that make up 55 percent of this bill, have to expend for the kind of program that he mentioned? It goes on for many pages.

For example: One-on-one mentoring projects designed to link at-risk and juvenile offenders who commit serious crimes; provide for treatment of juvenile defendants who abuse alcohol or drugs; getting priority to juveniles who have been arrested; projects to provide leverage funds for scholarships; provide intake screening that may include drug testing; delinquency prevention activities that involve youth clubs, sports recreation, training, and so forth; family strengthening activities, such as mutual support groups for parents and children.

It goes from about page 75 through 93, and it concludes item in 16, ''other activities likely to prevent juvenile delinquency.''

About 55 percent of the funds available here can be used for that. I think the Senator is correct that we really need to do a good assessment right there at the beginning—whether it be drug problems, mental health problems, or anger problems.

I think this bill does more perhaps than the Senator realizes. I wonder if the Senator is aware of the breadth of some of the things we could spend the money on.

Mr. WELLSTONE. Mr. President, I say to my colleague I respond in three ways:

No. 1, while I, honestly and truthfully, this legislation is deeply flawed, there are some good things in this legislation and I know my colleague has worked hard on it. I appreciate his comments about ways in which we can

do a better job on the upfront assessment for kids struggling with mental illness, some of whom probably really would be better off treated not in these facilities.

I appreciate what my colleague has said. Everything my colleague listed is important.

However, in my statement I will go into some of the training that is necessary for counselors. I am talking about an infrastructure in schools, specifically in the schools, and I am talking about an infrastructure that includes counselors, that includes social workers, and includes school psychologists.

The reason I am talking about 100,000 counselors and we are talking about a cost that becomes one-third Federal Government, one-third State, and one-third school district, I say to my colleague from Alabama we have a ratio—and I am talking about my own State—in Minnesota we have a student-counselor ratio of 1,000–1.

The truth of the matter is, we have to do a better job. I think the Federal Government can be a player. I understand this is not a substitute for what my colleague has talked about, but I want there to be a very specific focus on the need to have counselors and to have social workers and clinical psychologists in our schools.

That is the amendment.

Mr. SESSIONS. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield for a question.

Mr. SESSIONS. Will the Senator yield?

Mr. WELLSTONE. I will be pleased to yield for a question.

Mr. SESSIONS. I think those are matters of great importance. How many counselors? Is that the best way to spend money for our school systems? Having wrestled with this bill for over 2 years, in my view those are matters that need to come out of the education bill because they are dealing with education problems that may lead to crime later. We have tried to focus, as much as possible, on the crimes and with those children who are already in trouble, and how to fix and change their lifestyle.

I am just showing my colleague the theory of our bill. The amendment of the Senator may be worthwhile, but it simply goes beyond what we have had hearings on, and really should come out of the Education Committee. That would be my comment, with all due respect, because I know how deeply the Senator believes in these issues.

Mr. WELLSTONE. I thank my colleague. Mr. President, I understand what my colleague said. I think throughout this legislation, again, and we talked about truancy, we talked about the need for intervention, we talked about kids who are getting into trouble. Again, we just have to get more counselors in our schools and the Federal Government should be a real player. That is the ''why'' of this amendment.

I was mentioning that the Minnesota student/counselor ratio is 1,011 to 1. This means on average one counselor serves two times the number of House and Senate Members combined. So a great education State—in my opinion, the greatest progressive education environment and health care and family State in the country—in Minnesota, we have a ratio of 1000 to 1. That means on average, one counselor serves two times the number of House and Senate Members combined.

Minnesota is not the only State, however, that is in desperate need of school-based mental health services. Across America, schools are experiencing a shortage of qualified counselors, psychologists and school workers. My amendment would establish a funding program similar to the COPS Program that provides seed money to States that provide for more mental health service providers in the schools. And we need to do this.

Approximately 141,000 new counselors, social workers and psychologists are needed for our schools. My amendment would provide States and localities with the resources to meet these children's needs. It is on a one-third, one-third, one-third basis. America's students simply do not have adequate access to counseling services and other mental health services.

A student from Mahtomedi High School, in Mahtomedi MN, wrote about her counselor, Anne Melass. This student had a serious problem with cutting herself, and was admitted to a hospital for treatment. She writes:

> Since my return, I have been constantly working with the counselors. I am in a foster home. My mother killed my sister. . .

Can you believe what some kids have to go through?

> . . . and my dad was unfit to take care of me. I was in three different foster homes before I came to Joe and Michelle's.

She concludes by saying:

> A note to this is that (counselors) have so many people to listen to whom they truly care about, but if someone is in pain or needs help, they shouldn't have to wait in line. There are way too many children who are waiting in line in our schools. If we are serious about juvenile justice and we want to do something about truancy, we want to do something about kids at risk, we want to do something to help kids before they get into trouble, then clearly this is a direction we must go.

She is not alone. According to the National Institute of Mental Health, although 7.5 million children under the age of 18 require mental health services, only one in five receive them—only one in five. Yet another student writes of her frustration, because not enough counselors are in the school:

> I strongly feel that our school should have more counselors, we have a difficult time making appointments when we need to talk to someone.

Violence does not only happen in the schools and on the streets. Violence happens in homes. One young man writes:

> Earlier this year I was going through some hard times with my parents. My father especially.

He goes on to say that a counselor was able to give him the skills to prevent a fight with his father. He writes:

> Through my parents' talking with the counselor, we decided family counseling would be a good thing to try and we are currently involved in that and it is starting to help a little. With such high ratios, though, it can be difficult even to get an appointment.

A counselor helped this young man and several others. Hundreds, thousands of students are not that lucky and they do not get the help they deserve.

Anne Melass, a licensed school counselor, is one of those special school counselors who gives students the extra time. She explained what being a counselor was like. She writes:

> A typical work day for a school counselor is a new appointment every 15 minutes. The caseloads per counselor range from 400 to 1,800 students.
>
> I believe ''school counselor'' is interpreted many different ways but most people assume it is a non-threatening person you can go to for help with any concern you have in the school. I strongly believe that increasing school counseling services could very well change the community perception of public schools.

It could help a lot of kids. It could help a lot of kids before they get into trouble. It could prevent some of the violence we want to prevent.

The serious shortage of counselors, school psychologists and school social workers in America's schools has undermined our efforts to make schools safe, improve academic achievement, and assure bright futures for the youth of America.

I will never forget a gathering I was at in Minneapolis about 2 months ago, of about 50 principals, title I teachers, support staff. They said to me that by first grade—by first grade—if we don't have more counseling services for these kids, even as I have said before, with the best schools, smallest class size, best technology, these kids are not going to do well. We need to get the support services for the kids.

To respond to my colleague from Alabama, let me talk about the school counselors, who they are and what they do. They are highly trained professionals. They are credentialed by law or by regulation. In all 50 States and the District of Columbia, counselors are required to obtain graduate education in guidance and counseling for entry-level credentialing as a professional school counselor. Mr. President, 39 States and the District of Columbia require the attainment of a master's degree in counseling and guidance or a related field.

We are talking about an infrastructure of professionals to get this help to kids. School psychologists have obtained a master's degree or doctoral degree in school psychology, or a Ph.D. degree in counseling psychology, or a Ph.D. in school psychology or counseling psychology. All school psychologists are certified or licensed by the State in which they work, usually by

the State department of education. School psychologists and counseling psychologists who practice in a private school, community agency, hospital, or clinic may be required to be licensed by the State Board of Psychology as well.

School social workers typically possess a master's degree in social work and are certified by the State's educational agency.

School counselors, school psychologists and social workers provide a number of importance services, designed to support students, parents and the teachers. They improve school functioning, school safety, the kids lives; they work to prevent school violence and to prevent a whole lot of other problems. They offer information and guidance on postsecondary education and training options. They provide consultation with teachers and parents about the student learning, behavior and emotional problems. They develop and implement prevention programs including school safety and behavior management. They deal with substance abuse, they set up peer mediation, they enhance problem solving in schools, and the fact of the matter is, we have done a terrible job as a nation of making sure we have the counselors, that we have the social workers, and we have the psychologists in our schools.

On the average in our country, there is only 1 counselor for every 513 students in our Nation's elementary and secondary education schools. In States like California or Minnesota, 1 counselor serves more than 1,000 students. Utah, Arizona, Illinois, Ohio, Mississippi, Michigan, Tennessee and Colorado are in the top 10 worst States in the country. In Colorado, the student-to-counselor ratio is 654 to 1. That is better than Minnesota. But it is real hard as a counselor to be able to help a lot of kids when you have 654 kids you are trying to deal with. In Mississippi, another State victim of a school shooting, the ratio was 635 to 1. Furthermore, more than 50 percent of full-time school psychologists are working in settings with a ratio of greater than 1 to 500.

I think I have made my point, but I want to just read a couple of other quotes. Then I will conclude. I would say to my colleagues, I actually could go on and on.

Margo ROTHenbacker from Fridley Middle School, who is a counselor:

I am writing to plead with you to reduce counselor students ratios for school counselors. My caseload is 475 and unless there is an observable crisis, I do not see many of these students. I only have time to deal with the students that surface due to behavior or intervention by the county or police. What about the students who need help desperately but are not able to come forward or express their need in a way to draw attention? As a former high school teacher I believe that every elementary school should have a counselor.

And she is right. Margo Rothenbacker is right.

The counselor stays bonded with students as they transition from year to year from kindergarten through middle school through high school.

I have a letter about this 100,000 counselors amendment which I think is on the mark:

Senator WELLSTONE: . . . Please share with your colleagues my dismay at their continued delay in moving toward increased funding for prevention initiatives in our Nation's schools. The basis of professional school counseling has always been on prevention—educating young people about sound decisionmaking skills in order to avoid poor choices later in life. This is particularly true when it comes to conflict mediation and violence prevention.

In Minnesota during the past few weeks since the Littleton, CO, tragedy, much publicity has been focused on school districts spending large sums of money to have ''tactical assessments'' done on how to ''retake'' a school after such a Littleton-like scenario. Good God, Senator—what have we come to in our country? Have we so bankrupted our schools that they have given up the fight and mission of trying to prevent problems before they occur? Have our schools just decided that we can no longer prevent the Littletons, the Jonesboros, the Paducahs, the Pearls and are now just making contingency plans to deal with it when it happens rather than try and prevent it?

. . . Nationwide our ratios are absurd—in Minnesota we are next to dead last in the Nation as far as student-to-school counselor ratios go: . . . we average over 1,000:1. . . . We need funding to hire more school counselors.

He concludes by saying:

Thank you for allowing me to share my thoughts regarding this issue.

This is Walter Roberts, associate professor of Counselor Education Professional School Counseling Program at Minnesota State University-Mankato.

Terry Johnson of White Bear, MN—where my daughter teaches—knows the demands and difficulty of being a school counselor. He writes:

I am a counselor at White Bear Lake High School-South Campus. We are a suburban school located north of St. Paul, MN. We currently have 1,400 students in our building, all juniors and seniors. Our lower classmen are located in a separate building. I am one of three counselors in our building. We are unique in that our entire population is dealing with graduation issues being imminent. Our load is approximately 450 to 1; we have very little time to do real counseling, as many of our colleagues nationwide also do not.

Sally Baas, a school psychologist in Anoka-Hennepin School District, writes:

I have been responsible for school psychological services for up to 3,500 students.

And because of this high ratio, she stated that ''many students are ignored.'' They do not get the attention they deserve and the attention their families deserves.

There is a considerable amount of research which makes the point that this works, which I will not go through right now—more counselors; more school psychologists; more social workers; 100,000 counselors, just like the COPS program. It makes a whole lot of sense to do this.

We have been acting as if this is icing on the cake, counselors do not matter that much, they are not that important, mental health services is just not that important. It is critically important. There are a lot of kids in our schools in our country who are in trouble. There are a lot of kids who need additional help, and if we are serious about juvenile justice and we are serious about getting kids before they get into trouble and we are serious about preventing the violence and we are serious about helping kids, then this amendment is right on point.

Billie Jo Hennager, a counselor in Barnum High School in Barnum, MN, knows firsthand the serious damage we do to America's youth when adequate mental health and counseling services are not provided. He writes:

I have a story, as do many counselors, that may be helpful in helping others understand the importance of having lower student/counselor ratios. One day during the first month, I was contacted because there had been a violent incident the night before that was witnessed by 9 to 10 students. A man was getting violent toward a woman, yelling, pushing, et cetera. The man returned a few minutes later with a gun, shot the other man point blank in the face, shot at the woman (a bullet grazed at her arm) and then swung the gun around at the kids yelling, ''What the [expletive] are you looking at?'' Not only did these kids have a gun pointed at them, but they witnessed a man's face being destroyed by a bullet, pieces of flesh flying through the air, and blood splattered everywhere. I don't think I need to explain how traumatic this situation was for those students. All students were in school the next day, but no counselor was available. I rushed to [their school] (an hour away) as soon as I could. These kids will have that memory forever . . . there is definitely a shortage of school counselors in Minnesota.

I add, all across the country:

Obviously, the situation there is less than ideal. Unfortunately, it's not all that unusual.

Mr. President, I believe I have sent this amendment to the desk. Have I?

The PRESIDING OFFICER. The Senator has yet to send the amendment to the desk.

AMENDMENT NO. 358

(Purpose: To provide for 100,000 additional school counselors)

Mr. WELLSTONE. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 358.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. WELLSTONE. Mr. President, I say to my colleagues that this 100,000 school counselors amendment, very much patterned after the COPS program, is focused on an area where we

can make a huge difference. We do not have the counselors. We do not have the social workers. We do not have the school psychologists. We do not have the infrastructure of support for our kids.

We can do much better, and it is absolutely essential that the Federal Government and we in the Senate step up to the plate and authorize this. Ultimately, I see this as a one-third, one-third, one-third matching program in terms of where the funding comes from. I do not see how we can be talking about juvenile justice and how we can be talking about preventing the violence and how we can be talking about, as so many have, what happened in Columbine High School or, for that matter, other high schools in the country.

Different people have talked about different things. Some people have focused on more gun control. Some people have talked about tougher sentencing. Some people have talked about the problem of the culture of violence in our country. Some people have talked about the problem of what we see on TV and what we see in the movies. Some people have talked about the lack of spirituality in homes and the lack of spirituality in schools. And some people have talked about other issues as well.

Quite frankly, I agree with most of this discussion. My own work has been in the mental health area. But I am telling you that we have to get serious about having an infrastructure of support in our schools that can make all the difference in the world for kids and can also help teachers deal with some kids who are not so easy to deal with, who can be very difficult to deal with.

We have for too long viewed mental health services—I will say this one more time—as an extra, as being just a frill, as not being that important, as being icing on the cake. My prediction is—why don't we get ahead of the curve in the Senate—we are going to see a whole lot of schools and a whole lot of school districts saying we need more help. We are going to see young women and young men, and not so young women and men, going to schools, getting their degrees in counseling and going into this work. I say, great, let's encourage that; it can only help.

I yield the floor.

Mr. HATCH. Mr. President, I know that the Senator from Minnesota has a commitment to ensuring that individuals who suffer from mental illness have the resources and support they need to combat this painful condition.

I have heard from groups who assert that the amendment would help improve school safety.

The sad truth is there is no evidence whatsoever to support the assertion that the recent tragedies in Littleton, CO, and in Oregon, would have been prevented by having more school counselors.

Eric Harris and Dylan Klebold, according to reports, had both gotten individual counseling had undergone anger-management training and had gotten affirmative evaluations from counselors.

It has been reported that the 15-year-old Oregon shooter, Kip Kinkle was in counseling, along with his parents, when he killed them and went on to kill two classmates.

It has also been reported that an English teacher of one of the Columbine killers had expressed concern about Dylan Klebold's writing to his parents and a counselor.

I mention this not in an attempt to disparage the fine work done by our Nation's counselors, but to make the point that effective policies to identify and prevent acts of violence must be school and community wide in nature.

I read with interest a recent article in the Washington Post on April 25, written by a Virginia teacher, Mr. Patrick Welsh, which described the program already in place at T.C. Williams High School in Alexandria, VA. President Clinton recently visited this school.

I would like to read to you from Mr. Welsh's article, which describes the efforts made by teachers and administrators and law enforcement personnel at this school.

> We make no pretense: The possibility of violence is a fact of life here. There is usually a police car—and sometimes two or three—in front of the building. A decade ago, that would have worried parents. Now they appreciate it. The police almost seem like part of the school staff. All of us—administrators, faculty, students and police—are encouraged to see maintaining security as our joint responsibility. . . .
>
> If at night there is a brawl in the community that might spill over into school the next day, the police inform administrators and often show up at school early in the morning. Conversely, administrators let police know about trouble at school that could spill over into the community. But it's not just liaison with the police that administrators value; it's liaison with the kids. Our principal, John Porter, and one of his assistants are out in front of the school nearly every morning greeting students and looking for signs for trouble.

Mr. President, T.C. Williams should be commended for its initiative. This school, and others around the country, has developed a program that works for them.

I suggest to my colleagues that it is this type of individual school by school approach that my legislation and the Republican package of education amendments attempts to support.

Violence prevention starts with trust. It's the availability of faculty. It's principals walking around the school. It's kids who trust the administration to respect their confidentiality. It's kids who feel a part of their community and will work to keep it safe.

Mr. President, I believe we can support our teachers, counselors, and administrators best by providing them with the resources needed to adequately fund current education programs and the flexibility to implement an appropriate school violence prevention program that works.

I do not believe this would be the result of the amendment of the Senator from Minnesota. Therefore, I must oppose the Wellston amendment.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I know the Senator from Minnesota believes strongly in what he is saying. I just want to respond in a couple of ways by saying this is a $1.5 billion bill of new spending, and over 55 percent of it is designed for prevention programs that can be used for many of the things about which the Senator is concerned.

But it is not an education bill. I think that we do better if we are going to talk about 100,000 guidance counselors—which is a lot of money for that—that we need to talk about that in the Education Committee. The Senator from Minnesota is a member of that committee. We need to thrash it out. Maybe music would do better to reduce crime than hiring guidance counselors. Who knows? So I am not sure I can agree with his amendment as broad as he has suggested.

The President of the United States has stated recently that he was not happy with the way Hollywood has gone about presenting violence, and he suggested that they need to do better. The Vice President has also suggested they need to do better. Then the President went out to Hollywood this past weekend to raise money from these very same people. The papers report that he raised $2 million from the ''glittering lights'' of Hollywood just over the weekend. And during that time he had an opportunity, in an intimate surrounding, to talk personally with the ''leading lights'' of that fair city. There have been a number of reports about it.

I feel strongly about this. I have worked very hard for this piece of legislation, for over 2 years, and I have only been in this Senate for a little over 2 years. I was a Federal prosecutor and a State prosecutor for 17 years, and I think I know something about crime.

I feel like I am sometimes in a different world. We are trying to bring forth a piece of legislation that can honestly strengthen the juvenile justice system in America, giving them opportunities and options to confront young people who are going on the wrong road and to direct them away from a life of crime.

Even, Mr. President, your area there in Littleton, even those individuals, from my reading of the paper, had previously been arrested for rather serious offenses. The pattern all over America is that they are released immediately. The suggestion the Senator from Minnesota made that our jails are filled with nonviolent 11- and 12-year-olds is not accurate. We have 70,000 beds for young people today in America. That is a little over 1,000 per State. I am telling you, we have some serious crime. Adult bed spaces went up dramatically, and adult crime has gone down dramatically. But for young people, the

juvenile bed spaces have not gone up much, whereas juvenile crime, serious, violent juvenile crime, murders, assault with intent to murder, armed robbery, those kinds of offenses have dramatically increased in the last 15 years.

We have not responded adequately. We need a system in which, at their first offense, we have an intervention that occurs, serious intervention: Drug testing, is this child being driven to crime because of drugs; mental health assessment; prison, if need be; detention, if need be. But most times it will not be detention on that first offense. Most of the time it will be probation.

Do we have just a paper probation where you come in once a month and report to your probation office and say: I haven't been arrested this week and I have been obeying all your laws? Or do you have a good intensive probation in which you go out and probation officers knock on the doors at night to see if they are abiding by curfews; they talk to their parents; to have counseling programs; maybe get them into mental health? It is already funded in most States—just get them into these mental health programs or treatment or counseling; maybe drug treatment is available.

That is what a good criminal justice system does. If we care about these kids, that is what we need to do. The idea we are going to spend billions on programs that are not dealing with kids, who are really proven to be at risk, and not even strengthening our juvenile justice system so it can deal with the kids who are already getting in trouble with the law, strikes me as absolutely beyond the pale; it is through the looking glass; some sort of virtual reality.

Mr. WELLSTONE. Will the Senator yield?

Mr. SESSIONS. I will for a question.

Mr. WELLSTONE. Am I understanding the Senator correctly that he does not think there is any connection between counseling support for kids who are having trouble in school and whether or not they might end up in a juvenile corrections facility?

Mr. SESSIONS. No. I did not say that. That is not what I meant.

Mr. WELLSTONE. OK. That is good, then.

Mr. SESSIONS. I am saying we are here to try to pass out of the Judiciary Committee a juvenile crime bill. And you are suggesting some sort of massive, national program to have more guidance counselors. I suggest to you, the greatest way to keep kids from becoming adult career criminals is to intervene effectively in the juvenile court system when they are first arrested; maybe that first brush with the law will be their last. If we care about them, we will intervene. If we don't care about them, we will continue the way we are now.

In Chicago, they spend 5 minutes per case, according to a front page analysis by the New York Times. This is a system that is overwhelmed. Young people with serious multiple offenses simply walk through a revolving door. It is not good for them. If you care about them, you will do something about them.

Now, briefly, I will—I see the Senator perhaps wants to ask something else, but I do want to go on to another subject.

Mr. WELLSTONE. I am pleased my colleague wants to go on to another subject. Again, my colleague is talking about once arrested there has to be ways of intervening.

Does my colleague not think it makes sense to intervene even before a young person is arrested?

Mr. SESSIONS. I am perfectly prepared, in response to the Senator, to think seriously about what we might do at earlier stages. I think perhaps in your committee, in the Education Committee, we ought to be talking about that—Head Start programs, can they be improved; or even other kinds of programs connected to mental health, or what other issues might be good.

But our legislation isn't designed to fix the whole world. We cannot fix everything in every piece of legislation that comes down. We have $1 billion here, and a lot of it can be used for those very things you ask for. In fact, I would say, 55 percent of it could be used for programs very much consistent with what you favor.

Mr. WELLSTONE. Last question for my colleague. This bill came directly to the floor, right? It didn't go through the Judiciary Committee?

Mr. SESSIONS. It came out of the Judiciary Committee last year with a bipartisan vote and could not be brought up in the close of the session. It was brought up this year without additional hearings; although the ranking member of the Juvenile Violence Subcommittee, which I Chair, Senator BIDEN, had obtained a significant amendment to have even 20 percent more money for the program for prevention that Senator HATCH and Senator BIDEN worked out together, and even moved further. But we did not have additional hearings this year.

Mr. WELLSTONE. I thank my colleague.

I say, by way of conclusion, to our profound disagreement—though it is an honest disagreement—that I just do not think you can decontextualize any of these issues. I do not think you can talk about juvenile justice without talking about all of the other issues that are critical to children's lives. I really believe, I say to my colleague, that the focus on building more jails and building more prisons—in perpetuity will never really stop the cycle of violence. That is what this amendment that is offered is aimed at in a very effective way.

Mr. SESSIONS. I understand the Senator's deep feelings. I just say, if you talk to judges, juvenile judges, who care about kids, too, juvenile probation officers, who have given their lives to kids, those people tell me—and will tell you, if you ask them—they have insufficient capacity to confront them.

I have visited superior juvenile court systems. They have schools, boot camps, detention facilities, work programs, and so forth; and this bill would support all of those.

(Ms. COLLINS assumed the Chair.)

Mr. SESSIONS. Madam President, I would like to raise again and discuss the frustrations I have of where we are today, that, to me, are incomprehensible. I think I know why. We are talking about politics and money too often. We have a number of amendments in this bill and provisions that deal with improving the culture that our children grow up in. I do not think there is anyone that disagrees that violence on television and in movies exacerbates tendencies of violence in young people.

Now, our President has gone out to Hollywood, after scolding them a bit a few days ago, to meet with the leaders out there and raise a little money—$2 million. This is what the Washington Times reported this morning:

> President Clinton told the makers of violent films and video games over the weekend that they are not ''bad'' people as they showered him with $2 million.
>
> He assured them they had no personal responsibility in the Columbine High School massacre in Littleton, Colo.
>
> Instead of blaming Hollywood for making violent films, he said, the real blame lies with the theaters and video stores that show and sell them to minors.
>
> The president told the audience of stars and studio moguls that they should not blame the gun manufacturers, either, but blame instead the Republican members of Congress who won't enact stringent gun-control laws.

Every year we pass more gun laws. I am going to talk about that in a minute. This administration has gutted the prosecution of gun laws in America, and I will show the numbers to prove it.

> The president gingerly suggested at a Saturday-night fund-raiser in Beverly Hills that that sustained exposure ''to indiscriminate violence through various media outlets'' can push vulnerable children ''into destructive behavior.''

I think that is universally agreed.

> But, he quickly added, the producers, directors and actors who ponied up $25,000 per couple are not at fault.
>
> ''Now, that doesn't make anybody who makes any movie or any video game or any television program a bad person or personally responsible with one show for a disastrous outcome,'' Mr. Clinton said. ''There's no call for finger-pointing here.''

The article goes on:

> Although Mr. Clinton had resolved earlier to nudge Hollywood away from some of its violent excesses, he appeared reluctant to broach the sensitive subject during remarks to the entertainment executives who included Steven Spielberg, Jeffrey Katzenberg and David Geffen, founders of Dreamworks SKG Studio.
>
> ''You've helped me through thick and thin for all these long years,'' the president said. ''The people of California were very good to

me and Al Gore and to our families. . . And I am very, very grateful.''

He said he was ''having a good time in Los Angeles.''

Although the president complained that underage children are often allowed to rent or view movies that are PG–13 or R, he was careful to exempt Hollywood glitterati from this criticism.

''There's a lot of evidence that these ratings are regularly ignored—not by you, but by the people who actually sell or rent videotapes or the video games or run the movie theaters,'' Mr. Clinton said.

The president reserved his strongest criticism for congressional Republicans, who last week voted against legislation that would have required background checks of those seeking to purchase guns as gun shows.

That is incorrect. We voted last week to substantially increase and step up the enforcement of laws at gun shows.

He said he has ''been to a lot of these gun shows. . .''

Now, the minority leader of the House of Representatives, RICHARD GEPHARDT, and Senate minority leader, TOM DASCHLE, were also present, and they gave speeches to the guests, according to the article, ''who noshed on baked coconut clusters and chocolate-dipped strawberries, prepared by Wolfgang Puck, caterer to the stars.

The Democratic congressional leaders, staying away from the subject of Hollywood violence, lashed out at Republicans as extremists who unfairly impeached the president and must be deposed from power in Congress next year.

This is what the minority leader in the House of Representatives said:

The group that controls the Senate and the House is extreme, almost radical, in their views on all of the issues that I suspect you care about.

That is what Mr. GEPHARDT said. I take offense at that.

Mr. Daschle emphasized that Democrats comprised the party that best represents the views of Hollywood.

Probably so. I won't dispute that. That was the Washington Times.

This is what the Associated Press reported in a national story. Sandra Sobieraj of the Associated Press:

President Clinton slipped his right hand into his pants pockets and his voice eased into a conversational tone: ''Let's talk about the entertainment issue.''

The eyes on him, from a small stone patio overlooking the lights of Los Angeles, belonged to Hollywood's hottest—Jeffrey Katzenberg, David Geffen, Rob Reiner, Goldie Hawn, Kurt Russell, Dennis Quaid, Steven Spielberg, whom Clinton called ''Steve.''

All had just paid the Democratic Party between $25,000 and $100,000 for a Wolfgang Puck-catered dinner with the President. ''You've helped me through thick and thin all these long years,'' the President told the intimate assembly.

What does he mean, ''You've helped me through thick and thin''? Well, the Clinton legal defense fund, when he had himself in a fix and had impeachment charges against him, started raising money to defend him. Here are some of the contributions: Kate Capshaw-Spielberg, $10,000; David Geffen, $10,000; Norman and Lyn Lear, $10,000; Steven Spielberg, $10,000; Barbra Streisand, $10,000. Yes, they have been with him through thick and thin.

Continuing with the AP report of this event:

So it was that Clinton, pushing a national campaign against the kind of youth violence seen in the Colorado school shootings, only gently took entertainment types to task for movies and TV shows that glorify violence. He softly prodded changes in their ads and ratings.

''There's no call for finger-pointing here. We are determined to do this as a family,'' he said.

Hollywood and Mr. Clinton are in the same family.

He spoke Saturday at Greystone Mansion, a city-owned landmark.

Hawn, squeezing past the reporters to sneak a smoke with Kurt Russell, ignored questions about the president's challenge to Hollywood. Lisa Kudrow, of TV's ''Friends,'' played dumb: ''What? I haven't spoken to him,'' she said.

I don't suppose he raised the question of the showing of smoking in movies and TV now or questioned whether Goldie Hawn ought to be out smoking.

The article goes on to note that:

Dinner with the President: $25,000 to $100,000 per couple. Shoes optional.

Hawn padded around the elegant and Gothic-styled Greystone Mansion in a halter top and bare feet, picking at her rat's nest hairdo.

That is what the AP said.

Spielberg and Geffen wore white sneakers. Russell sported cowboy boots. Quaid was in T-shirts, jeans and bomber jacket.

Looking ahead, Clinton said he was consulting on his Little Rock, Ark., presidential library with Spielberg. ''We were talking about whether we could have some virtual reality effects in my library in the museum, you know,'' he said. ''Sometimes I feel like I'm living in virtual reality, so I'm highly interested in this.''

Sometimes I think I am living in some sort of unreal reality.

The President of the United States has made some statements about juvenile justice, and I want to talk about them in just a minute. They strike me as being very unreal. This is the Washington Post article right here, a staff writer covering the same event, John Harris:

President's Message on Movies Undergoes a Change of Address.

Here in Washington he was fussing about the movies.

President Clinton let Hollywood have it Saturday night. Ever . . . so . . . gently.

''There's no call for finger-pointing here,'' Clinton said during a Democratic fund-raiser in Beverly Hills, a glittering evening attended by some of the most potent names in Hollywood.

Just hours earlier Clinton had broadcast a radio address in which he bluntly challenged purveyors of violent movies and video games to accept a share of responsibility for tragedies such as the Columbine High School massacre—

Mr. WELLSTONE. Will my colleague yield for a moment? Can I ask a question?

Mr. SESSIONS. Yes, I yield for a question.

Mr. WELLSTONE. I apologize for breaking up the flow of the Senator's presentation. I wonder, the Senator is not offering the amendment, is he? He is speaking in general, is that correct?

Mr. SESSIONS. Yes.

Mr. WELLSTONE. I have been waiting. I will probably leave for a while. My understanding was that they wanted us to be offering amendments. My colleague can take as long as he wants. I just want to know if he is going to take a considerable amount of time.

Mr. SESSIONS. I don't expect to take more than 10, 15 minutes.

Mr. WELLSTONE. I thank my colleague.

Mr. SESSIONS. So, at this event, the Washington Post staff writer had noted:

Just hours earlier Clinton had broadcast a radio address [nationwide] in which he bluntly challenged purveyors of violent movies and video games to accept a share of responsibility for tragedies such as the Columbine High School massacre, based on evidence that some young people become ''desensitized'' by, and more prone to emulate, what they see on-screen.

I think there is a universal belief that a violent tendency can be exacerbated by seeing graphic violence in a movie, particularly in a way that shows anger being carried out and vented, which disturbs me most about some of these scenes.

The article goes on:

As luck would have it, Clinton had a chance to deliver that same message in person thanks to a fund-raiser for Democrats (up to $100,000 per couple) catered by Wolfgang Puck's Spago and hosted by DreamWorks Studio titans David Geffen, Jeffrey Katzenberg and Steven Spielberg.

There were many stars in the audience, including Dennis Quaid, Meg Ryan, Goldie Hawn, Kurt Russell, and Rob Reiner.

But this time, Clinton made his point with all the force of a down pillow. To be sure, some young people will be pushed over the edge by violent imagery, he acknowledged. But that ''doesn't make anybody who makes any movie or any video game or any television program a bad person or personally responsible with one show for a disastrous outcome,'' Clinton said. And he allowed that ''for most kids it won't make any difference'' what sort of bloody gore they are exposed to.

He said Hollywood should recognize that ''all these things go together'' and that their movies can lead to bad results, when combined with . . . guns.''

Clinton said he didn't want to lecture, and praised the entertainment industry for working with him and Vice President Gore to craft . . . ratings. ''We are determined to do this as a family,'' he said. . . .

All in all, it was a sermon so polite in its message, and so tentative in delivery, that it will no doubt hearten critics in the Republican fold who will point out how difficult it is to enjoy duck potstickers with ponzu and wild mushroom ravioli in one moment, then rise up the next to tell the friends you're sharing the meal with some of their work is a form of cultural pollution.

I think we do have a problem. I think the President is too close to Hollywood. I don't think he is capable of carrying through a policy that can improve what has happened. It is sad. I wish it weren't so. I think it is accurate, though. Which do you think they are going to believe? The radio address he made for politics? They understand this. That is a radio address for politics. But when he comes out and talks with them one-on-one, eyeball-to-eyeball, they know he is really not serious because he told them that. I have a problem with leadership when it is not consistent and firm and doesn't mean what it says.

The article goes on to note:

In his radio address, for example, Clinton issued ''three specific challenges'' for the entertainment industry to clean up its act. Saturday night, the word ''challenges'' was dropped in favor of ''other things,'' that Clinton presented as humble suggestions.

* * * * *

Clinton's politesse was understandable. Hollywood actors and studio executives, overwhelmingly Democratic and financially generous, are famously sensitive about their craft. Several have publicly bridled at widespread commentary in recent weeks that the Columbine killings and other murderous incidents involving young people might have been spurred by entertainment celebrating violence.

In any event, Clinton is personal friends with many people in Hollywood. In fact, before leaving for San Diego for yet another fund-raiser, his motorcade made an unannounced stop in Malibu. Clinton hopped out for breakfast with Barbara Streisand.

Well, I say that because I am here, and I have been working to have a good crime bill that will help reduce juvenile violence in America, based on what my experience tells me and my friendships and conversations over a career, a lifetime of prosecuting tells me it is important. I know many juvenile probation officers personally. I know many juvenile judges personally. I have visited the court systems in Alabama and in Ohio with Senator DEWINE, and we have talked about it. I have talked with many prosecutors. I have known them for years. I know assistant district attorneys who prosecute juvenile cases and probation officers who work with them, and people who manage juvenile detention facilities. Some have probably heard that this bill just puts everyone in prison. ''You just want to lock them up,'' they say.

I don't want to lock up young people. I don't believe Alabama is far different than most. A juvenile judge tells me they have a point system for the State juvenile detention center, and it takes four prior burglary convictions before they will take a young person, because that is how serious a crime has to be.

We had a murder in Montgomery, AL, where a night watchman was killed by three young people. I called the police chief, who I have known for years, and asked him what kind of prior records they had. They were 16 and 15 years old. One had 5 prior arrests, another had 5 prior arrests, and the third one had 15 prior arrests.

Talk to your police officers, talk to your juvenile judges. They will tell you that the juvenile court system in America is overwhelmed. We have had very little increase in the last 15 or 20 years in juvenile detention space because—I guess it is the liberals who always say: You just want to lock up kids, and people recoil from that. But we have, in this last 15, 20 years, more than a doubling, maybe tripling or quadrupling, of serious crime, the kind of crime you can do something about. I am talking about armed robberies, assault with intent to murder, murders, and rapes. What are you going to do when a 16-year-old commits an armed robbery?

You have to have something to be done. I suggest we ought to do like Mobile, AL, has, and Judge Grossman has in Ohio, a system where he brings that child in, they will do drug testing to see if they are strung out on drugs, they will bring their family in for counseling, and if it is appropriate, he will be detained for either a short period or perhaps sent through a boot camp that has an intensive supervision with a school.

We have learned that boot camps are not the cure-all we thought they were. So now any good boot camp has a very intensive follow-up. When they go back into the community, they appear to be changed. But if they go back to the same friends and the same neighborhood, they tend to drift back into crime. You don't get the change in them you thought you had when they walked out of that boot camp saying, ''Yes, sir,'' and, ''No, sir.'' It is a sad thing. We are always trying to improve that.

But you have to have the capacity for the courts to discipline. Police officers tell me all the time: ''Jeff, these kids are laughing at us. We can't do anything to them, and they know it.'' We tried to make some changes in the Federal regulations that would allow children who are arrested in rural areas for serious offenses to be held in a separate part of a local jail, totally apart from any adult. ''Oh, no, that wouldn't do. Oh, no. Some adult may yell down the hall at them and say bad names to them and damage their psyche.''

The reason this is important—I want you to understand—is that police and sheriffs in small towns cannot afford to build a separate juvenile jail for a half dozen young people. They don't have them, and it is stupid and inefficient to require them to have them. The Federal mandate says you cannot spend one night in anything but a juvenile jail that is certified as a juvenile jail.

What the police tell me—when I was attorney general, I rode for a year and a half with the police chief of 18 years, as fine and decent a person as I have ever known—commuting back and forth, both of us, to Montgomery. We talked on those long drives about what was happening. And what he tells me is—and what I talked to hundreds of police about—is that policemen out at night can catch a youngster burglarizing a house, or catch them in a store, and they take them down to the police station. Maybe there is one officer on duty. They put them in the lobby of the police station. They call the judge, and they call his mom. His mom comes and gets him and takes him home. The next morning, he is out on the street and he is telling his running buddies about getting caught and being let loose.

That is what is happening. They can say whatever they want to, but I am telling you, you ask your police officer if that is not what is happening. We need a better ability to deal with that. We have only a very minor improvement in that regard, because our ''psyche'' may be injured.

But it is not good for those children, if you care about them, to just arrest them and let them go, with minimal probation or supervision. They commit another crime, and they commit another crime, and still nothing is happening to them.

I am telling you that 11-, 12-, and 13-year old kids are not in jail in juvenile courts in America for any minor offense. That is not the reality. So we believe we need to enhance the ability of that juvenile court to intervene effectively to improve it. We believe we can do more in that regard.

That is the core of this bill, for those who wanted so many different ideas of prevention—there is a lot of money in there for a lot of new and creative ideas for prevention programs.

But one thing President Clinton's Department of Justice did was have a study of the prevention programs in America. What they found is, we are spending the money on programs that do not work well, and in fact, we are spending more money on the programs that work the least. It is a very serious criticism of prevention programs. We have to be sure they work before we send the money. We ought to have some in-depth hearings on that.

Finally, the reason I spent some time talking about these Hollywood articles is that I think there are real numbers of factors that go into causing crime. The President says it is the Republicans because they won't pass every gun law he can create. And as soon as you pass one, they come up with another one. He is out with his family now in Hollywood, with members of his philosophical family. He is letting his hair down. And what does he say? He says it is Republicans who won't pass gun laws. There is never an end.

That is why these issues are important.

I served for 12 years as a Federal prosecutor. I prosecuted a lot of violation of gun laws by criminals, people who were committing crimes and shooting people regularly. We were very aggressive on it. The Federal law is tough. It has 5 years without parole

if you carry a gun during the commission of a felony. It has the Speedy Trial Act. You are tried within 70 days. When you are sentenced, there is no parole, and the Federal law mandates just how long you have to serve. It is a long time. People who are caught with guns don't want to go to Federal court. Some think Federal court is easy. Not so. Federal court is much tougher than most State courts in America, particularly on gun cases.

When I left office at the end of the Bush administration, there were 7,048 prosecutions of gun violations in America. Since President Clinton has been in office, that number has dropped every year until it reached 3,807 in 1998, a 40-percent decline in prosecutions.

So the test is, if you really care about guns, according to the President and the Attorney General, Will you pass a new law? I would say to you, the real test is, Will you enforce the laws we have?

You remember a number of years ago when we added a Federal law to make it a felony to take a firearm on a school ground, a Federal law that makes it a crime to deliver a firearm to a young person, a Federal law against carrying assault weapons, those all passed by this Congress.

Let me show you the results of the prosecutions by this Department of Justice and this President who believes so passionately that guns cause crime.

Possession of firearms on school grounds:

In his press conference just a few weeks ago, he said there were 6,000 incidents of carrying firearms on school grounds. In 1997, nationwide, all 92 U.S. attorneys prosecuted 5 of those cases; in 1998, 8 of them. That is all that were prosecuted.

Why do we pass laws if they are not going to be prosecuted? The reason is politics. It is not crime fighting, it is politics.

Unlawful transfer of firearms to juveniles: Not a bad law; in 1997, Janet Reno's Department of Justice prosecuted five; in 1998 they prosecuted six.

Possession or transfer of semiautomatic weapons: The assault weapons ban—such an important law, that if anybody didn't vote for it was a virtual criminal, who just wanted to have people shot by assault weapons—we passed the Federal law before I got here. There were only four prosecutions in each of the past 2 years.

I deeply believe in this. Are we at a point where the reality in America is what you say and not what you do? Is that what the reality in America is today? No wonder the President calls the Hollywood stars family, because they do not live in a life of reality. The only thing that counts is what you say on the screen. It doesn't make any difference what your life is outside of that. It is the vision that goes on.

I couldn't help but recall that incident in which we had perhaps the greatest untruth ever told by any President in the history of this country when the President of the United States had his news conference, pointed his finger, and said, ''I did not have sexual relations with that woman.'' We know how that was done now. It was orchestrated by the Thomases, his closest friends from Hollywood. They directed, scripted and choreographed how he would make that denial.

I submit that I am not really concerned about how we come up with language about sales of guns at gun shows. If anybody in this country thinks that is going to have a substantial impact on crime in America, I ask them to stand up, right now. It won't have a substantial impact. It may have an impact. It may be a good law. We will work to accommodate the President's request.

It concerns me that when we have a culture of violence the President won't stand up and be counted against it.

Those movies will have more impact on crime than whether or not we have a gun show law.

I have never been in a legislative body before. Maybe this is the way things happen all the time. I know this: We have tried to accommodate the Democrats time and time again. We have increased funding beyond my original vision of a bill that would help our juvenile court systems improve—even to more expansive prevention moneys, 55 percent of the money going to prevention, even a small part of that could even be used for any kind of boot camp or detention facility or treatment alternative school.

I am concerned about it. I believe we can improve the efforts against crime in America. I believe we need to enforce the laws that we have. I believe if we had 7,000 prosecutions in 1998 instead of 3,800, there would be innocent people alive today. These are target criminals. They ought to be prosecuted. I believe we can do better.

I am open to improvement in our legislation. Certainly, Senator HATCH has managed the bill and has done a great job with it. I respect his views. His leadership has been invaluable in moving this legislation along. What concerns me is we may be moving to a point where Members on the other side just don't want legislation. No matter how much we compromise, no matter how much we work together to make the bill to their liking, they still won't give us a time agreement.

I see the majority leader on the floor. The majority leader has a lot of things he needs to do in this Senate. If we are going to have a filibuster, how can we stay on this bill? If the Democrats are going to filibuster and kill this bill—if they stick together, they have that power—it would be a great tragedy.

There is much in this legislation that could improve our ability to reduce juvenile crime, to intervene in young people's lives and save young people from being victims of crimes. I hope we don't go that route. I hope we don't, after all this effort, have this legislation killed for political reasons.

I yield the floor.

Mr. LOTT. Madam President, I ask unanimous consent passage of the juvenile justice bill, S. 254, occur no later than 6 o'clock p.m. on Tuesday, May, 18, 1999.

Let me emphasize that this is the third request I have made to try to find a way to have fair debate on amendments and votes and a conclusion at some point. Last week, I had suggested we take Friday and Monday to have a number of amendments offered and debated, as we are doing. We asked that the votes on amendments occur on Tuesday morning and that final passage occur by noon. That was objected to. So I said we could have votes on Tuesday morning on the amendments, continue on amendments with votes throughout the afternoon, and complete it by 5 on Tuesday. That was objected to.

This now moves it another hour. Before there is a reservation or objection, let me emphasize why I am doing this. We had thought we could take up this juvenile justice bill that has been in the process for 2 years, have debate, amendments and votes, and complete it by last Thursday night, since we started on Monday. We had Tuesday, Wednesday, and Thursday. That turned out not to be practical because there were other amendments still pending, even though we had taken up 15 amendments, and I think now we have taken up probably 20 or more. We thought about trying to continue on Friday and Monday and then complete it on Tuesday.

This week, we don't have a Friday session because there is a Democratic retreat, so we won't be able to have legislative business or votes on Friday. Let me emphasize that is not intended to be critical because we had a similar Friday last month for Republicans. We each take one Friday during the year to do that and it makes sense to do that.

During this week, we have a vote or votes on the Y2K liability issue, which is very important to small businesses, to industry people trying to comply with the Y2K bill. The computer industry in general has a tremendous liability problem that should be treated as finding a way to solve the problem rather than just trying to find a way to have a whole lot of lawsuits.

We also have a supplemental appropriations bill. Unlike some supplemental appropriations bills that go through here lickety-split in an hour or two, this one very well may take some time. It is large and has a lot of moving parts. It needs to be explained completely. In order to complete Y2K, the juvenile justice bill and supplemental appropriations, we have Tuesday, Wednesday, and Thursday—3 days. We will have to find some way to get some time agreements and move these bills through to completion.

That is my request.

Mr. WELLSTONE. Reserving the right to object, I want to point out I

don't know whether this has been cleared with the minority leader. Speaking as a Democrat, I want to say to the majority leader that I think altogether we have been on this bill 3½ days. We have a finite list of amendments that we have locked in. We have not been dilatory. I, myself, was out on this floor, as my good friend from Utah can testify, all last week waiting, all today. I enjoy my colleague from Alabama, but the last hour or so were questions to me and what he had to say, which was important. I have been waiting for other amendments.

So in all due respect, I don't think what the majority leader has said is quite accurate. We have substantive amendments, a finite list, locked in, which speak to this bill, which could improve this bill and deliver.

To protect the Democrats, I object.

Mr. HATCH. Will the Senator yield?

Mr. LOTT. I yield to the Senator from Utah.

Mr. HATCH. This is the fifth day on this bill. I mentioned in my remarks today other incidents occurring around this country with juveniles who don't have to expect any real retribution as a result of a lack of law.

We can make a difference in this country right now or we can keep fooling around and not get anything done. I can't blame the distinguished Senator for representing his side and protecting the minority leader, except I can't imagine the minority leader not wanting to finish this by 6 o'clock tomorrow.

As far as I am concerned, we should finish it 2 minutes from now, get this bill on the record, get the House to pass it, the President to sign it, and hopefully get a set of mechanisms the bill will provide into operation so we can help our families and our children throughout this society to be protected from these violent juveniles.

Mr. LOTT. Madam President, I regret the objection by our Democratic colleagues. This juvenile justice bill is critically important. Just last night here in the Washington suburbs, two 15-year-old young men were charged with murder and charged as adults. This is not new. This is a pattern that has evolved not only here in this metropolitan area but across the country. I think this juvenile justice legislation is very important and is long overdue. As a result of the objection from the minority, I have to say it looks as if at this point it will be difficult to get this bill done this week without this sort of concept of final passage.

I am trying to get some way to identify how to get this bill done. I want this juvenile justice bill done. It has been in the mill for 2 years. I think we need it. We had good debates, we had some amendments, and I presume we will have more amendments. If we can't get some sort of time agreement, we will never reach a conclusion. There is a finite number of amendments, but I think it must be 40 or 50 amendments that are still pending. None of the three consents I propounded has been cleared by the minority, and I do find this very disturbing.

Having said that, I realize that the Democratic leader is not here. He will be coming in later on this afternoon and we will, I am sure, confer together. I assume my colleagues want this bill completed. Let me state where I am.

Give me some practical suggestion. What are we talking about here? Hours? Days? Weeks? Months? I think the Democrats think they found a good issue, but I don't think it's a good issue if we don't deal with the problem of juvenile crime in this country, if we don't deal with the problem of violence in our society and the cultural decline in our country, and with the gun amendments that have already been debated. So I think we ought to find a way to get it done. Let's find a way to do it, because we have other legislation we have to deal with: a great big liability problem with Y2K, a tremendous problem with the need for disaster supplemental appropriations, and funds for our military men and women who have been doing bombing raids right now.

I think we ought to try to get that done. All I am trying to do is find a way to do those three bills this week. And with your help, we will keep looking for it and hopefully we will find a way to get it done.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask the majority leader, what you are asking for is simply that we take the amendments we have and you need so you can manage this body, and a time when we are going to complete? Because under the rules of this body, one person can talk and talk for days on one amendment, isn't that correct?

Mr. LOTT. That's correct.

Mr. SESSIONS. I think that is a realistic request. I have to say, I have seen this debate for a long time. I believe there is a group on the other side that wants no bill. I believe they don't want this bill to pass. I believe if we get this bill up it will pass. And I am very upset about it. I know Senator HATCH has done such tremendous work for it.

Mr. HATCH. Will the Senator yield for that?

Mr. SESSIONS. Yes, sir, I will.

Mr. HATCH. I have been here all weekend hoping we can find some help on the other side to resolve this matter. Now, there may be valid reasons why people on the other side did not meet with us, but we have been open to meeting and resolving this. I think I have exhibited a desire to resolve this bill time after time after time. We have tried, in an evolutionary sort of way, to resolve some of the gun problems. We know that is the way it is going to have to go. We are trying to do it. But we have not been able to get any cooperation.

Now that we are here on Monday, it seems to me we ought to start cooperating and helping our majority leader get this done.

I understand the Senator has an amendment for this side that he can call up. Is it the Ashcroft amendment? And then we can go back to the Senator from Minnesota.

Let me, without yielding my right to the floor——

The PRESIDING OFFICER. The Senator from Alabama has the floor. Has the Senator yielded the floor?

Mr. HATCH. Will my colleague yield one more time to me?

Mr. SESSIONS. I will.

Mr. HATCH. Could I ask the Senator from Minnesota how he would like to proceed? He has one more amendment.

Mr. WELLSTONE. I would like an opportunity to respond to both of my colleagues for a moment, and then I would ask my colleague from Alabama, when he was speaking—at some period of time, I thought I was going to do another amendment. But I will leave for a while and come back later.

Mr. HATCH. What I am trying to do is get an amendment done in just a few minutes, turn to you, and then I hope you will be reasonably short. I know the majority leader has indicated to me he is getting pretty tired of this and he wants to get back to Y2K.

Mr. WELLSTONE. Could I ask my colleague for 2 minutes to respond to what has been said here?

Mr. HATCH. Surely.

The PRESIDING OFFICER. Does the Senator from Alabama yield the floor?

Mr. SESSIONS. I will not yield at this point on that subject.

Mr. HATCH. Will the Senator yield to me?

Mr. SESSIONS. I will yield to the Senator from Utah.

Mr. HATCH. Let's proceed this way. Let's have the Senator from Alabama present the amendment on behalf of Senator ASHCROFT. He will take about 2 to 3 minutes to do that. And then let's resolve the problem of the Senator from Minnesota.

Mr. SESSIONS. I think the Senator from Minnesota and I will probably not agree on this, and I would want to respond to what he said.

Mr. HATCH. Fine.

AMENDMENT NO. 348

(Purpose: To reduce violent juvenile crime by encouraging States to prosecute violent armed juveniles as adults)

Mr. SESSIONS Madam President, I send an amendment to the desk. This amendment is to reduce juvenile violent crime by encouraging States to prosecute violent armed juveniles as adults if they are over 14 years of age. It has been submitted by Senator JOHN ASHCROFT of Missouri. Senator ASHCROFT serves on the Senate Judiciary Committee, is a former attorney general of Missouri and a former Governor of Missouri. Recently, our Juvenile Crime Subcommittee went to Missouri and held field hearings where we dealt with the problems of using young people to commit serious crimes because they could not be punished for them effectively.

This amendment would be Senator ASHCROFT's effort to say to those who commit murder and robbery and forcible rape while using a dangerous weapon, that they would be treated as adults if they carried a firearm.

The PRESIDING OFFICER. Is there objection to proceeding with the amendment, notwithstanding the fact the bill is not yet pending?

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Reserving the right to object. I am going to object just for a second because I actually was involved in another discussion. What was the request, again?

The PRESIDING OFFICER. The Senator is seeking to propose an amendment. The pending business is the motion to proceed to Y2K legislation.

Mr. WELLSTONE. I object. I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Alabama still has the floor.

Mr. SESSIONS. Did the Chair say we were on the Y2K?

The PRESIDING OFFICER. Yes.

Mr. SESSIONS. I ask unanimous consent, notwithstanding the pendency of the motion to proceed, to offer this amendment on Senator ASHCROFT's behalf.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. There is. I object. I would like to see the amendment.

The PRESIDING OFFICER. Objection is heard. The Senator from Alabama still has the floor.

Mr. SESSIONS. I yield to the Senator from Utah.

Mr. HATCH. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Madam President, I ask unanimous consent that, notwithstanding the pendency of the motion to proceed, to offer this amendment on Senator ASHCROFT's behalf.

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

Mr. SESSIONS. I renew my offer of the Ashcroft amendment, I believe No. 348.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. ASHCROFT, proposes an amendment numbered 348.

Mr. SESSIONS. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 228, line 11, strike ''and''.

On page 228, line 14, strike the period and insert ''; and''.

On page 228, between lines 14 and 15, insert the following:

''(4) PROSECUTION OF JUVENILES AS ADULTS FOR CERTAIN OFFENSES INVOLVING FIREARMS.—The State shall prosecute juveniles who are not less than 14 years of age as adults in criminal court, rather than in juvenile delinquency proceedings, if the juvenile used, carried or possessed a firearm during the commission of conduct constituting—

''(A) murder;

''(B) robbery while armed with a dangerous or deadly weapon;

''(C) battery or assault while armed with a dangerous or deadly weapon;

''(D) forcible rape; or

''(E) any serious drug offense that, if committed by an adult subject to Federal jurisdiction, would be punishable under section 401(b)(1)(A) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(1)(A)).''.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Madam President, I thank you. I thank the Senator from Utah for his kindness in allowing me this opportunity to address what I consider to be a very serious national problem. It is a problem of the increasingly violent nature of juvenile crime.

First, I would like to address my amendment that gives States incentives to try armed and violent juveniles as adults. That is amendment No. 348.

I thank Senator SESSIONS for his outstanding leadership on this problem. He has traveled far and wide across the country. His experience as an attorney general, his experience as a U.S. attorney, is most valuable in helping us approach this problem with the kind of sensibility that I think will give us an opportunity to make a real difference.

It seems that nearly every day we hear encouraging news about the progress we are making in the fight against crime. There is no doubt that this is good news.

But reports about reductions in the crime rate obscure two unfortunate realities: First, although the rate of crime has dropped over the past few years, the level of crime remains far too high.

The rate may have gone down but crime is still too high.

Second, whatever progress has been made in the reduction of overall crime rates, we are still confronted with a serious problem with violent juvenile crime.

Statistics about crime rates are useful, but what really matters is the level of violent crime.

Let me just give you an example.

On last Friday, the Dow Jones Industrial Average was down almost 200 points. If we were to focus on that fact alone, it would appear that the stock market was down, when in fact the Dow is near its all time record high. The same is true of crime, especially juvenile crime.

We had a little dip in crime recently. But juvenile crime and violent juvenile crime are still very high.

Although the most recent data show some drops in the crime rate, the overall level of crime, especially juvenile crime is unacceptably high.

There are about as many violent crimes committed today as in 1987. The number of violent juvenile crimes is at roughly the 1992 level and at 150 percent of the 1987 level. I do not think anyone thought they were safe or secure enough in 1987 or in 1992, that we could afford to get to be 150 percent of that level, which was the 1992 level, and that is the level to which we have returned. But it is still far above a level acceptable in our culture.

Statistics about crime rates also mask the increasingly violent nature of juvenile crimes. Seventeen percent of all forcible rapes, 50 percent of all arsons and 37 percent of all burglaries are committed by juveniles.

Finally, the recent dip in crime rates is cold comfort for victims of violent crimes. My constituents in Missouri continually identify violent juvenile crime as a paramount concern, and you only have to read the newspaper to understand why. When parents read in the newspaper about a 16-year-old who raped four young girls in St. Charles County, they understand the importance of targeting violent juvenile crime. When parents in Hazelwood read about a 13-year-old convicted of murder for fracturing his victim's skull with the butt of a sawed-off shotgun, they understand the importance of targeting violent juvenile crime. And when people in Poplar Bluff read about a 16-year-old, encouraged by his 20-year-old accomplice, who held a pizza delivery man at the point of a shotgun to steal $32, they understand the importance of targeting violent juvenile crime.

Madam President, that is precisely what we need to do. We need to target violent juvenile crime. We need to update our current juvenile justice laws to reflect the new vicious nature of today's teen criminals. We must treat the most violent juvenile offenders as adults and punish them as adults.

For too long now we have treated juvenile crime as something less than real crime. Even the language we use—referring to adult crimes, but to acts of juvenile delinquency—suggests that juvenile crime is not real crime.

To those young girls who were raped, to those individuals who are murdered, to their families, these crimes are real crimes. We are not talking about spitballs in the hall or the old Charlie Brown song of the 1950s. We are talking about murder, assault, and rape. And I assure you that for the victims of these crimes, the crimes are all too real—no less so because the perpetrator was under eighteen. The time has come to take junveile crime seriously and protect our children from violence.

Juveniles are increasingly committing adult crimes. What is more, all too often, juveniles are using adult means to facilitate these crimes. Armed crime among juveniles is at unacceptably high levels.

These adult crimes committed with adult means cannot be dismissed as youthful indiscretions. They cannot be dismissed as delinquencies or status offenses. These are crimes. These are horrendous crimes. People lose their lives. People are victims of serious assaults, and the crimes should be treated and prosecuted as adult crimes.

Accordingly, this amendment provides States with incentives to try juveniles as adults when they commit armed violent crimes.

Specifically, this amendment encourages States to try juveniles as adults when youth over fourteen use firearms to commit murder, forcible rape, armed robbery, armed assault, and major drug crimes.

We need to send a message that crimes committed with firearms will be prosecuted and taken seriously. This administration has dropped the ball in prosecuting the Federal gun laws. We tried to address this by funding firearm prosecutions in the Hatch/Craig amendment—this is the so-called project CUFF. Having sent a message to the administration to prosecute Federal gun crimes, now is the time to send a message to the States—violent gun crimes are serious ''adult'' crimes and deserve ''adult'' time.

In the ''juvenile Brady'' provisions in the core bill, we are treating juveniles as adults for purposes of preventing gun ownership in the future, just like if you commit a felony as an adult, you disqualify yourself from owning guns in the future. There is no basis for treating juveniles as anything but adults when they use firearms to commit violent crimes.

The unpleasant fact is that all too many juveniles commit serious armed crime. The answer is to prosecute these crimes vigorously—to the full extent of the law. This amendment provides States with substantial incentives to give adult time to juveniles who commit adult crimes.

This is not a direct mandate on States. The amendment simply says that the new pot of Federal money authorized by this bill—the juvenile accountability block grants—will only be available to States that try juveniles as adults.

In short, this is an incentive tied to new money that is designed to curtail the violent juvenile crime in this country, not a mandate to the States.

It is ironic that some of the same individuals who clamor now for Federal gun control object to this proposal on the grounds of federalism.

They say the Federal Government has no business being involved here and encouraging States to take a serious approach. The Federal Government has long asserted a role in policing crimes committed with firearms.

The entirety of chapter 44 of title 18 of the United States Code is a testament to the Federal interest in policing crimes committed with firearms. Rather than following the lead of chapter 44 in directly criminalizing firearm offenses for juveniles, this amendment takes the less drastic step by encouraging States to treat violent juvenile offenses committed with a firearm as seriously as the same offense would be if committed by an adult.

States remain free to define the elements of and set the penalties for the underlying crimes. We simply ask, as a condition for being the recipient of Federal funds targeted on reducing serious violent juvenile crime, that States treat violent juvenile firearm offenses as seriously as adult firearms offenses.

Those who complain about this mandate should take a look at the 1974 Juvenile Justice Act, passed by a Democratic Congress, full of mandates from the beginning. As amended, the act now includes more than two dozen mandates. Some of these mandates are just administrative, but others are putting real burdens on the States, preventing the incarceration of status offenders, and mandating complete sight and sound separation of juvenile offenders from adults. These are costly mandates, especially in rural areas.

With so many mandates that are designed to protect the juvenile offenders, it wouldn't hurt to have some incentives that protect the rest of us. Violent juveniles who commit armed violent offenses with a firearm are a serious threat to all of us. We need to treat those adult crimes as just that—adult criminal acts and require juveniles who commit them with firearms to answer accordingly. We need to send a message that violent firearm offenses will be prosecuted. Age should not be a defense to serious gun crimes.

Mr. HATCH. Madam President, I am happy to recommend that the distinguished Senator from Minnesota call up another of his amendments, and I will then call up one for Senator SANTORUM. We will proceed in that way. It is my understanding the distinguished Senator will take upwards of a half hour for his amendment, and then I will offer an amendment.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Madam President, before going forward with this amendment, there are two statements which I think need to be made for the record.

One is, I say to both my colleagues on the other side of the aisle because I did not get a chance to respond earlier, there is no evidence whatsoever, as suggested by my colleague from Alabama, that there are Senators on this side who are trying to kill the bill. Nobody has filibustered. Believe me, I know how to filibuster and so do other people. Nobody has filibustered. We have agreed to a finite group of amendments.

As to what the majority leader said as to the practical suggestion, we should handle this bill like we do any bill, which is we plow through amendments. That is the practical suggestion. I have not been here as long as my colleague from Utah, but I am sure he can recall many more examples than I can of a bill of this importance that has been on the floor and has taken a week, sometimes taken 2 weeks. Senators have amendments. We debate amendments. We vote them up or down. That is the Senate. That is how we conduct our work.

In all due respect, it is not credible if the majority leader wants to pull the bill and he wants to find a pretext for pulling the bill. He can come out here and make this claim, but it is not credible.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. I will yield for a question in a moment.

Again, let me be clear. Many of us have been waiting to offer amendments. We have a finite list of amendments. We are going through the amendments. That is how we do business in the Senate. That is how we complete this bill. You do not have somebody—now I am not speaking for the party, I am speaking for myself—you do not have somebody come out here and basically say: You agree to do the amendments you have in a short of period of time; we will give you one more day, that's it, because this is a great bill, this is really important, and we have to pass it tomorrow.

It may be a great bill, but some of us have disagreements with portions of this bill. My colleague from Mississippi talked about what happened last night in D.C. Two kids are going to be tried as adults. That is done locally. They did not wait for this bill to be passed. I can give examples of kids struggling with mental illness who have died in some of these juvenile correction centers, and I want to see something done to protect them. I feel as strongly about that as the majority leader feels about other provisions.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. I yield for a question.

Mr. HATCH. Is the Senator aware this bill will help with some of the things about which he is concerned? In fact, all of them.

With the Senator's indulgence, this is the fifth day we have been on a bill that should have been passed on the third day or second day. There is not a thing in this bill, to my knowledge, that most people on this floor would not want to protect our children and our society and our families.

We have all kinds of past illustrations where monumental bills have been done in fewer than 5 days. Tomorrow will be the sixth day we have been on this bill. This is not that controversial a bill. There are some controversial parts to it, and we have been working in an evolutionary way to deal with those. I think the distinguished Senator knows I have worked hard to accommodate my colleagues on the other side as well as my colleagues on this side, and there are wide disparities with regard to the gun problem.

I do not blame the majority leader. He has a job to do. We have the Y2K

bill that is critical for the software industry in this country. It is critical to the court system of this country. It is critical to civil justice in this country. It is critical to our dominance in intellectual property. And I can go on and on.

We have the bankruptcy bill that probably is not going to come up now because we do not have time to bring it up, and that is absolutely critical to this country.

We have the supplemental appropriations bill. The majority leader is right, it is not an itty-bitty, normal supplemental appropriations bill with which everybody is happy. It is one that has a lot of components to it.

We have the Department of Defense authorization. We have our young men and women waiting for us to back them up. I think the majority of people here want to do that.

I find no fault with the distinguished Senator anguishing over things that he believes are very important. I do, too. But this bill will move toward solving those problems as well. They may not be solved in exactly the identical way the distinguished Senator from Minnesota wants them solved, but this bill makes a lot of inroads in helping in these areas about which he is concerned.

For the first time, in my recollection, we have both sides together at least giving more money for prevention purposes, for which the distinguished Senator from Minnesota fights so hard, than we do on the accountability or law enforcement side. I have worked hard to get that done because I believe in both sides.

The distinguished Senator has indulged me to make these comments.

I do not blame the majority leader, and I know a lot of very important bills passed in 2 days, let alone 5 or 6. Frankly, this is not one that should be delayed even 1 minute longer. There are sincere amendments. That is why we are here.

I appreciate the willingness of my friend from Minnesota to present at least three of those amendments today. I do not think there is any desire for this side to take unfair advantage. There is a desire to move forward the work of the Senate, and there is a point beyond which the majority leader cannot go. We absolutely know there are some people in the Senate who really do not want this bill, who really want political advantage more than they want a bill.

Frankly, I am not one of them. I am one who wants this bill. I think it is time to get it; that is why we are here. I appreciate my colleague extending me this courtesy to make these comments. It is important to move ahead. It is important we get this done by tomorrow night, and I hope we can.

There will come a time when this bill manager is going to become exasperated enough that I will move to table every amendment that comes up, and I hope my colleagues will support me in that. There comes a time when deleteriousness and slowing down and repeating what we are trying to do in this bill—only getting our particular views other than what the bill says when it already does those things, we will have had enough of that. I warn everybody that I am reaching that point. I am not there yet, but I am going to get there.

If we cannot get this done by tomorrow night and we take the chance of losing this bill because of 40 amendments when we have done everything in our power to whittle ours down by the end of this day—we will have 3 or 4 amendments left, maybe fewer than that—then I think this sends a message.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I say to my colleague from Utah, I apologize for smiling. I was only smiling because initially I yielded for a question. I know him well enough to know, if he feels strongly about something, he is going to go on for a while. I appreciate what he said. Madam President, I do not ever have a problem yielding to Senator HATCH for a question or comment because he is always gracious as a Senator.

We will get to the substantive debate, but I have to say for the record that if the majority leader wants to pull this bill because he does not agree with some of the amendments that have been adopted or he does not want to debate some of the other amendments that deal with gun control or other controversial amendments, he can pull the bill. So be it.

You cannot have it both ways. As the old Yiddish proverb says: You can't dance at two weddings at the same time. You cannot say this is an incredibly important piece of legislation to deal with violence; it is so important in taking steps on prevention and stricter law enforcement with children, and then all of a sudden say: We are done as of tomorrow evening; if not, I will pull the bill.

It does not work that way.

If we come to a supplemental bill, we can act on it and then go back to this legislation.

Let's be clear about what is going on here. I think it would be a terrible mistake for the majority leader to pull this legislation. If that is what he wants to do, then he can do it, but it has nothing to do with Senators not willing to be out here debating amendments.

AMENDMENT NO. 359

(Purpose: To limit the effects of domestic violence on the lives of children, and for other purposes)

Mr. WELLSTONE. Madam President, I now offer my third amendment. This is an amendment that is called the children who witness domestic violence protection amendment.

We have heard a lot about the violence children see on television or the violence that children see in movies. We have heard a lot about the violence that bombards our children from video games. Do you want to know something? The worst part of all is the violence in the lives of children that is not in the spotlight. Increasingly, children are witnessing real-life violence in their homes.

In fact, it is in their own homes that many children witness violence for the first time. Over 3 million children in the United States of America are witnessing violence in their homes each year and it is having a profound impact on their development. Whether or not these children are physically injured by the violence, they carry with them lasting emotional scars from having been exposed to the threat of and trauma of injury, assault, or killing.

This exposure to family violence changes the way children view the world and may change the value they place on life itself. It affects their ability to learn, to establish relationships, and to cope with stress. Witnessing domestic violence has such a profound impact on children, placing them at high risk for anxiety, depression and even suicide.

Furthermore, these child victims may exhibit more aggressive antisocial and fearful behaviors. They are also at much greater risk of becoming future offenders, which is one of the reasons I offer this amendment to this legislation. Exposure to family violence, many studies suggest, is the strongest predictor of violent delinquent behavior among adolescents.

It is estimated that between 20 and 40 percent of chronically violent adolescents have witnessed extreme parental conflict. When I talk to judges back home, they tell me it is all predictable who the 13- and 14-year-olds are who are going to appear in their court. They go back through their records and they see the violence in the families, many of these kids having experienced this violence directly or having seen it.

In a Justice Department-funded study of children in Rochester, NY, children who had been victims of violence within their families were 24 percent more likely to report violent behavior as adolescents than those who had been maltreated in childhood. Can you believe that? This statistic says that kids are even more prone to become violent as adolescents who have just witnessed violence in their families as opposed to those kids who have actually been maltreated themselves, abused in their childhood. Adolescents who were not themselves victimized, but who had grown up in families where domestic violence had occurred were 21 percent more likely to report violent delinquency than those not so exposed. Overall, children exposed to multiple forms of family violence reported twice the rate of youth violence as those from nonviolent families.

So, again, if we are talking about how to prevent the delinquency, how to deal with kids before they get into

trouble, we have to get more support to kids who witness this violence in their homes.

A 1994 survey of 115 mothers in the waiting room of Boston City Hospital's Primary Care Clinic found that by age 6, 1 in 10 children had witnessed a knifing or shooting. An additional 18 percent of the children under age 6 had witnessed pushing, hitting or shoving. Half of the reported violence—half of the reported violence—occurred in the child's home.

Let me tell you about Tony and Sara from Minnesota. Tony is 10 years old, and his sister Sara is 8. Tony and Sara were severely traumatized after seeing their father brutally attack their mother. They were forced to watch their father drag their mother out to the driveway, douse her with gasoline, and hold the flaming match inches from her. Tony and Sara are not the only children in our country who were terrified by violence like this, sometimes on a daily basis.

Children who witness domestic violence are often traumatized and they need support. Who is a child going to turn to when their mother is the victim of their father? Who is a child going to talk to when their sibling has emotionally shut down and no longer speaks? Who is a child going to go to for help when they need assistance? Children like Tony and Sara have the right to know that what is happening in their home is wrong. Children like Tony and Sara have the right to feel that we care about their safety.

My legislation, which I am offering as an amendment today, is a comprehensive first step toward confronting the impact that witnessing domestic violence has on children in America. This bill addresses this issue from multiple perspectives—including mental health, education, child protective services, supervised visitation centers, law enforcement, and crisis nurseries.

Mental health. I have visited, with my wife Sheila, programs in Boston and San Francisco that are forging creative partnerships in their communities to meet the needs of traumatized children. That is what this amendment is about. More must be done. To address the devastating impact that witnessing domestic violence has on the mental health of children, my amendment provides nonprofit agencies with the funds needed to design and implement multisystem interventions for child witnesses.

This partnership would involve the courts, the schools, health care providers, child protective services, battered women programs, and others. What we would be talking about would be guidelines to evaluate the needs of children who witness this violence, safety and security procedures for child witnesses and their families, counseling and advocacy, and outreach and training to community professionals.

I met Pamela in Brainerd, MN. Pamela was a battered woman. Her husband threatened to kill her, so she finally left him after 9 years of abuse. But Pamela says that the damage has already been done to her children. She has two children. They are 18 and 15 years old. She says that both her children have turned to drugs and alcohol to cope with the abuse they witnessed. Pamela's 15-year-old son is currently in a treatment facility.

Pamela and her children would have had a better chance if mental health services had been available to them sooner. We cannot send more of our Nation's children into drug treatment facilities and juvenile prisons when we have the opportunity to intervene early and to heal them. That is what this amendment is all about.

Education. My amendment also encourages collaboration between domestic violence community agencies and schools to provide educational programs and support services for these kids. What happens is that the school officials quite often do not recognize what is going on. This child has seen this violence in his or her home over and over and over again. They come to school; they may not stay awake because they did not sleep that night because they were so terrified; they may act out; they maybe cannot concentrate, and yet quite often what happens is that these kids, because they have witnessed this domestic violence, are not able to learn, but our education community does not know what is going on with them. So we provide the funding and the support for collaboration. This is a great amendment, I say to my colleague from Utah.

When I was out in rural Minnesota, I met a woman who serves as a guardian to a boy who has witnessed domestic violence. The boy's mother is a battered woman and is now separated from the boy's father. The guardian told me that the boy's teacher reported that the boy had been mean to a girl across the aisle in the classroom, so the boy was sent to be ''timed out.'' When this boy was asked about how he was treating the girl, he said that he was not being mean. He said that he hit the girl because he wanted her to do what he said. He said he hit her because, and I quote, ''that's how dad gets mom to do things.'' I will quote that again. This little boy said: I hit this girl because ''that's how dad gets mom to do things.'' ''That's how dad gets mom to do things.''

Children cannot always compartmentalize traumatic events. Instead, the domestic violence comes to school with each and every child witness. It undermines their school performance, their relationships with other children, and we need to get them help.

Child protective services, the third part of this. This legislation also addresses domestic violence and the people who work to protect our children from abuse and neglect. There is a significant overlap between domestic violence and child abuse. In families where one form of violence exists, there is a likelihood that the other does, too. In a national survey, researchers found that 50 percent of the men who frequently assaulted their wives also frequently abused their children. The problem is that the child protective services and the domestic violence organizations have separately set up programs to address one of these forms of violence yet few address both when they occur together in families. This amendment provides incentives for local governments to collaborate with domestic violence agencies in administering their child welfare programs.

Madam President, I want to go to the second part of this amendment. What you have here is a picture of Brandon and Alex Frank. I met their mom. These two children were murdered by their father. This amendment increases the funding available for supervised visitation centers.

What happens quite often is visitation provides a batterer with another way to batter. This amendment would create a grants program whereby domestic violence service providers could apply for money for what we call family visitation centers. This is extremely important. For example, usually it is the woman who is battered. The man is now out of her home, thank God, but he still has custody rights. He comes to visit the child. Quite often when he brings the child back to the home or when there is an exchange at the home, the violence takes place again, or he has custody and he can get the children over a weekend. These visitation centers would enable that father to still see the children but it would be supervised visitation to protect the children.

On July 3, 1996, 5-year-old Brandon and 4-year-old Alex were murdered by their father during an unsupervised visit. Their mother Angela—Sheila and I met her not too long ago; she has met her several times—was separated from Kurt Frank, the father. During her marriage, Angela was physically and emotionally abused by Frank, and Frank had hit Brandon and split open his lip when he stepped in front of his mother during a domestic violence incident. Angela had an order of protection against Kurt Frank, but during custody hearings her request for her husband to only receive supervised visits was rejected. Kurt Frank murdered his two sons during an unsupervised visit. These are the two children. This amendment says, let's do a better job of protecting these children.

Madam President, this amendment also provides further training to law enforcement officers. We have met with some great people in the law enforcement community, and they say that they now realize they come to the home but they quite often have not been able to understand the effect that this has on the children. They come to break it up. They come to protect the woman. They come to make it clear to the man that this is a crime. The children fall between the cracks. This

would enable the law enforcement community to recognize the needs of children who have witnessed domestic violence, to meet children's immediate needs at the scene of the crime, to establish a collateral working relationship between police officers and local domestic violence agencies.

Finally—I want my colleague to know that I am actually summarizing this amendment; I am almost finished—crisis nurseries. Families faced with domestic violence also need a safe place for their children during a time of crisis. Mary Ann, a mother of two, was dealing with an abusive boyfriend, and she knew that she needed to end the relationship. Mary Ann turned to a local crisis nursery for help. The nursery volunteers cared for her children while she ended the abusive relationship. The nursery staff played a critical role in supporting and encouraging Mary Ann and helping her to make a better life for herself and her children.

This amendment provides funds to States to assist private and public agencies and organizations to provide crisis nurseries for children who are abused, neglected, at risk of abuse or neglect, or who are families receiving child protective services. Nurseries will be available to provide a safe place for children and to alleviate the social and emotional stress among children and families who are impacted by domestic violence.

I have to say to you that I believe this amendment that deals with providing support services for children who witness domestic violence is one of the most important amendments I have ever brought to the floor of the Senate. I want my colleagues to believe—not many of them are here, and this is one of the things that bothers me the most. I just don't believe 2½ minutes is going to be enough time. I want Democrats and I want Republicans to understand that for all too many children, at least 3 million children in our country, this is devastating. Every 15 seconds, a woman is battered; every 15 seconds, a woman is battered in her home. A home should be a safe place. These children, even if they themselves aren't battered, they see this violence and it has a devastating impact. It is directly related to this legislation.

Judges will tell you that a very high percentage of kids who end up committing violent crime are kids who come from homes where they have witnessed this violence. This amendment is a great amendment which says, we do it at the community level, but we provide the support and the incentives and enable local communities to pull together law enforcement, to pull together child protection people, to pull together welfare department people, to pull together women who work at battered women shelters, to pull together teachers and education people, and we get the support services for these kids that they so desperately need. That is what this amendment is about.

Madam President, I will at this time send the amendment to the desk, and I ask my colleague from Utah—I will conclude in 5 minutes. I send this amendment to the desk. I ask my colleague if I could have 5 minutes, and only 5 minutes, to make a statement on one terribly important issue to me, and then I will be done. I send this amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator would require unanimous consent for his amendment. The pending motion is a motion to proceed on the Y2K legislation.

Mr. WELLSTONE. I ask unanimous consent to send this amendment to the desk.

The PRESIDING OFFICER. Is there objection?

Mr. HATCH. Is this the amendment you gave us before?

Mr. WELLSTONE. Yes.

Mr. HATCH. On domestic violence.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 359.

Mr. WELLSTONE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment, No. 359, is printed in today's RECORD under ''Amendments Submitted.'')

Mr. HATCH. Madam President, I have listened to the Senator on his last amendment. Our bill does exactly what the Senator from Minnesota suggests in his amendment. This bill already does that. A core purpose of the accountability block grant is, from page 225 of the bill: ''The coordinated delivery of support services for juveniles who are at-risk for contact with the juvenile criminal system.''

That is exactly what the Senator from Minnesota is suggesting with this amendment. That is a point that I am making. We are repeating things that we have already long thought out for more than 2 years while we formulated this bill. And so I think it is very important that we realize we can beat these things to death when we already have considered what he wants.

We may not have considered it exactly the way he wants it, but it is certainly part of this bill. I commend him for having the feelings that he does and for being sincere about those feelings. But we are, too. We have worked on this bill, and we think we have covered most of the components of the amendment of the distinguished Senator. On the other hand, where they are too expensive or don't work, we have considered them, but the bill has a better approach. Be that as it may, I admire the Senator for his sincerity. We will have to vote on the amendment and see what happens.

AMENDMENT NO. 360

(Purpose: To encourage States to incarcerate individuals convicted of murder, rape, or child molestation)

Mr. HATCH. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. HATCH], for Mr. SANTORUM, proposes an amendment numbered 360.

Mr. HATCH. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. ___. AIMEE'S LAW.

(a) SHORT TITLE.—This section may be cited as ''Aimee's Law''.

(b) DEFINITIONS.—In this section:

(1) DANGEROUS SEXUAL OFFENSE.—The term ''dangerous sexual offense'' means sexual abuse or sexually explicit conduct committed by an individual who has attained the age of 18 years against an individual who has not attained the age of 14 years.

(2) MURDER.—The term ''murder'' has the meaning given the term under applicable State law.

(3) RAPE.—The term ''rape'' has the meaning given the term under applicable State law.

(4) SEXUAL ABUSE.—The term ''sexual abuse'' has the meaning given the term under applicable State law.

(5) SEXUALLY EXPLICIT CONDUCT.—The term ''sexually explicit conduct'' has the meaning given the term under applicable State law.

(c) REIMBURSEMENT TO STATES FOR CRIMES COMMITTED BY CERTAIN RELEASED FELONS.—

(1) PENALTY.—

(A) SINGLE STATE.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 of those offenses in a State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(B) MULTIPLE STATES.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 or more of those offenses in more than 1 other State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(C) STATE DESCRIBED.—A State is described in this subparagraph if—

(i) the State has not adopted Federal truth-in-sentencing guidelines under section 20104 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13704);

(ii) the average term of imprisonment imposed by the State on individuals convicted of the offense for which the individual described in subparagraph (A) or (B), as applicable, was convicted by the State is less than 10 percent above the average term of imprisonment imposed for that offense in all States; or

(iii) with respect to the individual described in subparagraph (A) or (B), as applicable, the individual had served less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

(2) STATE APPLICATIONS.—In order to receive an amount transferred under paragraph (1), the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for 1 of those offenses in another State.

(3) SOURCE OF FUNDS.—Any amount transferred under paragraph (1) shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State that convicted such individual of the prior offense before the distribution of the funds to the State. The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to diminish or otherwise affect any court ordered restitution.

(5) EXCEPTION.—This subsection does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in paragraph (1) and subsequently been convicted for an offense described in paragraph (1).

(d) COLLECTION OF RECIDIVISM DATA.—

(1) IN GENERAL.—Beginning with calendar year 1999, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State—

(A) the number of convictions during that calendar year for murder, rape, and any sex offense in the State in which, at the time of the offense, the victim had not attained the age of 14 years and the offender had attained the age of 18 years; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) REPORT.—Not later than March 1, 2000, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.

Mr. HATCH. Madam President, I ask unanimous consent that the Senator from Missouri be accorded the floor to make a statement about these matters following a short statement on this amendment.

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

Mr. HATCH. Madam President, I am pleased to support the amendment I am offering on behalf of the Senator from Pennsylvania, Mr. SANTORUM. This amendment adds new incentives for States to ensure that violent offenders are incarcerated for the public's protection, by transferring Federal crime fighting resources from States that fail to incarcerate their criminals to States where the criminals commit subsequent crimes.

Congressionally funded truth-in-sentencing grants, which provide funds to States to build prisons, have been instrumental in lowering crime by encouraging States to incarcerate violent and repeat offenders for at least 85 percent of their sentence. In January, the Justice Department reported that 70 percent of prison admissions in 1997 were in States requiring criminals to serve at least 85 percent of their sentence. More significantly, the average time served by violent criminals nationally has increased 12.2 percent since 1993. Perhaps the biggest reason for recent declines in violent crime is due to these truth-in-sentencing prison grants. Simply put, violent criminals cannot commit crimes against innocent victims while in prison.

But as important as these grants have been, we can do more. While crime is a local issue, its effects are interstate. In our highly mobile society, the criminals let out of prison in one State too frequently end up committing crimes in a neighboring State, or even in a State across the country. In my view, States owe a duty not only to their own citizens, but to the citizens of other States as well, to keep their worst offenders locked up. Senator SANTORUM's amendment provides a modest incentive to States in this regard, by putting them on notice that if one of their murderers, rapists, or other sex offenders commits a similar offense in another State after being released, the second State may be reimbursed out of Federal criminal justice assistance funds allocated to the first State for the costs of incarcerating the criminal in the second State.

These transfers would apply if the first State is not a truth-in-sentencing State, does not have penalties at least 10 percent above the national average for murder, rape, or other sexual offenses, or in the individual case of triggering the transfer, the inmate did not serve at least 85 percent of his or her sentence.

Madam President, no State should allow crime to be a major export. This amendment is a modest proposal to ensure that all our States absorb at least part of the costs of their trans-border crime. I urge my colleagues to support it.

I yield the floor.

AMENDMENT NO. 361

Mr. ASHCROFT. Madam President, all across our Nation, local schools are trying to ensure that tragedies like the one in Littleton do not happen again.

The Federal Government in Washington is not in a position to make the best decisions for those local schools. No government—let alone the Federal Government—can produce a single solution, to prevent school violence.

The problems have deeper roots in our culture. Nonetheless, there are some important steps we can take to help local school districts and parents make schools safer.

In a few moments, I will send to the desk an amendment on behalf of Members of the Youth Violence Education task force, a task force which I helped Chair, that will help ensure that our schools once again become safe havens, rather than places of jeopardy. I thank those who came together on this task force to contribute to the amendment. Specifically, Senators HUTCHINSON, DEWINE, GREGG, HELMS, COVERDELL, ALLARD, and ABRAHAM.

This package is comprehensive in that it contains numerous provisions that give tools to schools and communities to prevent youth violence. First and foremost, we need to put local schools at the top of our agenda and free them to use Federal money where it will do the most good to prevent future violence. Time and experience have exposed as an utter falsehood the notion that we know what is best in every educational setting.

One-size-fits-all regulations won't help local schools reduce their particular risks or solve their unique problems. As we provide resources, we need to provide freedom.

The cornerstone of our education amendment would open up existing Department of Education funds to allow school districts new options for putting Federal dollars to work. Under this amendment, schools can choose where best to spend Federal resources under titles IV and VI of the Elementary and Secondary Education Act—specifically, the Safe and Drug Free Schools program, and Innovative Educational Program Strategies funds.

Schools can decide whether to spend the money on training, equipment, school assessments, or more personnel. For example, under this amendment, local school districts could use Federal money for purchasing metal detectors and surveillance cameras, for training school officials in recognizing and averting potentially dangerous situations, or for introducing school uniform policies, if they so chose.

Local school districts would remain free to choose the use that best addresses local needs. The Federal Government provides a great deal of money for education and related funding. The fiscal year 2000 budget resolution conference report called for $66.3 billion in education and related funding for fiscal year 2000; $404.1 billion over 5 years; and $782.4 billion over 10 years.

Compared to current spending levels, this represents an increase of $8.1 billion over 5 years and $33 billion over 10 years.

As a result of this budget resolution, Congress will be providing much-needed funding to education programs in fiscal year 2000. While we know that local schools need our help, we do not always know how best to provide that help. We need to provide the opportunity and authority for local schools

to do what they can to improve the climate for safe and secure learning environments on campuses. For this reason, this amendment will give schools the flexibility they need to best provide for the safety and security of their students.

Another component of this amendment would clarify that nothing in the Federal law stands in the way of local decisions to introduce a dress code or school uniform policy—not to mandate from Washington, but make it clear that the Federal law does not prevent it or preclude it. To make sure that we don't constrain efforts to build working communities, this legislation makes it abundantly clear that Federal law does not prohibit schools from instituting dress codes. Dress codes can create a sense of belonging and unity among students and help eliminate the division of schools according to cliques. By doing so, dress codes can help schools have a sense of community among students, and Federal law should not block local educators from fostering this sense of community.

In Kansas City, MO, the George Washington Carver Elementary School, a magnet school, established a dress code policy for the 320 elementary school students in 1990. The results are positive. Philomina Harshaw, the principal for all 6 years that Carver has had uniforms, observed that a new sense of calmness exists throughout the school after students began wearing uniforms. ''The students feel good about themselves, as uniforms build a sense of pride,'' she has reported.

Long Beach, CA, has a school uniform in all its elementary and middle schools. District officials found in the year following the implementation of the school uniform policy, overall school crime decreased 36 percent, fights decreased 51 percent, sex offenses decreased 74 percent, weapons offenses decreased 50 percent, assault and battery offenses decreased 34 percent, and vandalism decreased 18 percent, sending a clear message that some of the resources which can be used to implement such a policy is sending a clear message of freedom to our schools that they are free to act in the best interests of their students.

The federal government should be in a position to assist schools in making decisions that they believe can make a difference, particularly when the record is clear about the difference made in other districts.

In addition, this task force, which was formed to look at our federal education policy to see if anything could be done to reduce the impact of violence in schools, included in the amendment a provision which provides certain liability protections for school personnel when they undertake reasonable actions to maintain order, discipline, and a safe educational environment.

This provision, to which Senator COVERDELL will speak shortly, is based upon similar liability protections for volunteers that was signed into law, as well as a number of state laws that offer teachers limited civil liability against frivolous and arbitrary lawsuits. We must assure that teachers and other school personnel are able to do what is necessary to provide a safe and stable learning environment for all students.

This amendment also includes language that makes certain that school discipline records follow a student when a student transfers to another public or private school.

The receiving school should have information about the discipline records of a student coming into that school environment. In the last Congress I sponsored an amendment that ensured that juvenile records were available to schools when students transferred.

My involvement on this issue began with the 1995 killing of 15-year-old Christine Smetzer in a restroom at McCluer North High School in St. Louis County. The male special education student convicted of murdering Smetzer had a juvenile record and had been caught in the women's restroom at a previous school. However, teachers and administrators at McCluer North say they were not informed of the student's record when he transferred to their school.

It was tragic the transfer didn't involve the disciplinary records, because it cost Christine Smetzer her life.

In response, I secured a provision in the law requiring that, under IDEA, student disciplinary records must transfer to a new school when the student goes to a new school.

The language in the task force amendment expands that provision, so that any student's discipline record—whether or not the student is served under IDEA—will be available to any school—public or private—to which the student transfers.

We need to send all the information we can about a student to a new school when a person transfers.

These provisions and others were developed by the Republican Education Task Force which I chaired. I want to again thank my colleagues who worked with me on the Task Force—Senators DEWINE and HUTCHINSON, GREGG, COVERDELL, and HELMS. I look forward to working with them to ensure that these proposals are included in the final bill.

It is in response to these considerations. As a result of the work product of this task force, we developed a package of considerations in an amendment.

I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself, Mr. DEWINE, Mr. HUTCHINSON, Mr. GREGG, Mr. COVERDELL, Mr. HELMS, Mr. ALLARD, and Mr. HATCH, proposes an amendment numbered 361.

Mr. ASHCROFT. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. ASHCROFT. Madam President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

A UNION OF MINDS WORTH EXPLORING

Mr. BYRD. Madam President, I have scoured the newspapers in recent days in an effort to begin to unravel the pieces of the puzzle that led two young teenage boys to commit such senseless atrocity at Columbine High School. It is long past time to stop wringing our hands over this issue of school violence. We can no longer afford to sit idly by, watching our nation's schools being infiltrated by hoodlums and hate groups more concerned with converting schools into places of fear than maintaining them as havens of learning and enlightenment. This Congress and the American people must join forces and take action now to protect our young.

Now, that is very easy to say—very easy to say. And I think everyone would agree on that, that they must join forces. We must find ways to restore discipline. Now, that is a little tougher. That is a little harder to bring about. We must find ways to restore discipline.

The ancient Romans practiced discipline. And it began in the home where the children were taught to venerate their ancestors, to respect their gods. They were pagan gods, but nevertheless they were the gods of the Romans. And the young men and women in the homes were taught to revere their parents and to respect the law. Each Roman believed that the gods had designed a destiny for Rome. And each Roman believed that it was his duty to help bring about the fulfillment of that destiny which the gods had designed for the Roman state. That discipline overflowed from the home and into the Roman legions, and it was in great part because of that iron discipline that the Roman legions were enabled to conquer all of the nations around the Mediterranean Sea and to subjugate them. It was that discipline that was first learned at the hearth, in the family circle, in the home. That is where it has to start today. That is exactly where it has to begin today—in the homes.

We must instill in our children basic values and provide them with the knowledge and the skills to confront the many demands that are placed upon our society. We must prevent, if we can, a recurrence of these ruthless slaughters that continue to rock the institutional base of our Nation's education system.

It is now time to do what we can. I am only one, but I am one. I cannot do everything, but I can do something. And what I can do, by the grace of God I intend to do.

It is time to do what we can do, and to search out additional avenues that will return peace and tranquility to our schools and our society. So, today, I heed my words, and come to this hallowed chamber to take an essential step forward in this unfolding national debate by joining with my colleagues Senator LIEBERMAN and Senator MCCAIN to call for the convening of a National Commission on Youth Violence.

I know we appoint lots of commissions. I spoke of the Romans a while ago. So did they; they appointed commissions. I make mention of the Romans many times. Of course, I could speak of our English forebears as well. But I mention the Romans because Montesquieu thought that the ancient Romans were a unique people. The framers were acquainted with Montesquieu. He admired the ancient Romans so much that he wrote a history of the ancient Romans. It was back several years ago, when we were discussing the line-item veto, I thought that, inasmuch as Montesquieu had studied with thoroughness the ancient Romans, I would do the same. And it was there that he learned about checks and balances, and separation of powers—in his study of the Romans. So they appointed commissions as well.

This amendment, which I am pleased to learn has been accepted into the managers' package, focuses on the formidable challenge of identifying and reconciling the root causes, the underlying motives, and the influences fueling this widening streak of lawlessness plaguing the heart and soul of America.

By gathering together men and women of the highest caliber of expertise in law enforcement, school administration, child and adolescent psychology, parenting and family studies, we call upon all parties—all parties—to listen and learn, galvanizing a true national discussion on school safety. This National Commission will seek difficult answers to some difficult questions—What drives children to commit such violence?

When I was a little boy and when I was a young man, we never heard of such violence. We would never have thought of carrying a gun to school.

The most outrageous thing I ever did in school back in that little two-room school—I was always glad when the teacher appointed me as one of the two boys who would go over the hill to the spring house and bring back to the school a bucket of water, out of which we all drank. We all drank out of the same bucket and with the same dipper. One day, I decided to put a few tadpoles in my pocket and put those tadpoles on the desk of one of the little girl classmates. Well, I thought it was funny, but when the teacher got through with me, it wasn't so funny. She didn't think it was funny.

On another occasion, when I was in high school, I was asked by one of my teachers, whose name was Margaret McKone, a question. I said, ''Huh?'' And I went on reading at my desk. I was not aware of the fact that she walked to the back of the room, came up the aisle, and had gotten just level with me until she slammed me in the face with a hard smack of her hand. I can feel it still, and I can feel the embarrassment that went along with it. She said, ''ROBERT, don't you ever say 'huh' to me again.'' I did not give her any back talk, and I never said ''huh'' to her again.

My old coal miner dad said: If you ever get a whipping in school, you will get another one when you get home. I knew something about his whippings. He started out with a hickory limb. Later, as I became a little older, he used a razor strap.

One day, we had a substitute teacher. We never thought of doing violence in school. Violence? Why, it wasn't allowed in our school. Nobody talked about violence. I took a piece of paper and I folded it and made myself a toy airplane. When I saw the teacher's back was turned—this was a substitute teacher, as I say—when the substitute teacher's back was turned, I sailed that paper airplane across the room.

The teacher turned just in time to see the airplane still suspended in air and my outstretched hand. He said, ''ROBERT, come up here.'' He called me to the front of the class. He put a chair up there. He said, ''ROBERT, get up in that chair.'' He drew a circle on the blackboard and said, ''Stick your nose in the center of that circle.'' I did. When I did, there were resounding whacks on my posterior which I will never forget, after which I turned to my seat red faced amid the snickers of my classmates. They were somewhat veiled snickers, but I heard them. It was embarrassing. I got just what I asked for.

What would you think of the things some children are doing in school these days? They are not sailing paper airplanes. And up until a few years ago, we did not have these outrageous, violent crimes being committed by youngsters.

My old coal miner dad never bought me a cap buster at Christmastime. I was lucky to get an apple, or an orange, or a piece of candy. He never bought me a cap buster. He never bought me a cowboy suit. He always got me a drawing tablet or a watercolor set or a book. He taught me to learn. He urged me to learn so I would not have to work in the coal mine.

Those were the two people who raised me. They were religious people. They were not of the religious left, not of the religious right. They did not make a big whoop-de-doo over their religion, but they were religious. How did I know? Many times when the lights were out and in my early boyhood, the house was lighted by a kerosene lamp. We did not have any running water in the house, no electricity. But when the light was out, I would hear that great lady who raised me praying. I would hear her praying in another room. I knew she was on her knees. I had seen her many times on her knees. When my old coal miner dad left this world, he did not owe any man a penny.

They taught me to be honest, pay your debts, and work, work hard. It never hurt anybody. It may have killed John Henry, but that is about all I can recall. We were taught to work, to be honest, to revere our father and mother. The Bible says: Honor thy father and thy mother. We were taught to do that, not talk back.

Thank God I am one of those few Americans left who grew up in the Great Depression, who knows something about the Great Depression, who was in school during the Great Depression.

I was the coal mining community's scrap boy. I went around the coal town and gathered the scraps from the coal miners' tables and fed my dad's pigs. He always bought about 10 to 12 Poland China pigs. I would feed those pigs. I would gather the scraps year round. I was the village scrap boy. Some people called it the village ''slop boy,'' the town's ''slop boy.''

When we were in school, we always had prayer every morning and pledged allegiance to the flag of the United States. I am the only Member of 535 Members of this Congress today who can say that I was here, in Congress, on June 7, 1954, when the House of Representatives voted to insert the words ''under God'' into the Pledge of Allegiance—''under God,'' on June 7, 1954. The Senate followed suit the next day, and on June 14 it became a law.

The first thing we did was have prayer. They do not do that these days. It did not hurt any of us. It was good for us. If there is anything about which I would amend the first amendment, it would be that. I am not above amending the Constitution, but I think we had better be very slow about it. Don't do it very often, certainly. But that is one thing that I think would help, if the Nation returned to God first.

''Blessed is the nation whose God is the Lord. Bring up a child in the way that he should go, and when he is old, he will not depart from it.''

When we parents are looking around wringing our hands and we politicians are looking around and wringing our hands saying, ''What should we do?'' let's return to some of the country's basics, the fundamentals that made this a great nation.

The Bible says remove not the ancient landmark which thy fathers have set. That is one of the old landmarks. We have gotten too far away, drifting too far from the shore. My friend from Alabama will remember that old hymn—drifting too far from the shore.

I will tell you, there is nothing wrong with this Nation that some old-time religion will not cure. It does not have to

be my religion; it does not have to be a Baptist; it does not have to be Methodist, Presbyterian, whatever—just a basic belief in a Creator.

Now, you might say: Well, Charles Darwin didn't believe that. You read his books. Read his books. He mentions the Creator in ''The Origin of Species.'' And in ''The Descent of Man,'' he said he made a mistake in ''The Origin of Species,'' he had exaggerated, he had gone too far.

We can pass all the laws that we can pass, all the laws we care to pass, but it has to start out in the home. In the home, that is where it begins. That is the root.

So what drives children to such violence? Why are students taking the lives of their classmates? How do we prevent future incidents like those at Columbine High School from recurring? I hope the commission can find some prescriptions for change as a result of these explorations. But perhaps, most important of all, the commission's mandate will serve as a catalyst for our Nation's parents, teachers, industry leaders, and their communities, to each—each; you, me; each; him, her; each—take responsibility in protecting our Nation's children.

One of the many charges delegated to the National Commission is an exploration of the ever-important role of school teachers and administrators in the lives of their students—school teachers. Part of the cure, I believe, lies in the need to restore basic discipline—basic discipline—to the classroom.

When I was a young boy, I attended to my lessons and I attended to my lessons. I threw a paper airplane once in a while, but I attended to my lessons. And in a two-room schoolhouse my teachers were my role models. I wanted to be the best in the algebra class; I wanted to be the best in the geometry class; I wanted to please my teacher, and I wanted to please that old couple who took me to raise. They were my role models.

I have met, in my long political career, with kings and shahs and princes and queens and Presidents and Governors and men and women of the highest station in this world, but one of the few great men whom I ever came to know was that old coal miner dad who raised me. He was a great man. I never heard him say God's name in vain in all the years I was with him—not once, not once.

So those teachers, along with my adoptive parents, taught me the so-called ''old values'' of integrity, honesty, respect, and loyalty that I carry with me to this very day.

Now, I am no paragon. I do not claim to be a paragon of rectitude or whatever, but, as Popeye used to say, I am what I am. My old dad and mom, they taught me to be what I am, and they taught me to believe in a higher power, taught me to believe in God.

Now, if parents ingrain that kind of teaching in the child, they may stray from the righteous path from time to time but they will come back, they will come back.

The classroom was a sacred precinct where a quiet and wholesome environment prevailed, and where students came to learn. They came to learn the fundamentals of math and science and grammar and literature and history. Discipline was expected and discipline was enforced.

And on that little report card that I took back home, there was one item, deportment—deportment. I was always careful that my dad would see a good mark in every category, and particularly in deportment.

When disorder broke out, as it did very rarely, the teacher had the authority and the command of the classroom to bring students to upright and full attention.

Mr. President, I know that it is easy to hear someone from my generation speaking of morals and values and the way things used to be and simply dismiss those words and sentiments as being old-fashioned or out of step with the world today. Well, in some things I do not want to be in step with the world today. Let the world go its way. But for the sake of our future, I think we can learn from our past.

Today, the discipline that we once knew has eroded to the point that students no longer resolve conflicts with words, but with weapons. The normal angst of adolescence has given way to anger and outright violence. As a consequence, we have teachers who fear the very environment in which they one day thrived, wondering whether they, too, might be caught in the line of fire.

I remember there was a class in agriculture when I was in school in Spanishburg, WV, may I say to the distinguished Senator from Missouri, who is presiding over the Senate today with a degree of dignity and skill that is so rare as a day in June. The teacher was talking about the potato and about the eyes of the potato. He called on me and asked me a question. I thought it would be funny if I said that the potato got dirt in its eyes. I thought that was kind of funny. And he said, ''ROBERT, stand up. Now, you apologize to the class for what you just said.'' See, I was making a little light of a serious matter. I thought I was being a kind of showoff, which I did not particularly try to do many times. But he said, ''You stand up and you apologize to the class.'' And I apologized to the class.

Mr. President, our teachers deserve the opportunity to teach just as our children deserve the opportunity to learn.

A Builder builded a temple,
He wrought it with grace and skill;
Pillars and groins and arches
All fashioned to work his will.
Men said, as they saw its beauty,
''It shall never know decay;
Great is thy skill, O Builder!
Thy fame shall endure for aye.''
A teacher builded a temple
With loving and infinite care,
Planning each arch with patience,
Laying each stone with prayer.
None praised her unceasing efforts,
None knew of her wondrous plan,
For the temple the Teacher builded
Was unseen by the eyes of man.
Gone is the Builder's temple,
Crumbled into the dust;
Low lies each stately pillar,
Food for consuming rust.
But the temple the Teacher builded
Will last while the ages roll,
For that beautiful unseen temple
Was a child's immortal soul.

So the worth of a good teacher can never be measured. But without the involvement of parents, I fear that the madness overrunning our nation's classrooms will not abate. We have sadly learned that, all too frequently, one parent's complacency can result in another parent's worst nightmare. And so I call upon parents to be alert and active participants in their child's education—whether it means attending parent-teacher conferences or reviewing their child's math assignments. Parents should strive to know their children inside and out—their temperament, their habits, their strengths and their weaknesses. And they should make it a priority to know their children's friends and the parents of their children's friends. In today's two-working parent society, such supervision is extremely difficult and places a greater burden on the community, as a whole, to look at this dilemma in a new light, and to help parents juggle competing demands. It is my hope that the National Commission will help parents refocus on this role of individual responsibility, reinforcing the urgency in parents' stepping up to the plate, and enabling them to take a more active and involved role in their children's lives.

Furthermore, with parents caught up in the hustle and bustle of their own everyday life, many children today have much too much unsupervised time on their hands, with free run of their own money—I never knew what it was to have a loose nickel in my pocket when I was a boy—and their own leisure activities. Mr. President, I do not mean to discourage the idea of children working after school. It instills within our children at a young age a strong work ethic and an appreciation for the value of a dollar. If you want to know the value of money, try and borrow some. For some families, it is necessary to ensure that the family's needs are met, or to save for college. But too often, at the hands of disengaged parents, the lessons have been lost, with after-school jobs serving only to enable misconduct—giving young people the unchecked financial means to purchase guns and to buy bomb-making materials. Once again, we witness the eternal need for parents to be an integral component of their children's lives, to teach them right from wrong, and be their first line of defense in leading them away from these kinds of troubling situations.

Today, with the overwhelming amount of violence and amorality inundating kids' minds from the media and entertainment industry, parents face an even greater challenge than before.

How fortunate my wife and I are that our children, our two daughters, were virtually grown women before we had a television set in our home. I know it must be more difficult today than it was when our two daughters grew up.

It saddens me to think that we have reached a point where a National Commission is necessary to explore these pervasive negative influences—movies. I have been in the Washington area 47 years this year. I have been to one movie in that 47 years, and I haven't lost anything. I have watched some good movies—Alistair Cooke's great movies, performed by British actors who knew the English language and who could speak it well: ''The Six Wives of Henry VIII,'' ''Elizabeth R,'' great movies. But I went to one movie. I walked out before it was over. It was boring. Yul Brynner played in that movie. I walked out. I haven't lost anything. But I have seen some great movies on television, I mean great movies.

I wouldn't waste my time on trash, because I don't have a lot of time. You don't either. You don't have much time. We are only here a short time. Why waste it on trash—movies, video games, television. I suppose if I had young children in my house, the first thing I would take out is the television set. Take it out. And they wouldn't miss anything except a lot of junk. That is not to say that television is all bad. It is a great medium, a great medium for informing the people. It is a great medium, a great tool for good, but all too often the programming is absolutely lousy. It is built around the dollar, the dollar. What can make money. Movies, video games, television, the Internet, and other freewheeling vehicles, to explore these pervasive negative influences for disseminating smut and violence, smut and violence. You watch many of the advertisements on the TV. They are full of violence, the advertisements themselves.

It is particularly troublesome that the bad tends to overshadow the good aspects of the entertainment arena. When I think of movies such as the recent ''October Sky,'' which tells the story of three young boys growing up in Coalwood, West Virginia in the late 1950s, with a dream to build and launch their own homemade rockets in the hopes of winning the National Science Fair's college scholarship awards, I realize that there, too, are wholesome stories to be told. The kind that inspire and motivate youth to push beyond their daily homework assignments and to shoot for the stars. To find a mission in life, once thought impossible, and tackle it. The kind of movie that all parents ought to take their children to see. There are some good movies.

We have learned from the recent events the ease with which a youngster can access dangerous information, dial up polluted Web sites advertising recipes for bomb making and solicitations for joining hate groups. Likewise, we know that violent video games in the home and at the arcade confuse or override a child's moral sense of right from wrong by rewarding them with points for shooting their enemy dead. Until we find solutions to curb or counteract this madness spewing forth from the TV set, the radio, and cyberspace, we, as a community, must demonstrate greater vigilance and care, and think twice before giving our children free rein of the remote control or leaving inquisitive young minds unattended in the wilderness of cyberspace.

Mr. President, seemingly, in the blink of an eye, we have witnessed the true demise of part of the American dream. The once peaceful and serene schoolhouse has been marred by episodes of violence and bloodshed, with precious young children falling victim—children who may have grown up one day to be great teachers, great physicians, great lawyers, great architects, great physicists, businessmen and women.

There is no one-step solution to ending schoolyard slaughters, but it is my strong hope that this National Commission will provide answers to the many whys and hows infesting America's psyche, and begin to remedy this harrowing problem once and for all. Let us all work together to ensure that the tragic events of Columbine are not revisited in another American neighborhood.

I took a piece of plastic clay
And idly fashioned it one day
And as my fingers pressed it still
It moved and yielded to my will.
I came again when days were past,
The bit of clay was hard at last.
The form I gave it, it still bore,
And I could change that form no more.

I took a piece of living clay
And gently formed it day by day.
And molded with my power and art
A young child's soft and yielding heart.
I came again when years were gone,
He was a man I looked upon.
He still that early impress wore,
And I could change him nevermore.

Our children, the home, that is where we got off the track. That is where we are going to have to get back on the track—the home.

Mr. President, I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, one of the great delights in the Senate is being able to listen to Senator BYRD, on a number of occasions, share his wisdom with us. I think the story of the Roman legion and others he has shared with us are not unimportant. They go to the very heart of the decline in discipline and order in America today, and it is deeper than most people think.

I have often thought what good does it do to have a $500 text book if a 14-year-old won't read it, would even scoff at the thought of reading it, and has no intention of reading it or paying attention to the teacher, who we are paying and encouraging to try to teach. It does go back to the home. The home is also being undermined, I think, by the popular culture, as Senator BYRD suggests. It is difficult to conceive how we can have any moral order not founded in religion.

I suggest that we really don't need to amend the First Amendment. We really need to have it enforced as it is written. It says that Congress shall make no law respecting the establishment of a religion. In other words, Congress can't establish a religion. That is us. Congress cannot establish a religion or prohibit the free exercise thereof. Congress can't prohibit the free exercise of religion. I think we need to get back to the first 175 year's interpretation of the plain words of that amendment, and little children might be able to have a prayer in the morning. I don't think it hurt me. I think it was a benefit. As a matter of fact, I know the Senator knows Judge Griffin Bell, former Attorney General under President Jimmy Carter. He was asked once at a big bar meeting what he thought about the litmus test President Reagan was applying to judges. I think he shocked everybody in the room when he stepped up to the microphone and said, ''Well, we need a litmus test. Nobody ought to be a Federal judge who doesn't believe in prayer at football games.'' I have thought a lot about that. Maybe that had a lot of insight to it.

Y2K ACT

Mr. SESSIONS. Mr. President, tomorrow we will be having a critical vote in the morning. It will be a vote on cloture to the Y2K legal reform bill that will be coming up. It is being subjected to a filibuster, unfortunately, by members of the minority. I hope that in the morning the agreements can be reached so that that vote will result in our ability to proceed with the bill and that we could make some progress.

To share a few comments on it, the computer industry is critical to America's growth, prosperity and ability to be competitive in the world market. It is one of our major exports. People come here from all over the world to learn about computers. Our design and technology has created a huge number of jobs that have been very helpful to America, and we are exporting around the globe large product in that area, which helps us with our balance of payments, which is not good in general.

In addition, and maybe even more important, high tech computer equipment is increasing our productivity as a nation. As a matter of fact, Alan Greenspan has raised the question in several moments of testimony I have been present to hear in the last 2 years as to how it is possible that we can have an increase in wages much higher than the increase in inflation, the cost

of goods and services. If salaries are going up, why isn't inflation going up? He has been afraid and expressed his fear that if we keep raising wages—and I hope we can just keep raising wages, but his concern was it would drive inflation. But it has not. He has speculated in recent speeches and testimony, and many people have expressed the view that this is because of the impact of high technology, the computers. Now, a worker can produce so much more today than he could a few years ago because of the benefits of this high tech ability. So it is a critical thing for us as a Nation.

We want to be able to pay higher and higher wages. We want our productivity to continue to go up, but we don't want to create inflation at the same time. So this is a big deal. So we have this glitch, this year 2000 bug; when the numbers all become zeros out there, there is a concern, a very real concern, that a lot of computers are not going to work well, that whole systems may be in trouble—maybe a bank, maybe a grocery store in a checkout computer line, and things such as telephone systems and others could be in serious jeopardy and cost a lot of money. If it causes that, we have problems.

We are a combative society. It is a good thing for us sometimes, and sometimes it is not so good. The recent conference of the American Bar Association—and I made one comment previously on this. I suggested this was an official position of the ABA. I didn't mean to say so, but I think I suggested that. There was a seminar at the American Bar Association, and experts expressed great concerns about the impact of this litigation. We have received information that 500 or more law firms are already preparing seminars on how to handle the flood of litigation that is coming. It has been estimated that the legal costs of Y2K lawsuits could exceed that of asbestos, breast implants and tobacco all combined.

How could this be? Well, there are computer systems in every town in America. Every small town has them, and certainly the bigger towns have even bigger systems. If those systems cause a store to mess up, their stock inventory to mess up, or the phone system not to work, and those sorts of things, then we have a real problem. Somebody could file a lawsuit.

Now, we have a problem with filing lots of lawsuits. Let me share this story with you. A number of years ago, asbestos companies continued to sell asbestos after they had a reasonable basis to know that breathing asbestos by workers could make them ill. They should not have done that. They should have been held liable for that. Lawsuits were filed. To date, 200,000 asbestos lawsuits have been concluded, 200,000 more of them are pending, and it is estimated that maybe another 200,000 asbestos cases will be filed.

But the real tragedy—and as a lawyer who loves the law, I have to say this is a very real tragedy—was that only 40 percent of the money paid out by the asbestos companies actually got to the victims. Costs ate up 60 percent of that. These cases took years to conclude. Individuals who had been victimized died before they ever got a dime. Sometimes even their wives died before their heirs received any benefits. It was not a good day for litigation in America.

One more thing: Seventy-percent of the asbestos companies are in bankruptcy today.

Don't tell me that if we unleash a flood of lawsuits in every county in America against the greatest, most innovative, creative industry this Nation has perhaps ever created, we can't damage that industry; indeed, we have the capacity to bankrupt. It is a threat to our national economic vitality, in my opinion, and we need to do something about it.

Senator MCCAIN and Senator HATCH have been working on this legislation. They have done everything they can to develop a bill with which both the Democrats and the Republicans can live. It will require that a computer company be given notice of the problem and have a chance to fix it before a lawsuit can be filed. Just give them a chance to fix it. They have to fix it.

Arbitration: If there is a disagreement, there will be compensation for damages, but it limits punitive damages to three times the actual lost, or $250,000, whichever is greater.

That is the general framework of what the bill contains—a reasonable attempt to get compensation and to focus on fixing the problem so that this country's commercial activities can continue in a very efficient way to put our money on fixing the problem and not on lawyers and lawsuits. If we fail in this, if we allow this to happen, somebody is going to bear the responsibility for it. Members who vote against this bill, who are not giving it a chance to work and are not willing to face up to this are going to have to bear a heavy responsibility.

We have to have real reform, too. If it is not going to go halfway, we might as well not try it.

By the way, 80 lawsuits have already been filed. We had testimony in the Judiciary Committee. The Senator from Missouri, who is presiding now, is a member of that committee. The witness liked the lawsuits. He won a couple of million dollars. I asked him how long it took. He said 2 years. I don't know how he won before he ever had a Y2K problem. But he won. I am thinking, there were just a few lawsuits filed at that time. It took him 2 years. What if you have hundreds of thousands of lawsuits clogging the courts? How can anybody get any legitimate compensation? It is going to be jackpot justice. One jury is going to give somebody $10 million, one is going to get zero, and that is not a way to handle it.

This bill for this one Y2K problem will provide a national framework, because this is clearly interstate commerce, in settling these matters and trying to give the computer industry a chance to fix the problem and to get our industries' computer systems working.

I am really concerned about the vote tomorrow. It is a critical vote for the American economy. Those who fail to realize that could damage our country.

The vote will be coming up in the morning and everybody should be aware of it.

VOTE ON AMENDMENT NO. 344

Mr. BYRD. Mr. President, I would like to briefly explain my reasons for voting in favor of amendment No. 344, offered by Senators HATCH and CRAIG, to S. 254, the juvenile justice bill. I am extremely disappointed that the amendment does not close the loophole permitting sales of firearms at gun shows without background checks. I supported, and continue to support, the amendment offered by Senator LAUTENBERG, that would close the gun show loophole once and for all. I regret that the Hatch amendment does not go as far as that of my colleague from New Jersey.

Nonetheless, I recognize that there are not yet the votes in the Senate to pass the Lautenberg amendment and I do not wish to overlook the positive crime-fighting proposals that the Hatch amendment makes. These include establishment of the CUFF (''Criminal Use of Firearms by Felons'') program, which will provide $50 million for tougher enforcement of existing gun laws, and expansion of the Youth Crime Gun Interdiction Initiative, to facilitate the identification and prosecution of gun traffickers. The Hatch amendment also sets tough penalties for gun offenses involving juveniles and seeks to facilitate background checks for gun purchases. These are important, worthy provisions, and they are the reason for my voting in favor of the Hatch amendment.

KOSOVO

Mr. WELLSTONE. Mr. President, I have come to the floor of the Senate several times in the last 2 weeks to talk about Kosovo. When the majority leader was talking about our crowded schedule, I couldn't help but thinking to myself that we need to find the time on the floor of the Senate to have a thorough discussion and debate about Kosovo and what is happening there.

This weekend in Korisa, as a result of airstrikes, somewhere in the neighborhood of about, I think, 70 or 80 innocent people were killed. Now, it is quite unclear whether or not we made the mistake, or whether or not the Serbs somehow brought people back to this town and used them as human shields—and they have done that.

But I come to the floor of the Senate to make two points. One, about 2 weeks ago, I said I thought we should have a

pause in the bombing. I did not make it open-ended. I made it crystal clear that we would communicate to Milosevic that if he used this 48-hour period of time to repair radar systems, to resupply military, and if he did not stop the slaughter and if he did not remove troops, we would immediately begin to bomb again. But I felt it was critically important to do that because of the momentum of the G–8 countries going to the United Nations and a possible diplomatic solution.

I wish we had done that because then there was the bombing of the Chinese Embassy and all that has happened since. I just want to make the following point: I then came to the floor again last week and called for a temporary pause in the bombing, and I do so again this week. I do not want to engage in moral equivalency. I did not want this century to end this way. I did not want Milosevic to be able to get away with what he has been able to get away with, which has been the murder of innocent people, noncombatant civilians.

But, by the same token, it troubles me when I read reports that we don't use Apache helicopters for fear that we would be flying too low and we could see some of our Americans shot down and killed. I have that same concern.

When I first voted for airstrikes, I assumed we would be prosecuting the war in Kosovo. I assumed this was the risk. I stayed up thinking, my God, we are going to lose people. What if it were my son or daughter? Would I believe they were doing the right thing?

I believe our intentions are good, but I think these high-tech, high-fly airstrikes, if it continues on and on, it is going to lead to the death of many other innocent people, and it is going to undercut our moral case. There is no question about it.

When we took this vote—and I read from the RECORD and I will conclude on this—I asked my colleague, Senator BIDEN:

Could my colleague, for the purpose of the legislative record, spell out the objective? Could my colleague spell out what his understanding is when we say the President is authorized to conduct military operations?

Senator BIDEN's response, which I think was a good one, was:

My understanding of the objective stated by the President is that his objective is to end the ethnic cleansing in Kosovo and the persecution of the Albanian minority population in Kosovo and to maintain security and stability in the Balkans as a consequence of slowing up, stopping, or curtailing the ability of Milosevic and the Serbian VJ and MUP to be able to go in and cause circumstances which provide for the likelihood of a half million refugees to destabilize the region. The objective at the end of the day is, hopefully, that this will bring Milosevic back to the table. Hopefully, he will agree to what all of NATO said they wanted him to agree to, and hopefully that will occur. In the event it does not occur, the objective will be to degrade his military capability so significantly that he will not be able to impose his will upon Kosovo as he is doing now.

I suggest that perhaps our objectives have shifted because much of the massacre has taken place—and maybe more would have if not for the airstrikes, I don't know. But many people have been murdered and emptied out of their country, forced out of their country. In addition, this bombing goes way beyond degrading Milosevic's military capacity.

So I call on my colleagues to seriously consider a very thorough, honest, serious debate about the war in Kosovo, about where we are, and where we need to go. I don't think any of the options are good. I don't want us to leave and abandon the people. I want the people to be able to go back to their country. I want there to be an international force, a militarized force, and I want people to rebuild lives. But I would like to see much more emphasis on what we need to do to pursue a diplomatic solution to this. I don't think there is any other alternative. It is not going to be the ground troops; it is not going to be Apache helicopters, apparently. I don't think it can be 5 or 6 more months of airstrikes.

So, again, I come to the floor today to call for a pause in the airstrikes, very focused, for 48 hours, with clear conditions, the emphasis being on a diplomatic solution to this military conflict.

I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, May 14, 1999, the federal debt stood at $5,580,329,294,134.40 (Five trillion, five hundred eighty billion, three hundred twenty-nine million, two hundred ninety-four thousand, one hundred thirty-four dollars and forty cents).

One year ago, May 14, 1998, the federal debt stood at $5,492,886,000,000 (Five trillion, four hundred ninety-two billion, eight hundred eighty-six million).

Fifteen years ago, May 14, 1984, the federal debt stood at $1,480,234,000,000 (One trillion, four hundred eighty billion, two hundred thirty-four million).

Twenty-five years ago, May 14, 1974, the federal debt stood at $469,667,000,000 (Four hundred sixty-nine billion, six hundred sixty-seven million) which reflects a debt increase of more than $5 trillion—$5,110,662,294,134.40 (Five trillion, one hundred ten billion, six hundred sixty-two million, two hundred ninety-four thousand, one hundred thirty-four dollars and forty cents) during the past 25 years.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2996. A communication from Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Reservists' Education: Increase in Educational Assistance Rates'' (RIN2900–AJ38), received May 12, 1999; to the Committee on Veterans' Affairs.

EC–2997. A communication from the Director, Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, a report relative to a vacancy in the Office of the Secretary of the Air Force; to the Committee on Armed Services.

EC–2998. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Applicability of Buy American Clauses to Simplified Acquisitions'' (DFARS Case 98–D031), received May 12, 1999; to the Committee on Armed Services.

EC–2999. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Antiterrorism Training'' (DFARS Case 96–D016), received May 12, 1999; to the Committee on Armed Services.

EC–3000. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report relative to Department of Defense aviation accidents; to the Committee on Armed Services.

EC–3001. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Nonimmigrants-Passport and Visa Waivers; Deletion of Obsolete Visa Procedures and other Minor Corrections'', received May 11, 1999; to the Committee on Foreign Relations.

EC–3002. A communication from the Assistant Secretary, Legislative Affairs, Department of State, Transmitting, pursuant to law, a report relative to the U.S.-Cuba migration agreements; to the Committee On Foreign Relations.

EC–3003. A communication from the General Counsel, Department of Commerce, transmitting, a draft of proposed legislation entitled ''Technology Administration Act of 1999''; to the Committee on Commerce, Science, and Transportation.

EC–3004. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation

EC–3005. A communication from the Acting Association Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of the rule entitled ''Small Disadvantaged Business Participation Evaluation and Incentives'', received May 11, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3006. A communication from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a repot relative to the Domestic Positive Passenger-Baggage Match Pilot Program; to the Committee on Commerce, Science, and Transportation.

EC–3007. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Model BAC 1–11 200 and 400 Series Airplanes; Docket No, 98–NM–307–AD; Amendment 39–11157; AD 99–10–03'' (RIN2120–AA64), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3008. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace (Jetstream) Model 4101 Airplanes; Docket No, 98–NM–308–AD; Amendment 39–11158; AD 99–10–04'' (RIN2120–AA64), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3009. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Munds Park, Arizona'', (MM Docket No. 98–27 (RM–9188)), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3010. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of the rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Kosciusko, Goodman and Decatur, Mississippi)'' (MM Docket No. 98–154 (RM–9174; RM–9394)), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3011. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of the rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Hamilton, Meridian and Marble Falls, Texas)'' (MM Docket No. 97–174), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3012. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of the rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Des Moines, Iowa and Bennington, Nebraska)'' (MM Docket No. 98–187), received May 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3013. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of the rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Palestine and Frankston, TX)'' (MM Docket No. 98–37; RM–9238), received April 19, 1999, to the Committee on Commerce, Science, and Transportation.

EC–3014. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Wasilla, Anchorage and Sterling, Alaska)'' (MM Docket No. 97–227 (RM–9159; RM–9229; RM–9230)) received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3015. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of the rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Condon, Oregon)'' ((MM Docket No. 97–173), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3016. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcasting Stations (Hawesville and Whitesville, Kentucky)'' ((MM Docket No. 98–2), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3017. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation entitled ''Agricultural Fair Practices Enforcement Authority Act of 1999''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3018. A communication from the Deputy Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Fees for Applications for Contract Market Designation, Audits of Leverage Transaction Merchants, and Reviews of the Rule Enforcement Programs of Contract Markets and Registered Futures Associations'', received May 4, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3019. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hazelnuts Grown in Oregon and Washington; Establishment of Final Free and Restricted Percentages for the 1998–99 Marketing Year—FV99–982–1 FIR'', received April 30, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3020. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Olives Grown in California; Modification to Handler Membership on the California Olive Committee—FV99–932–2 FIR'', received April 30, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3021. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dried Prunes Produced in California; Undersized Regulation for the 1999–2000 Crop Year—FV99–993–2 FR'', received May 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3022. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Melons Grown in South Texas; Change in Container Regulation—FV99–979–1 IFR'', received May 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3023. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cranberries Grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York—Temporary Suspension of a Provision on Producer Continuance Referenda Under the Cranberry Marketing Order—FV99–929–1 IFR'', received May 11, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

PETITIONS AND MEMORIALS

The following peititions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–113. A resolution adopted by the House of the Legislature of the State of Hawaii relative to child labor; to the Committee on Finance.

HOUSE RESOLUTION 118

Whereas, many children in developing countries, or in countries that are in transition to a market economy, are employed in the export sector, especially plantations and the textile, garment, footwear, and sporting goods industries; and

Whereas, many of these child workers are subject to inhumane and hazardous working conditions, including slavery, debt bondage, child prostitution and sexual abuse and are usually badly paid, if at all; and

Whereas, the International Labor Organization has developed and tested a survey methodology which estimates that a total of 250 million children worldwide are working: half of these children between the ages of five and fourteen are working full time and at least one-third are performing dangerous work; and

Whereas, according to International Labor Organization statistics, 61 percent of all working children or nearly 153 million are found in Asia, 32 percent or 80 million are in Africa, and 7 percent or 17.5 million live in Latin America; and

Whereas, even though Asia has the largest total number of child workers, Africa has the highest proportion of its minors working—40 percent of the children between the ages of 5 and 14; and

Whereas, although poverty is the most important reason for child labor, followed by lack of schooling and illiteracy, oftentimes social traditions explain the persistence of child labor; and

Whereas, furthermore, because of different cultural and economic traditions among nations, there is not a generally accepted minimum age for work, and even the concept of ''work'' is defined or interpreted differently among countries; and

Whereas, for example, not all work done by children can be defined as child labor: in many societies, children who work along with their parents are viewed as learning to live in society; and apprenticeships are seen as part of a young person's education and preparation for a livelihood; and

Whereas, work by children clearly becomes child labor, however, if the work being performed is ''harmful to [a child's] physical or mental health, safety, and development''; and

Whereas, several international organizations have made eradication of child labor a priority; and

Whereas, in 1989, the United Nations approved the Convention on the Rights of the Child, the most widely subscribed international convention in history, which includes general restrictions on child labor; and

Whereas, Article 32 of the Convention recognized ''the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral, or social development''; and

Whereas, the International Labor Organization, has adopted a number of conventions restricting the work of minors, including Convention No. 138 (1973), entitled ''Minimum Age for Admission to Employment,'' which sets the following minimum age requirements: age 15 or not less than the age of completion of compulsory schooling, if higher than 15, for admission to employment of work; and age 18 for hazardous work; and

Whereas, these age limits are written into the national legislation of countries that formally agree on the Minimum Age Convention; and

Whereas, despite these efforts, the problem of child labor persists; and

Whereas, more needs to be done to fight child labor, including a firm expression of political will at the highest level: Now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, That the President and the Congress of the United States are urged to:

(1) Enact laws to prohibit American companies from manufacturing goods using child labor or from purchasing goods from manufacturers in foreign countries that exploit child labor; and

(2) Promote the education of these child laborers who will be consequently unemployed; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's delegation to the Congress of the United States.

POM–114. A joint resolution adopted by the Legislature of the State of Maine relative to Social Security account numbers; to the Committee on Finance.

JOINT RESOLUTION

Whereas, as technology becomes more advanced, the privacy of the individual becomes increasingly difficult to protect; and

Whereas, Congress originally required social security account numbers for the proper administration of the Social Security Act; and

Whereas, Congress has provided that it is the policy of the United States for states and political subdivisions to use social security account numbers to establish identification for purposes of tax and welfare administration, motor vehicle registration and driver's licenses; and

Whereas, states, political subdivisions and private entities have increasingly required social security account numbers for purposes other than identification for tax and welfare administration, motor vehicle registration and drivers licenses; and

Whereas, the requirement to provide a social security account number for purposes other than receiving public assistance, paying social security taxes and receiving social security payments and refunds increase the potential for invasion of privacy; and

Whereas, the dissemination of an individual's social security number for other than very limited purposes increases the likelihood that the number will be misused or disclosed to unauthorized 3rd parties and threatens the privacy of the individual; now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge and request that the Congress of the United States enact legislation to limit the use of social security account numbers for only the purposes of receiving public assistance benefits, paying social security taxes and receiving social security payments and refunds; and be it further

Resolved, That suitable copies of this Memorial duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

POM–115. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia relative to George Washington's Birthday; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 543

Whereas, from 1885 when President Chester Arthur signed a measure making George Washington's Birthday a federal holiday until 1968 when President Lyndon Johnson approved the Monday Holiday Law, the nation celebrated February 22 as the birthday of a great Virginian and the ''father of his country''; and

Whereas, since 1968 when the observance was moved from February 22 to the third Monday in February, the holiday has increasingly, but inaccurately, come to be called ''Presidents Day''; and

Whereas, in line with the common misperception that Congress changed the holiday from George Washington's Birthday to ''Presidents Day,'' a misguided effort is under way to honor both Abraham Lincoln and Franklin Delano Roosevelt on this spurious ''Presidents Day''; and

Whereas, both Lincoln and Roosevelt were indisputably great presidents, and it is not an insult to the memory of either of them to suggest that the George Washington's Birthday holiday should honor only George Washington; and

Whereas, it was George Washington who termed liberty mankind's ''noblest cause''; it was George Washington of whom Jefferson wrote, ''his name will triumph over time and will in future ages assume its just station among the most celebrated worthies of the world''; and it was George Washington whom Light Horse Harry Lee eulogized as ''first in war, first in peace, and first in the hearts of his countrymen''; and

Whereas, at any time but especially in this 200th anniversary of George Washington's death at Mount Vernon, rendering George Washington's Birthday but another vague, generic Monday holiday is to dilute the memory of the nation's first and greatest leader, with no concomitant benefit to either President Lincoln or President Roosevelt; and

Whereas, it is entirely proper that the nation annually honor its first president, and the most effective manner of doing so is to retain George Washington's Birthday as a national holiday: Now, therefore, be it

Resolved by the senate, the house of delegates concurring, That the Congress of the United States be urged (i) to reemphasize to the American people that the third Monday in February is to be celebrated as a national holiday called George Washington's Birthday and (ii) to resist efforts to degrade George Washington's Birthday into an amorphous and ultimately meaningless ''Presidents Day'' holiday; and, be it

Resolved further, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Congressional Delegation of Virginia so that they may be apprised of the sense of the General Assembly of Virginia.

POM–116. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia relative to federal impact aid relief for public schools; to the Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 488

Whereas, federal impact aid, which was signed into law by President Harry S. Truman in 1950, was designed to directly reimburse public school districts for the loss of traditional revenue sources, such as property, sales, and personal income taxes, and vehicle license fees, because of exempt property due to federal presence or federal activity; and

Whereas, the Federal Impact Aid Program is currently funded at about 45 percent of the full funding; and

Whereas, Virginia, home to the Navy's Third Fleet and many other military installations, and personnel, is among the states most impacted by the presence of the military, federally impacted school divisions, schools operated by the United States Government, and several schools attended primarily by First Americans; and

Whereas, federally impacted school divisions in Virginia enroll children from a variety of categories of eligible students, including children who reside on Indian tribal lands, military dependent children residing both on base and off base, children residing in federally subsidized low-rent housing units, and children whose parents are civilian employees of the federal government; and

Whereas, federal funds received pursuant to the Federal Impact Aid Program are significantly less than the average cost to educate a child in Virginia, leaving a deficit that the state and localities must assume; and

Whereas, the local and state taxpayers in Virginia are subsidizing the educational services for federally connected children which should be an obligation of the federal government; and

Whereas, public schools make up the basic foundation of a healthy society and economy; and

Whereas, approximately 1,600 school districts throughout the United States educate about 1.4 million federally connected children; and

Whereas, Virginia and other federally impacted states should receive full funding for the educational services provided federally connected children: Now, therefore, be it

Resolved by the senate, the house of delegates concurring, That the Congress of the United States be urged to enact laws to provide federal impact aid relief for Virginia public schools and public schools throughout the United States; and, be it

Resolved further, That the Clerk of the Senate transmit a copy of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, the President of the United States, and the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly in this matter.

POM–117. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia relative to patient protection with respect to self-funded, employer-based health plans; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 487

Whereas, the McCarran-Ferguson Act, passed by the U.S. Congress in 1945, established a statutory framework whereby responsibility for regulating the insurance industry was left largely to the states; and

Whereas, the Employee Retirement Income Security Act (ERISA) of 1974 significantly altered this concept by creating a federal framework for regulating employer-based health, pension and welfare-benefit plans; and

Whereas, the provisions of ERISA prevent states from directly regulating most employer-based health plans that are not deemed to be ''insurance'' for purposes of federal laws; and

Whereas, available data suggests that self-funding of employer-based health plans is increasing at a significant rate, among both large and small businesses; and

Whereas, between 1989 and 1993, the General Accounting Office estimates that the number of self-funded plan enrollees increased by about six million; and

Whereas, approximately 40–50 percent of the employer-based health plans are presently self-funded by employers, who retain

most or all of the financial risk for their respective health plans; and

Whereas, as self-funding of health plans has grown, states have lost regulatory oversight of this growing portion of the health insurance market; and

Whereas, the federal government has been slow to enact meaningful patient protections such as mechanisms for the recovery of benefits due plan participants, recovery of compensatory damages from the fiduciary caused by its failure to pay benefits due under the plan, enforcement of the plan-participant's rights under the terms of the plan, assurance of timely payment, and clarification of the plan-participant's rights to future benefits under the terms of the plan; and

Whereas, in the absence of federal patient protections, state-level action is needed: Now, therefore, be it

Resolved by the senate, the house of delegates concurring, That the Congress of the United States be urged to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans; and, be it

Resolved further, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States of House Representatives, the President of the United States Senate, the President of the United States, the Secretary of the United States Department of Labor, the Congressional Delegation of Virginia, and to the presiding officer of each house of each state's legislative body so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM–118. A resolution adopted by the House of the Legislature of the State of Michigan relative to ''Know Your Customer'' banking regulations and policies; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION NO. 30

Whereas, The Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the Office of Thrift Supervision have been considering a proposed rule known as the ''Know Your Customer'' regulation. Although currently withdrawn from formal consideration through the federal regulatory process, this proposed measure would require banks and savings institutions to develop and enforce programs to monitor banking transactions to identify those that may be connected to certain illegal activities; and

Whereas, The ''Know Your Customer'' concept is a response to concerns over activities such as money laundering, drug trafficking, tax evasions, and fraud. The regulation places an enormous burden of responsibility on banks, while ignoring the fact that provisions already exist to help deal with suspicious banking activities; and

Whereas, In addition to the proposed rule, which prompted overwhelming objections during the public comment period, federal banking officials already require banks to have ''Know Your Customer'' guidelines and procedures in place to identify suspicious activities. The Federal Reserve Bank's Secrecy Act compliance manual specifies this policy and directs bank examiners to look for compliance with this practice; and

Whereas, The ''Know Your Customer'' concept represents a serious threat to the privacy of law-abiding citizens. Giving the banks the duty of monitoring all banking transactions—without probable cause and appropriate search warrants—is a clear threat and likely violation of the Fourth Amendment, which states, in part, the right of the people to be secure in their papers and effects against unreasonable searches and seizures. The ''Know Your Customer'' concept ignores constitutional protections of personal privacy; and

Whereas, There is legislation currently pending in Congress to prohibit ''Know Your Customer'' transaction screening policies. This type of legislation, to protect personal privacy under the Fourth Amendment, is most appropriate. Now, therefore, be it

Resolved by the House of Representatives, That without hindering the pursuit of money laundering, drug trafficking, tax evasion, and fraud, we oppose ''Know Your Customer'' banking regulations and policies and memorialize the Congress of the United States to enact legislation to prohibit banking transaction screening practices that threaten personal privacy; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, April 29, 1999.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1059. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces and for other purposes (Rept. No. 106–50).

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1060. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 1061. An original bill to authorize appropriations for fiscal year 2000 for military construction, and for other purposes.

S. 1062. An original bill to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. GRAHAM (for himself, Mr. MACK, Mr. MOYNIHAN, and Mr. KERREY):

S. 1058. A bill to provide for the collection of fees for certain customs services, to authorize the continuation of certain preclearance services, and for other purposes; to the Committee on Finance.

By Mr. WARNER:

S. 1059. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1060. An original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1061. A bill to authorize appropriations for fiscal year 2000 for military construction, and for other purposes; from the Committee on Armed Services; placed on the calendar.

S. 1062. A bill to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy, and for other purposes; from the Committee on Armed Services; placed on the calendar.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CONRAD (for himself, Mr. HARKIN, Mr. GRASSLEY, and Mr. HATCH):

S. Con. Res. 32. A concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 211

At the request of Mr. HELMS, his name was added as a cosponsor of S. 211, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for employer-provided educational assistance programs, and for other purposes.

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 429

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 429, a bill to designate the legal public holiday of ''Washington's Birthday'' as ''Presidents' Day'' in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the

contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy.

S. 510

At the request of Mr. CAMPBELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 517

At the request of Mr. GRAHAM, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 517, a bill to assure access under group health plans and health insurance coverage to covered emergency medical services.

S. 566

At the request of Mr. LUGAR, the name of the Senator from Vermont (Mr. LEAHY) was added as cosponsor of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

S. 631

At the request of Mr. DEWINE, the name of the Senator from North Dakota (Mr. DORGAN) was added as cosponsor of S. 631, a bill to amend the Social Security Act to eliminate the time limitation on benefits for immunosuppressive drugs under the medicare program, to provide continued entitlement for such drugs for certain individuals after Medicare benefits end, and to extend certain Medicare secondary payer requirements.

S. 648

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as cosponsor of S. 648, a bill to provide for the protection of employees providing air safety information.

S. 712

At the request of Mr. LOTT, the name of the Senator from Michigan (Mr. ABRAHAM) was added as cosponsor of S. 712, a bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for highway-rail grade crossing safety through the voluntary purchase of certain specially issued United States postage stamps.

S. 751

At the request of Mr. LEAHY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as cosponsor of S. 751, a bill to combat nursing home fraud and abuse, increase protections for victims of telemarketing fraud, enhance safeguards for pension plans and health care benefit programs, and enhance penalties for crimes against seniors, and for other purposes.

S. 784

At the request of Mr. ROCKEFELLER, the name of the Senator from Hawaii (Mr. AKAKA) was added as cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 820

At the request of Mr. CHAFEE, the name of the Senator from Utah (Mr. HATCH) was added as cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the name of the Senator from Montana (Mr. BAUCUS) was added as cosponsor of Senate Resolution 59, a resolution designating both July 2, 1999, and July 2, 2000, as ''National Literacy Day.''

SENATE RESOLUTION 81

At the request of Mr. CRAPO, the names of the Senator from Louisiana (Mr. BREAUX) the Senator from Massachusetts (Mr. KENNEDY), the Senator from Utah (Mr. BENNETT), the Senator from Florida (Mr. GRAHAM), the Senator from Michigan (Mr. ABRAHAM), the Senator from Washington (Mrs. MURRAY), the Senator from Maine (Ms. COLLINS), the Senator from South Dakota (Mr. DASCHLE), the Senator from New York (Mr. MOYNIHAN), the Senator from Georgia (Mr. CLELAND), the Senator from California (Mrs. FEINSTEIN), the Senator from Nevada (Mr. BRYAN), the Senator from Missouri (Mr. BOND), the Senator from Oregon (Mr. WYDEN), the Senator from Idaho (Mr. CRAIG), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER), the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN), the Senator from Delaware (Mr. BIDEN), the Senator from Ohio (Mr. VOINOVICH), the Senator from Indiana (Mr. LUGAR), the Senator from Oklahoma (Mr. INHOFE), the Senator from Virginia (Mr. WARNER), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from North Carolina (Mr. HELMS), the Senator from Maine (Ms. SNOWE), the Senator from Delaware (Mr. ROTH), the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. TORRICELLI), the Senator from Minnesota (Mr. WELLSTONE), the Senator from Nebraska (Mr. KERREY), the Senator from Virginia (Mr. ROBB), the Senator from Arkansas (Mrs. LINCOLN), the Senator from North Dakota (Mr. CONRAD), the Senator from South Carolina (Mr. THURMOND), the Senator from Texas (Mrs. HUTCHISON), the Senator from New Hampshire (Mr. SMITH), the Senator from North Dakota (Mr. DORGAN), the Senator from Indiana (Mr. BAYH), the Senator from Connecticut (Mr. DODD), the Senator from Wyoming (Mr. THOMAS), the Senator from Iowa (Mr. GRASSLEY), the Senator from South Carolina (Mr. HOLLINGS), and the Senator from Hawaii (Mr. INOUYE), were added as cosponsors of Senate Resolution 81, a resolution designating the year of 1999 as ''The Year of Safe Drinking Water'' and commemorating the 25th anniversary of the enactment of the Safe Drinking Water Act.

SENATE CONCURRENT RESOLUTION 32—EXPRESSING THE SENSE OF CONGRESS REGARDING THE GUARANTEED COVERAGE OF CHIROPRACTIC SERVICES UNDER THE MEDICARE+CHOICE PROGRAM

Mr. CONRAD (for himself, Mr. HARKIN, Mr. GRASSLEY, and Mr. HATCH) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 32

Resolved by the Senate (the House of Representatives concurring), That

SECTION 1. SENSE OF CONGRESS REGARDING GUARANTEED COVERAGE OF CHIROPRACTIC SERVICES UNDER THE MEDICARE+CHOICE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) In 1972, Congress included chiropractors in the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) through the definition of the term ''physician'' under section 1861(r) of such Act (42 U.S.C. 1395x(r)), which referred to the ''treatment by means of manual manipulation of the spine (to correct a subluxation)''. Congress crafted this language to identify a specific chiropractic service using terminology that was unique to the chiropractic profession at that time. Such language shows that Congress was aware that patients required direct access to chiropractic care in order to provide this benefit under the medicare program.

(2) The traditional fee-for-service medicare program gave beneficiaries direct access to doctors of chiropractic for treatment by means of manual manipulation of the spine to correct a subluxation. The sole limitation, shared by all entities and health care providers under the medicare program, is the limitation outlined in section 1862(a)(1) of the Social Security Act (42 U.S.C. 1395y(a)(1)), which requires that items and services provided to medicare beneficiaries be reasonable and necessary in order for payment to be made for such items and services.

(3) Treatment by means of manual manipulation of the spine to correct a subluxation is uniquely chiropractic. Doctors of chiropractic are the only health care providers educated and trained to perform such a treatment.

(4) In 1982, Congress established provisions for making payments to health maintenance organizations and competitive medical plans under section 1876 of the Social Security Act (42 U.S.C. 1395mm). Such provisions directed all eligible organizations with contracts

under the section to provide all benefits under part B of the medicare program to medicare beneficiaries enrolled with the organization. In promulgating regulations to carry out the section, the Health Care Financing Administration created a regulatory authority for eligible organizations with contracts under such section to specify which health care provider would furnish medicare benefits to an individual under the plan offered by the organization.

(5) In 1990, Congress directed the Health Care Financing Administration to study the extent to which eligible organizations under section 1876 of the Social Security Act (42 U.S.C. 1395mm) made chiropractic services available to medicare beneficiaries enrolled in a plan offered by the organization. Based on the findings of this study, the Secretary of Health and Human Services was required to make specific legislative and regulatory recommendations necessary to ensure access of medicare beneficiaries to chiropractic services. This study and subsequent recommendations have not been forthcoming.

(6) Historically, medicare beneficiaries that are chiropractic patients have encountered nearly total exclusion from chiropractic services once they enter into a plan offered by an eligible organization under section 1876 of the Social Security Act (42 U.S.C. 1395mm).

(7) The Balanced Budget Act of 1997 instituted part C of the medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395w–21 et seq.), and section 1852(a)(1) of such Act (42 U.S.C. 1395w–22(a)(1)) required each Medicare+Choice plan to ''provide those items and services . . . for which benefits are available under parts A and B''.

(8) As a covered service under part B of the medicare program, chiropractic care, which includes treatment by means of manual manipulation of the spine to correct a subluxation as performed by a doctor of chiropractic, is a covered service under part C of the medicare program.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) treatment by means of manual manipulation of the spine to correct a subluxation is a uniquely chiropractic service that Congress recognized in 1972 as a benefit under the medicare program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.);

(2) it is the unequivocal intent of Congress to ensure that every individual enrolled in a Medicare+Choice plan under part C of title XVIII of the Social Security Act (42 U.S.C. 1395w–21 et seq.) has access to all covered services under part B of the medicare program; and

(3) as a covered service under part B of the medicare program, treatment by means of manual manipulation of the spine to correct a subluxation provided by a doctor of chiropractic is a covered service for individuals enrolled in a Medicare+Choice plan under part C of the medicare program.

● Mr. CONRAD. Mr. President, today I am pleased to be joined by Senators HARKIN, HATCH, and GRASSLEY in submitting a concurrent resolution that will ensure Medicare beneficiaries have access to the medical care they need. The Balanced Budget Act of 1997 established the Medicare+Choice program and required that all services covered under traditional Medicare would also be covered in the Medicare+Choice program. Unfortunately, subsequent Medicare+Choice regulations do not ensure that beneficiaries participating in Medicare managed care will be eligible for the services provided by a chiropractor.

Medicare beneficiaries have access to chiropractic services under Part B of Medicare. Chiropractors are uniquely educated and trained to perform chiropractic services, such as a manual manipulation to the spine to correct a subluxation, a covered service under the traditional Medicare program. When the Medicare+Choice program was created, it was the unequivocal intent of Congress to ensure that every beneficiary that chooses to enroll in a Medicare+Choice program would have access to all services covered under Medicare Parts A and B—including chiropractic services.

Under the current Medicare+Choice regulations, managed care plans have incorrectly assumed that they can limit access to chiropractic care by referring patients to other types of providers. As the number of beneficiaries enrolling in Medicare HMOs continues to rise we must make sure that beneficiaries have access to the same services that they are promised under traditional Medicare—and chiropractic services are now exception.

This legislation will clarify the Congressional intent to ensure that all chiropractic services covered under traditional, fee-for-Medicare are also covered under the Medicare+Choice program.

I urge my colleagues to support this resolution.●

● Mr. HARKIN. Mr. President, I am pleased to join with my colleagues, Senators CONRAD, HATCH, and GRASSLEY, to submit this concurrent resolution to ensure that Medicare beneficiaries can continue to receive the medical care they need and deserve.

Under the traditional Medicare program, chiropractic care is a covered benefit. When the Medicare+Choice program was created in the Balance Budget Act of 1997, it was the intent of Congress to ensure that every beneficiary that chooses to enroll in a Medicare+Choice program would have access to all services covered under Medicare Parts A and B—including chiropractic services.

In addition, the Balanced Budget Act is explicit in requiring Part C plans to assure continuity of benefits for beneficiaries who switch into these plans from the fee-for-service program. The clear intent is to ensure that beneficiaries who chose Part C plans have uninterrupted access to the same physician practitioners.

Finally, the Part C provisions of the Balanced Budget Act contain strong antidiscrimination language prohibiting Medicare+Choice plans from discriminating against any provider solely on the basis of his or her license or certification.

Every Medicare beneficiary ought to have access to the range of services covered under the Medicare fee-for-service program. Therefore, as a covered service under Part B of Medicare, chiropractic care should be considered a covered service under Medicare Part C.

Mr. President, we were disappointed to learn last year that the Health Care Financing Agency's regulations for this program ignore Congressional intent and do not ensure that beneficiaries participating in Medicare managed care plans will be eligible for the services provided by a chiropractor. Under their Medicare+Choice regulations, managed care plans can limit access to chiropractic care by referring patients to other types of providers. As seniors continue to enroll in Medicare HMOs, we must make sure that they have access to the same services they are promised under traditional Medicare—and chiropractic services are no exception.

This legislation will send a strong message to HCFA by clarifying congressional intent to ensure that all chiropractic services covered under traditional, fee-for-service Medicare are also covered under the Medicare+Choice program.

Mr. President, I urge my colleagues to cosponsor this resolution.●

● Mr. GRASSLEY. Mr. President, I am joining my colleagues, Senators CONRAD, HATCH, and HARKIN in support of a concurrent resolution establishing the Sense of Congress regarding Medicare beneficiaries access to chiropractic services under the Medicare+Choice program. In 1997, Congress passed the Balanced Budget Act (BBA) which established the Medicare+Choice program. The BBA required that all benefits covered under traditional Medicare be guaranteed under Medicare+Choice. However, it has come to our attention that chiropractic coverage is not being ensured under the regulations.

Under traditional Medicare, beneficiaries can go to a chiropractor for manual manipulation to the spine which is a covered benefit under Part B. Under the regulations for Medicare+Choice plans, this benefit is covered. However, access to chiropractors for this benefit is not guaranteed. Unfortunately, some Medicare+Choice plans have interpreted this omission to mean they no longer need to cover chiropractic services for this benefit, which is most commonly provided by chiropractors. The result is that beneficiaries enrolled in Medicare+Choice are losing access to chiropractic services, a situation clearly not intended by Congress.

The concurrent resolution I am cosponsoring today would clarify congressional intent regarding guaranteed coverage to chiropractic services under the Medicare+Choice program. Medicare beneficiaries should have the same benefits required by law under traditional fee-for-service as they do under Medicare+Choice. If beneficiaries can receive care for manual manipulation by a chiropractor under Part B, then they should have this same right under Medicare+Choice.

I urge you to join me and my colleagues in support of this resolution.●

AMENDMENTS SUBMITTED

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

WELLSTONE AMENDMENT NO. 356

Mr. WELLSTONE proposed an amendment to the bill (S. 254) to reduce violent juvenile crime, promote accountability by rehabilitation of juvenile criminals, punish and deter violent gang crime, and for other purposes; as follows:

On page 89, line 18, strike ''or'' at the end.

On page 89, line 21, add ''or'' at the end.

On page 89, between lines 21 and 22, insert the following:

''(H) to provide services to juveniles with serious mental and emotional disturbances (SED) who are in need of mental health services;

On page 90, between lines 7 and 8, insert the following:

''(4) projects that support State and local programs to prevent juvenile delinquency by providing for—

''(A) assessments by qualified mental health professionals of incarcerated juveniles who are suspected of being in need of mental health services;

''(B) the development of individualized treatment plans for juveniles determined to be in need of mental health services pursuant to assessments under subparagraph (A);

''(C) the inclusion of discharge plans for incarcerated juveniles determined to be in need of mental health services; and

''(D) requirements that all juveniles receiving psychotropic medication be under the care of a licensed mental health professional;

On page 90, line 8, strike ''(4)'' and insert ''(5)''.

On page 90, line 17, strike ''(5)'' and insert ''(6)''.

On page 91, line 1, strike ''(6)'' and insert ''(7)''.

On page 91, line 11, strike ''(7)'' and insert ''(8)''.

On page 91, line 17, strike ''(8)'' and insert ''(9)''.

On page 91, line 22, strike ''(9)'' and insert ''(10)''.

On page 92, line 6, strike ''(10)'' and insert ''(11)''.

On page 92, line 16, strike ''(11)'' and insert ''(12)''.

On page 92, line 24, strike ''(12)'' and insert ''(13)''.

On page 93, line 5, strike ''(13)'' and insert ''(14)''.

On page 93, line 13, strike ''(14)'' and insert ''(15)''.

On page 93, line 17, strike ''(15)'' and insert ''(16)''.

On page 93, line 20, strike ''(16)'' and insert ''(17)''.

SESSIONS (AND OTHERS) AMENDMENT NO. 357

Mr. SESSIONS (for himself, Mr. INHOFE and Mr. ROBB) proposed an amendment to the bill, S. 254, supra; as follows:

On page 265, between lines 20 and 21 insert the following:

SEC. 402. DISCLAIMER ON MATERIALS PRODUCED, PROCURED OR DISTRIBUTED FROM FUNDING AUTHORIZED BY THIS ACT.

(a) All materials produced, procured, or distributed, in whole or in part, as a result of Federal funding authorized under this Act for expenditure by Federal, State or local governmental recipients or other non-governmental entities shall have printed thereon the following language:

''This material has been printed, procured or distributed, in whole or in part, at the expense of the Federal Government. Any person who objects to the accuracy of the material, to the completeness of the material, or to the representations made within the material, including objections related to this material's characterization of religious beliefs, are encouraged to direct their comments to the office of the Attorney General of the United States.''

(b) All materials produced, procured, or distributed using funds authorized under this Act shall have printed thereon, in addition to the language contained in paragraph (a), a complete address for an office designated by the Attorney General to receive comments from members of the public.

(c) The office designated under paragraph (b) by the Attorney General to receive comments shall, every six months, prepare an accurate summary of all comments received by the office. This summary shall include details about the number of comments received and the specific nature of the concerns raised within the comments, and shall be provided to the Chairmen of the Senate and House Judiciary Committees, the Senate and House Education Committee, the Majority and Minority Leaders of the Senate, and the Speaker and Minority Leader of the House of Representatives. Further, the comments received shall be retained by the office and shall be made available to any member of the general public upon request.

WELLSTONE AMENDMENT NO. 358

Mr. WELLSTONE proposed an amendment to the bill, S. 254, supra; as follows:

In title IV, add at the end the following:

Subtitle ___—Counselors

Title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.) is amended by adding at the end the following:

''PART L—MENTAL HEALTH AND STUDENT SERVICE PROVIDERS

''SEC. 10993. FINDINGS.

''Congress finds the following:

''(1) Although 7,500,000 children under the age of 18 require mental health services, fewer than 1 in 5 of these children receive the services.

''(2) Across the United States, counseling professionals are stretched thin, and often students do not get the help the students need. The current national average ratio of students to counselors in elementary and secondary schools is 513:1.

''(3) United States schools need more mental health professionals, and the flexibility to hire the professionals that will best serve their students.

''(4) The maximum recommended ratio of—

''(A) students to counselors is 250:1;

''(B) students to psychologists is 1,000:1; and

''(C) students to social workers is 800:1.

''(5) In States like California or Minnesota, 1 counselor typically serves more than 1,000 students. In some schools, no counselor is available to assist students in times of crisis, or at any other time. In Colorado, the average student-to-counselor ratio is 645:1.

''(6) The number of students is expected to grow significantly over the next few years. During this time, many school-based mental health professionals who currently serve our Nation's youth will retire. Not counting these retirements, over 100,000 new school counselors will be needed to decrease the student-to-counselor ratio to 250:1 by the year 2005.

''(7) The Federal support for reducing the student-to-counselor ratio would pay for itself, through reduced incidences of death, violence, and substance abuse, and through improvements in students' academic achievement, graduation rates, college attendance, and employment.

''SEC. 10993A. PURPOSE.

''The purpose of this part is to help States and local educational agencies recruit, train, and hire 141,000 additional school-based mental health personnel, including 100,000 additional counselors, 21,000 additional school psychologists, and 20,000 additional school social workers over a 5-year period—

''(1) to reduce the student-to-counselor ratios nationally, in elementary and secondary schools, to an average of—

''(A) 1 school counselor for every 250 students

''(B) 1 school psychologist for every 1,000 students; and

''(C) 1 social worker for every 800 students; as recommended in a report by the Institute of Medicine of the National Academy of Sciences relating to schools and health, issued in 1997;

''(2) to help adequately address the mental, emotional, and developmental needs of elementary and secondary school students;

''(3) to remove the emotional, behavioral, and psycho-social barriers to learning so as to enhance the classroom preparedness and ability to learn of students; and

''(4) to support school staff and teachers in improving classroom management, conducting behavioral interventions to improve school discipline, and developing the awareness and skills to identify early warning signs of violence and the need for mental health services.

''SEC. 10993B. DEFINITIONS.

''In this part:

''(1) MENTAL HEALTH AND STUDENT SERVICE PROVIDER.—The term 'mental health and student service provider' includes a qualified school counselor, school psychologist, or school social worker.

''(2) MENTAL HEALTH AND STUDENT SERVICES.—The term 'mental health and student services' includes direct, individual, and group services provided to students, parents, and school personnel by mental health and student service providers, or the coordination of prevention strategies in schools or community-based programs.

''(3) POVERTY LINE.—The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

''(4) SCHOOL COUNSELOR.—The term 'school counselor' means an individual who has documented competence in counseling children and adolescents in a school setting and who—

''(A) possesses State licensure or certification granted by an independent professional regulatory authority;

''(B) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or

''(C) holds a minimum of a master's degree in school counseling from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs or the equivalent.

''(5) SCHOOL PSYCHOLOGIST.—The term 'school psychologist' means an individual who—

''(A) possesses a minimum of 60 graduate semester hours in school psychology from an institution of higher education and has completed 1,200 clock hours in a supervised school psychology internship, of which 600 hours shall be in the school setting;

''(B) possesses State licensure or certification in the State in which the individual works; or

''(C) in the absence of such State licensure or certification, possesses national certification by the National School Psychology Certification Board.

''(6) SCHOOL SOCIAL WORKER.—The term 'school social worker' means an individual who holds a master's degree in social work and is licensed or certified by the State in which services are provided or holds a school social work specialist credential.

''(7) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 10993C. ALLOTMENTS TO STATES.

''(a) ALLOTMENTS.—From the amount appropriated under section 10993H for a fiscal year, the Secretary—

''(1) shall make a total of 1 percent available to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities that achieve the purposes of this part; and

''(2) shall allot to each eligible State the same percentage of the remaining funds as the percentage the State received of funds allocated to States for the previous fiscal year under part A of title I, except that such allotments shall be ratably decreased as necessary.

''(b) STATE-LEVEL EXPENSES.—Each State may use not more than ½ of 1 percent of the amount the State receives under this part, or $50,000, whichever is greater, for a fiscal year, for the administrative costs of the State educational agency in carrying out this part.

''SEC. 10993D. STATE APPLICATIONS.

''(a) IN GENERAL.—To be eligible to receive an allotment under section 10993C, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including an assurance that the State will provide the State share of the cost described in section 10993G.

''(b) APPROVAL.—In approving the applications, the Secretary shall, to the extent practicable, approve applications to fund, in the aggregate, 100,000 additional counselors, 21,000 additional school psychologists, and 20,000 additional school social workers.

''SEC. 10993E. ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.

''(a) WITHIN STATE DISTRIBUTION.—

''(1) IN GENERAL.—After using funds in accordance with section 10993C(b), each State that receives an allotment under section 10993C shall allocate to eligible local educational agencies in the State the total of—

''(A) the amount of the allotted funds that remain; and

''(B) the State share of the cost described in section 10993G for the local educational agencies.

''(2) ALLOCATION.—From the total described in paragraph (1), the State shall allocate to each local educational agency an amount equal to the sum of—

''(A) an amount that bears the same relationship to 80 percent of such total as the number of children in poverty who reside in the school district served by the local educational agency bears to the number of such children who reside in all the school districts in the State; and

''(B) an amount that bears the same relationship to 20 percent of such total as the number of children enrolled in public and private nonprofit elementary schools and secondary schools in the school district served by the local educational agency bears to the number of children enrolled in all such schools in the State.

''(3) DATA.—For purposes of paragraph (2), the State shall use data from the most recent fiscal year for which satisfactory data are available, except that the State may adjust such data, or use alternative child poverty data, to carry out paragraph (2) if the State demonstrates to the Secretary's satisfaction that such adjusted or alternative data more accurately reflect the relative incidence of children who are living in poverty and who reside in the school districts in the State.

''(b) DEFINITIONS.—In this section:

''(1) CHILD.—The term 'child' means an individual who is not less than 5 and not more than 17.

''(2) CHILD IN POVERTY.—The term 'child in poverty' means a child from a family with an income below the poverty line.

''SEC. 10993F. LOCAL APPLICATIONS.

''To be eligible to receive an allocation under section 10993E, a local educational agency shall submit an application to the State at such time, in such manner, and containing such information as the State may require, including an assurance that the agency will provide the local share of the cost described in section 10993G.

''SEC. 10993G. USE OF FUNDS.

''(a) IN GENERAL.—A local educational agency that receives an allocation under section 10993E shall use the funds made available through the allocation to pay for the local share of the cost of recruiting, hiring, and training mental health and student service providers to provide mental health and student services, to students in elementary schools and secondary schools, for a 3-year period.

''(b) FEDERAL, STATE, AND LOCAL SHARES.—

''(1) FEDERAL SHARE.—The Federal share of the cost shall be 33⅓ percent.

''(2) STATE SHARE.—The State share of the cost shall be 33⅓ percent.

''(3) LOCAL SHARE.—The local share of the cost shall be 33⅓ percent.

''(4) NON-FEDERAL SHARE.—The non-Federal share of the cost may be provided in cash or in kind, fairly evaluated, including plant, equipment or services.

''SEC. 10993H. AUTHORIZATION OF APPROPRIATIONS.

''To carry out this part, there are authorized to be appropriated $1,040,000,000 for each of fiscal years 2000 through 2004.''.

WELLSTONE AMENDMENT NO. 359

Mr. WELLSTONE proposed an amendment to the bill, S. 254, supra; as follows:

At the end, add the following:

TITLE ____—DOMESTIC VIOLENCE

SEC. ___1. SHORT TITLE.

This title may be cited as the ''Children Who Witness Domestic Violence Protection Act''.

SEC. ___2. FINDINGS.

Congress finds the following:

(1) Witnessing domestic violence has a devastating impact on children, placing the children at high risk for anxiety, depression, and, potentially, suicide. Many children who witness domestic violence exhibit more aggressive, antisocial, fearful, and inhibited behaviors.

(2) Children exposed to domestic violence have a high risk of experiencing learning difficulties and school failure. Research finds that children residing in domestic violence shelters exhibit significantly lower verbal and quantitative skills when compared to a national sample of children.

(3) Domestic violence is strongly correlated with child abuse. Studies have found that between 50 and 70 percent of men who abuse their female partners also abuse their children. In homes in which domestic violence occurs, children are physically abused and neglected at a rate 15 times higher than the national average.

(4) Men who witness parental abuse during their childhood have a higher risk of becoming physically aggressive in dating and marital relationships.

(5) Exposure to domestic violence is a strong predictor of violent delinquent behavior among adolescents. It is estimated that between 20 percent and 40 percent of chronically violent adolescents have witnessed extreme parental conflict.

(6) Women have an increased risk of experiencing battering after separation from an abusive partner. Children also have an increased risk of suffering harm during separation.

(7) Child visitation disputes are more frequent when families have histories of domestic violence, and the need for supervised visitation centers far exceeds the number of available programs providing those centers, because courts therefore—

(A) order unsupervised visitation and endanger parents and children; or

(B) prohibit visitation altogether.

SEC. ___3. DEFINITIONS.

In this title:

(1) DOMESTIC VIOLENCE.—The term ''domestic violence'' includes an act or threat of violence, not including an act of self defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction of the victim, or by any other person against a victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction.

(2) INDIAN TRIBAL GOVERNMENT.—The term ''Indian tribal government'' has the meaning given the term ''tribal organization'' in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

(3) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(4) WITNESS DOMESTIC VIOLENCE.—

(A) IN GENERAL.—The term ''witness domestic violence'' means to witness—

(i) an act of domestic violence that constitutes actual or attempted physical assault; or

(ii) a threat or other action that places the victim in fear of domestic violence.

(B) WITNESS.—In subparagraph (A), the term ''witness'' means to—

(i) directly observe an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action; or

(ii) be within earshot of an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action.

SEC. ___4. GRANTS TO ADDRESS THE NEEDS OF CHILDREN WHO WITNESS DOMESTIC VIOLENCE.

(a) IN GENERAL.—The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

"SEC. 319. MULTISYSTEM INTERVENTIONS FOR CHILDREN WHO WITNESS DOMESTIC VIOLENCE.

''(a) GRANTS AUTHORIZED.—

''(1) AUTHORITY.—The Secretary, acting through the Director of Community Services, in the Administration for Children and Families, is authorized to award grants to eligible entities to conduct programs to encourage the use of domestic violence intervention models using multisystem partnerships to address the needs of children who witness domestic violence.

''(2) TERM AND AMOUNT.—Each grant awarded under this section shall be awarded for a term of 3 years and in an amount of not more than $500,000 for each such year.

''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be a nonprofit organization with a demonstrated history of providing advocacy, health care, mental health, or other crisis-related services to children.

''(b) USE OF FUNDS.—An entity that receives a grant under this section shall use amounts provided through the grant to conduct a program to design or replicate, and implement, domestic violence intervention models that use multisystem partners to respond to the needs of children who witness domestic violence in their homes. Such a program shall—

''(1) involve collaborative partnerships with partners that are courts, schools, social service providers, health care providers, police, early childhood agencies, entities carrying out Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.), and entities carrying out child protection, welfare, job training, housing, battered women's service, and children's mental health programs, to design and implement protocols and systems to identify, refer, and appropriately respond to the needs of, children who witness domestic violence and who participate in programs administered by the partners;

''(2) include guidelines to evaluate the needs of a child and make appropriate intervention recommendations;

''(3) include institutionalized procedures to enhance or ensure the safety and security of a battered parent, and as a result, the child of the parent;

''(4) provide direct counseling and advocacy for families of children who witness domestic violence;

''(5) include the development or replication of a mental health treatment model to meet the needs of children for whom such treatment has been identified as appropriate;

''(6) include policies and protocols for maintaining the confidentiality of the battered parent and child;

''(7) provide community outreach and training to enhance the capacity of professionals who work with children to appropriately identify and respond to the needs of children who witness domestic violence;

''(8) include procedures for documenting interventions used for each child and family; and

''(9) include plans to perform a systematic outcome evaluation to evaluate the effectiveness of the interventions.

''(c) APPLICATION.—To be eligible to receive a grant under this section, an entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(d) TECHNICAL ASSISTANCE.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing multisystem and mental health interventions to address the needs of children who witness domestic violence. Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into an agreement with 1 or more entities carrying out the identified programs to provide technical assistance to the applicants and recipients of the grants. The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (e) to provide the technical assistance.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 through 2002.

''(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

''(f) DEFINITIONS.—In this section, the terms 'domestic violence' and 'witness domestic violence' have the meanings given the terms in section ___3 of the Children Who Witness Domestic Violence Prevention Act.''.

(b) ADMINISTRATION.—Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking ''an employee'' and inserting ''1 or more employees''; and

(2) by striking ''The individual'' and inserting ''Each individual''.

SEC. ___5. COMBATTING THE IMPACT OF WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN.

(a) AMENDMENT.—Subpart 2 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131 et seq.) is amended by adding at the end the following:

"SEC. 4124. GRANTS TO COMBAT THE IMPACT OF WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN.

''(a) GRANTS AUTHORIZED.—

''(1) AUTHORITY.—The Secretary is authorized to award grants to and enter into contracts with elementary schools and secondary schools that work with experts described in paragraph (2), to enable the schools—

''(A) to provide training to school administrators, faculty, and staff, with respect to the issue of witnessing domestic violence and the impact of the violence on children;

''(B) to provide educational programing to students regarding domestic violence and the impact of witnessing domestic violence on children; and

''(C) to provide support services for students and school personnel for the purpose of developing and strengthening effective prevention and intervention strategies with respect to the issue of witnessing domestic violence and the impact of the violence on children.

''(2) EXPERTS.—The experts referred to in paragraph (1) are experts on domestic violence from the educational, legal, youth, mental health, substance abuse, and victim advocacy, fields, such as experts from State and local domestic violence coalitions and community-based youth organizations.

''(3) AWARD BASIS.—The Secretary shall award grants and contracts under this section on a competitive basis.

''(4) POLICY DISSEMINATION.—The Secretary shall disseminate to elementary schools and secondary schools any Department of Education policy guidance regarding preventing domestic violence and the impact of witnessing domestic violence on children.

''(b) USES OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) To provide training for school administrators, faculty, and staff that addresses the issue of witnessing domestic violence and the impact of the violence on children.

''(2) To provide education programs for students that are developmentally appropriate for the students' grade levels and are designed to meet any unique cultural and language needs of the particular student populations.

''(3) To provide the necessary human resources to respond to the needs of students and school personnel when faced with the issue of domestic violence, such as a resource person who is either on-site or on-call, and who is an expert in domestic violence as described in subsection (a)(2).

''(4) To provide media center materials and educational materials to schools that address the issue of witnessing domestic violence and the impact of the violence on children.

''(5) To conduct evaluations to assess the impact of programs assisted under this section in order to enhance the development of the programs.

''(c) APPLICATION.—

''(1) IN GENERAL.—To be eligible to be awarded a grant or contract under this section for any fiscal year, an elementary school or secondary school, in consultation with an expert described in subsection (a)(2), shall submit an application to the Secretary at such time and in such manner as the Secretary shall prescribe.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall—

''(A) describe the need for funds provided under the grant or contract and the plan for implementation of any of the uses described in subsection (b);

''(B) describe how the domestic violence experts described in subsection (a)(2) shall work in consultation and collaboration with the elementary school or secondary school; and

''(C) provide measurable goals and expected results from the use of the funds provided under the grant or contract.

''(d) DEFINITIONS.—In this section, the terms 'domestic violence' and 'witness domestic violence' have the meanings given the terms in section ___3 of the Children Who Witness Domestic Violence Protection Act.

''(e) APPLICABILITY.—The provisions of this part (other than this section) shall not apply to this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 4004 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7104) is amended—

(1) in paragraph (1), by striking ''and'' after the semicolon;

(2) in paragraph (2) by striking the period and inserting ''; and ''; and

(3) by adding at the end the following:

''(3) $5,000,000 for each of the fiscal years 2000 through 2004 to carry out section 4124.''.

SEC. ___6. CHILD WELFARE WORKER TRAINING ON DOMESTIC VIOLENCE.

(a) DEFINITIONS.—In this section:

(1) GRANTEE.—The term ''grantee'' means a recipient of a grant under this section.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) GRANTS AUTHORIZED.—

(1) AUTHORITY.—The Attorney General and the Secretary are authorized to jointly award grants to eligible States, Indian tribal governments, and units of local government, in order to encourage agencies and entities within the jurisdiction of the States, organizations, and units to recognize and treat, as part of their ongoing child welfare responsibilities, domestic violence as a serious problem threatening the safety and well-being of both children and adults.

(2) TERM AND AMOUNT.—Each grant awarded under this section shall be awarded for a

term of 3 years and in an amount of not less than $250,000.

(c) USE OF FUNDS.—Funds provided under this section may be used to support child welfare service agencies in carrying out, with the assistance of entities carrying out community-based domestic violence programs, activities to achieve the following purposes:

(1) To provide training to the staff of child welfare service agencies with respect to the issue of domestic violence and the impact of the violence on children and their nonabusive parents, which training shall—

(A) include training for staff, supervisors, and administrators, including staff responsible for screening, intake, assessment, and investigation of reports of child abuse and neglect; and

(B) be conducted in collaboration with domestic violence experts, entities carrying out community-based domestic violence programs, and relevant law enforcement agencies.

(2) To provide assistance in the modification of policies, procedures, programs, and practices of child welfare service agencies in order to ensure that the agencies—

(A) recognize the overlap between child abuse and domestic violence in families, the dangers posed to both child and adult victims of domestic violence, and the physical, emotional, and developmental impact of domestic violence on children;

(B) develop relevant protocols for screening, intake, assessment, and investigation of and followup to reports of child abuse and neglect, that—

(i) address the dynamics of domestic violence and the relationship between child abuse and domestic violence; and

(ii) enable the agencies to assess the danger to child and adult victims of domestic violence;

(C) identify and assess the presence of domestic violence in child protection cases, in a manner that ensures the safety of all individuals involved and the protection of confidential information;

(D) increase the safety and well-being of children who witness domestic violence, including increasing the safety of nonabusive parents of the children;

(E) develop appropriate responses in cases of domestic violence, including safety plans and appropriate services for both the child and adult victims of domestic violence;

(F) establish and enforce procedures to ensure the confidentiality of information relating to families that is shared between child welfare service agencies and community-based domestic violence programs, consistent with law (including regulations) and guidelines; and

(G) provide appropriate supervision to child welfare service agency staff who work with families in which there has been domestic violence, including supervision concerning issues regarding—

(i) promoting staff safety; and

(ii) protecting the confidentiality of child and adult victims of domestic violence.

(d) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State, Indian tribal government, or unit of local government shall submit an application to the Attorney General and the Secretary at such time and in such manner as the Attorney General and the Secretary shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall contain information that—

(A) describes the specific activities that will be undertaken to achieve 1 or more of the purposes described in subsection (c);

(B) lists the child welfare service agencies in the jurisdiction of the applicant that will be responsible for carrying out the activities; and

(C) provides documentation from 1 or more community-based domestic violence programs that the entities carrying out such programs—

(i) have been involved in the development of the application; and

(ii) will assist in carrying out the specific activities described in subparagraph (A), which may include assisting as subcontractors.

(e) PRIORITY.—In awarding grants under this section, the Attorney General and the Secretary shall give priority to applicants who demonstrate that entities that carry out domestic violence programs will be substantially involved in carrying out the specific activities described in subsection (d)(2)(A), and to applicants who demonstrate a commitment to educate the staff of child welfare service agencies about—

(1) the impact of domestic violence on children;

(2) the special risks of child abuse and neglect; and

(3) appropriate services and interventions for protecting both the child and adult victims of domestic violence.

(f) EVALUATION, REPORTING, AND DISSEMINATION.—

(1) EVALUATION AND REPORTING.—Each grantee shall annually submit to the Attorney General and the Secretary a report, which shall include—

(A) an evaluation of the effectiveness of activities funded with a grant awarded under this section; and

(B) such additional information as the Attorney General and the Secretary may require.

(2) DISSEMINATION.—Not later than 6 months after the expiration of the 3-year period beginning on the initial date on which grants are awarded under this section, the Attorney General and the Secretary shall distribute to each State child welfare service agency and each State domestic violence coalition, and to Congress, a summary of information on—

(A) the activities funded with grants under this section; and

(B) any related initiatives undertaken by the Attorney General or the Secretary to promote attention by the staff of child welfare service agencies and community-based domestic violence programs to domestic violence and the impact of domestic violence on child and adult victims of domestic violence.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2000 through 2004.

(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

SEC. ___7. SAFE HAVENS FOR CHILDREN.

(a) GRANTS AUTHORIZED.—The Attorney General may award grants to States and Indian tribal governments in order to enable them to enter into contracts and cooperative agreements with public or private nonprofit entities to assist those entities in establishing and operating supervised visitation centers for purposes of facilitating supervised visitation and visitation exchange of children by and between parents.

(b) CONSIDERATIONS.—In awarding grants under subsection (a), the Attorney General shall consider—

(1) the number of families to be served by the proposed visitation center;

(2) the extent to which the proposed supervised visitation center will serve underserved populations (as defined in section 2003 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–2));

(3) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community served, including the State domestic violence coalition, State sexual assault coalition, local shelters, and programs for domestic violence and sexual assault victims;

(4) the extent to which the applicant demonstrates coordination and collaboration with State and local court systems, including mechanisms for communication and referral; and

(5) the extent to which the applicant demonstrates implementation of domestic violence and sexual assault training for all staff members.

(c) USE OF FUNDS.—Amounts provided under a grant, contract, or cooperative agreement awarded under this section may be used only to establish and operate supervised visitation centers.

(d) APPLICATION.—

(1) IN GENERAL.—The Attorney General shall award grants for contracts and cooperative agreements under this section in accordance with such regulations as the Attorney General may establish by regulation, which regulations shall establish a multiyear grant process.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) demonstrate recognized expertise in the area of domestic violence and a record of high quality service to victims of domestic violence or sexual assault;

(B) demonstrate collaboration with and support of the State domestic violence coalition, sexual assault coalition or local domestic violence and sexual assault shelter or program in the locality in which the supervised visitation center will be operated;

(C) provide supervised visitation and visitation exchange services over the duration of a court order to promote continuity and stability;

(D) ensure that any fees charged to individuals for use of services are based on an individual's income;

(E) demonstrate that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, are in place for the operation of supervised visitation; and

(F) describe standards by which the supervised visitation center will operate.

(3) PRIORITY.—In awarding grants for contracts and cooperative agreements under this section, the Attorney General shall give priority to States that, in making a custody determination—

(A) consider domestic violence; and

(B) require findings on the record.

(e) ANNUAL REPORT.—Not later than 120 days after the last day of each fiscal year, the Attorney General shall submit to Congress a report that includes information concerning—

(1) the total number of individuals served and the total number of individuals turned away from services (categorized by State), the number of individuals from underserved populations served and the number turned away from services, and the factors that necessitate the supervised visitation or visitation exchange, such as domestic violence, child abuse, sexual assault, and emotional or other physical abuse, or any combination of such factors;

(2) the number of supervised visitations or visitation exchanges ordered during custody determinations under a separation or divorce decree or protection order, through child protection services or other social services agencies, or by any other order of a civil, criminal, juvenile, or family court;

(3) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which the supervised visitation centers are established under this section;

(4) safety and security problems occurring during the reporting period during supervised visitations or at visitation centers including the number of parental abduction cases;

(5) the number of parental abduction cases in a judicial district using supervised visitation services, both as identified in criminal prosecutions and in custody violations; and

(6) program standards for operating supervised visitation centers established throughout the United States.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $20,000,000 for each of fiscal years 2000 through 2003.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

(3) DISTRIBUTION.—Not less than 95 percent of the total amount made available to carry out this section for each fiscal year shall be used to award grants, contracts, or cooperative agreements.

(4) ALLOTMENT FOR INDIAN TRIBES.—

(A) IN GENERAL.—Subject to subparagraph (B), not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to Indian tribal governments.

(B) REALLOTMENT OF FUNDS.—If, beginning 9 months after the first day of any fiscal year for which amounts are made available under this paragraph, any amount made available under this paragraph remains unobligated, the unobligated amount may be allocated without regard to subparagraph (A).

SEC. ___8. LAW ENFORCEMENT OFFICER TRAINING.

(a) GRANTS AUTHORIZED.—The Attorney General shall award grants to domestic violence service agencies in collaboration with local police departments, for purposes of training local police officers regarding appropriate treatment of children who have witnessed domestic violence.

(b) USE OF FUNDS.—A domestic violence agency working in collaboration with a local police department may use amounts provided under a grant under this section—

(1) to train police officers in child development and issues related to witnessing domestic violence so they may appropriately—

(A) apply child development principles to their work in domestic violence cases;

(B) recognize the needs of children who witness domestic violence;

(C) meet children's immediate needs at the scene of domestic violence;

(D) call for immediate therapeutic attention to be provided to the child by an advocate from the collaborating domestic violence service agency; and

(E) refer children for followup services; and

(2) to establish a collaborative working relationship between police officers and local domestic violence service agencies.

(c) APPLICATION.—

(1) IN GENERAL.—To be eligible to be awarded a grant under this section for any fiscal year, a local domestic violence service agency, in collaboration with a local police department, shall submit an application to the Attorney General at such time and in such manner as the Attorney General shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) describe the need for amounts provided under the grant and the plan for implementation of the uses described in subsection (c);

(B) describe the manner in which the local domestic violence services agency shall work in collaboration with the local police department; and

(C) provide measurable goals and expected results from the use of amounts provided under the grant.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 310001 of the Violent Crime Control & Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.

SEC. ___9. REAUTHORIZATION OF CRISIS NURSERIES.

(a) AUTHORITY TO ESTABLISH DEMONSTRATION GRANT PROGRAMS.—The Secretary of Health and Human Services may establish demonstration programs under which grants are awarded to States to assist private and public agencies and organizations in providing crisis nurseries for children who are abused and neglected, are at risk of abuse or neglect, witness domestic violence, or are in families receiving child protective services.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2000 through 2002.

SANTORUM AMENDMENT NO. 360

Mr. HATCH (for Mr. SANTORUM) proposed an amendment to the bill S. 254, supra; as follows:

At the appropriate place, insert the following:

SEC. ___. AIMEE'S LAW.

(a) SHORT TITLE.—This section may be cited as ''Aimee's Law''.

(b) DEFINITIONS.—In this section:

(1) DANGEROUS SEXUAL OFFENSE.—The term ''dangerous sexual offense'' means sexual abuse or sexually explicit conduct committed by an individual who has attained the age of 18 years against an individual who has not attained the age of 14 years.

(2) MURDER.—The term ''murder'' has the meaning given the term under applicable State law.

(3) RAPE.—The term ''rape'' has the meaning given the term under applicable State law.

(4) SEXUAL ABUSE.—The term ''sexual abuse'' has the meaning given the term under applicable State law.

(5) SEXUALLY EXPLICIT CONDUCT.—The term ''sexually explicit conduct'' has the meaning given the term under applicable State law.

(c) REIMBURSEMENT TO STATES FOR CRIMES COMMITTED BY CERTAIN RELEASED FELONS.—

(1) PENALTY.—

(A) SINGLE STATE.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 of those offenses in a State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(B) MULTIPLE STATES.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 or more of those offenses in more than 1 other State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(C) STATE DESCRIBED.—A State is described in this subparagraph if—

(i) the State has not adopted Federal truth-in-sentencing guidelines under section 20104 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13704);

(ii) the average term of imprisonment imposed by the State on individuals convicted of the offense for which the individual described in subparagraph (A) or (B), as applicable, was convicted by the State is less than 10 percent above the average term of imprisonment imposed for that offense in all States; or

(iii) with respect to the individual described in subparagraph (A) or (B), as applicable, the individual had served less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

(2) STATE APPLICATIONS.—In order to receive an amount transferred under paragraph (1), the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for 1 of those offenses in another State.

(3) SOURCE OF FUNDS.—Any amount transferred under paragraph (1) shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State that convicted such individual of the prior offense before the distribution of the funds to the State. The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to diminish or otherwise affect any court ordered restitution.

(5) EXCEPTION.—This subsection does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in paragraph (1) and subsequently been convicted for an offense described in paragraph (1).

(d) COLLECTION OF RECIDIVISM DATA.—

(1) IN GENERAL.—Beginning with calendar year 1999, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State—

(A) the number of convictions during that calendar year for murder, rape, and any sex offense in the State in which, at the time of the offense, the victim had not attained the age of 14 years and the offender had attained the age of 18 years; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) REPORT.—Not later than March 1, 2000, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.

ASHCROFT (AND OTHERS) AMENDMENT NO. 361

Mr. ASHCROFT (for himself, Mr. DEWINE, Mr. HUTCHINSON, Mr. GREGG, Mr. COVERDELL, Mr. HELMS, Mr. ALLARD, and Mr. HATCH) proposed an amendment to the bill, S. 254, supra; as follows:

At the end, add the following:

TITLE ____—SCHOOL SAFETY AND VIOLENCE PREVENTION

SEC. ___01. SCHOOL SAFETY AND VIOLENCE PREVENTION.

Title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801 et seq.) is amended by adding at the end the following:

"PART I—SCHOOL SAFETY AND VIOLENCE PREVENTION

"SEC. 14851. SCHOOL SAFETY AND VIOLENCE PREVENTION.

''Notwithstanding any other provision of titles IV and VI, funds made available under such titles may be used for—

''(1) training, including in-service training, for school personnel (including custodians and bus drivers), with respect to—

''(A) identification of potential threats, such as illegal weapons and explosive devices;

''(B) crisis preparedness and intervention procedures; and

''(C) emergency response;

''(2) training for parents, teachers, school personnel and other interested members of the community regarding the identification and responses to early warning signs of troubled and violent youth;

''(3) innovative research-based delinquency and violence prevention programs, including—

''(A) school anti-violence programs; and

''(B) mentoring programs;

''(4) comprehensive school security assessments;

''(5) purchase of school security equipment and technologies, such as—

''(A) metal detectors;

''(B) electronic locks; and

''(C) surveillance cameras;

''(6) collaborative efforts with community-based organizations, including faith-based organizations, statewide consortia, and law enforcement agencies, that have demonstrated expertise in providing effective, research-based violence prevention and intervention programs to school aged children;

''(7) providing assistance to States, local educational agencies, or schools to establish school uniform policies;

''(8) school resource officers, including community policing officers; and

''(9) other innovative, local responses that are consistent with reducing incidents of school violence and improving the educational atmosphere of the classroom.''.

SEC. ___02. STUDY.

(a) STUDY.—The Comptroller General shall carry out a study regarding school safety issues, including examining—

(1) incidents of school-based violence in the United States;

(2) impediments to combating school-based violence, including local, state, and Federal education and law enforcement impediments;

(3) promising initiatives for addressing school-based violence;

(4) crisis preparedness of school personnel;

(5) preparedness of local, State, and Federal law enforcement to address incidents of school-based violence; and

(6) evaluating current school violence prevention programs.

(b) REPORT.—The Comptroller General shall prepare and submit to Congress a report regarding the results of the study conducted under paragraph (1).

SEC. ___03. SCHOOL UNIFORMS.

Part E of title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8891 et seq.) is amended by adding at the end the following:

"SEC. 14515. SCHOOL UNIFORMS.

''(a) CONSTRUCTION.—Nothing in this Act shall be construed to prohibit any State, local educational agency, or school from establishing a school uniform policy.

''(b) FUNDING.—Notwithstanding any other provision of law, funds provided under titles IV and VI may be used for establishing a school uniform policy.''.

SEC. ___04. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.

Part F of title XIV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8921 et seq.) is amended by adding after section 14603 (20 U.S.C. 8923) the following:

"SEC. 14604. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.

''(a) NONAPPLICATION OF PROVISIONS.—The provisions of this section shall not apply to any disciplinary records transferred from a private, parochial, or other nonpublic school, person, institution, or other entity, that provides education below the college level.

''(b) DISCIPLINARY RECORDS.—Not later than 2 years after the date of enactment of the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999, each State receiving Federal funds under this Act shall provide an assurance to the Secretary that the State has a procedure in place to facilitate the transfer of disciplinary records by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, full-time or part-time, in the school.

SEC. ___05. SCHOOL VIOLENCE RESEARCH.

The Attorney General shall establish at the National Center for Rural Law Enforcement in Little Rock, Arkansas, a research center that shall serve as a resource center or clearinghouse for school violence research. The research center shall conduct, compile, and publish school violence research and otherwise conduct activities related to school violence research, including—

(1) the collection, categorization, and analysis of data from students, schools, communities, parents, law enforcement agencies, medical providers, and others for use in efforts to improve school security and otherwise prevent school violence;

(2) the identification and development of strategies to prevent school violence; and

(3) the development and implementation of curricula designed to assist local educational agencies and law enforcement agencies in the prevention of or response to school violence.

SEC. ___06. NATIONAL CHARACTER ACHIEVEMENT AWARD.

(a) PRESENTATION AUTHORIZED.—The President is authorized to award to individuals under the age of 18, on behalf of the Congress, a National Character Achievement Award, consisting of medal of appropriate design, with ribbons and appurtenances, honoring those individuals for distinguishing themselves as a model of good character.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury shall design and strike a medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) ELIGIBILITY.—

(1) IN GENERAL.—The President pro tempore of the Senate and the Speaker of the House of Representatives shall establish procedures for processing recommendations to be forwarded to the President for awarding National Character Achievement Award under subsection (a).

(2) RECOMMENDATIONS BY SCHOOL PRINCIPALS.—At a minimum, the recommendations referred to in paragraph (1) shall contain the endorsement of the principal (or equivalent official) of the school in which the individual under the age of 18 is enrolled.

SEC. ___07. NATIONAL COMMISSION ON CHARACTER DEVELOPMENT.

(a) ESTABLISHMENT.—There is established a commission to be known as the National Commission on Character Development (referred to in this section as the ''Commission'').

(b) MEMBERSHIP.—

(1) APPOINTING AUTHORITY.—The Commission shall consist of 36 members, of whom—

(A) 12 shall be appointed by the President;

(B) 12 shall be appointed by the Speaker of the House of Representatives; and

(C) 12 shall be appointed by the President pro tempore of the Senate, on the recommendation of the majority and minority leaders of the Senate.

(2) COMPOSITION.—The President, the Speaker of the House of Representatives, and the President pro tempore of the Senate shall each appoint as members of the Commission—

(A) 1 parent;

(B) 1 student;

(C) 2 representatives of the entertainment industry (including the segments of the industry relating to audio, video, and multimedia entertainment);

(D) 2 members of the clergy;

(E) 2 representatives of the information or technology industry;

(F) 1 local law enforcement official;

(G) 2 individuals who have engaged in academic research with respect to the impact of cultural influences on child development and juvenile crime; and

(H) 1 representative of a grassroots organization engaged in community and child intervention programs.

(3) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) DUTIES OF THE COMMISSION.—

(1) STUDY.—The Commission shall study and make recommendations with respect to the impact of current cultural influences (as of the date of the study) on the process of developing and instilling the key aspects of character, which include trustworthiness, honesty, integrity, an ability to keep promises, loyalty, respect, responsibility, fairness, a caring nature, and good citizenship.

(2) REPORTS.—

(A) INTERIM REPORTS.—The Commission shall submit to the President and Congress such interim reports relating to the study as the Commission considers to be appropriate.

(B) FINAL REPORT.—Not later than 2 years after the date of the enactment of this Act, the Commission shall submit a final report to the President and Congress that shall contain a detailed statement of the findings and conclusions of the Commission resulting from the study, together with recommendations for such legislation and administrative actions as the Commission considers to be appropriate.

(d) CHAIRPERSON.—The Commission shall select a Chairperson from among the members of the Commission.

(e) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the purposes of this Act.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this Act. Upon request of the Chairman of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(4) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) COMMISSION PERSONNEL MATTERS.—

(1) TRAVEL EXPENSES.—The members of the Commission shall not receive compensation for the performance of services for the Commission, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and the detail shall be without interruption or loss of civil service status or privilege.

(g) PERMANENT COMMISSION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2000 and 2001.

SEC. ___08. JUVENILE ACCESS TO TREATMENT.

(a) COORDINATED JUVENILE SERVICES GRANTS.—Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after section 205 the following:

''SEC. 205A. COORDINATED JUVENILE SERVICES GRANTS.

''(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, working in conjunction with the Center for Substance Abuse of the Substance Abuse and Mental Health Services Administration, may make grants to a consortium within a State of State or local juvenile justice agencies or State or local substance abuse and mental health agencies, and child service agencies to coordinate the delivery of services to children among these agencies. Any public agency may serve as the lead entity for the consortium.

''(b) USE OF FUNDS.—A consortium described in subsection (a) that receives a grant under this section shall use the grant for the establishment and implementation of programs that address the service needs of adolescents with substance abuse or mental health treatment problems, including those who come into contact with the justice system by requiring the following:

''(1) Collaboration across child serving systems, including juvenile justice agencies, relevant public and private substance abuse and mental health treatment providers, and State or local educational entities and welfare agencies.

''(2) Appropriate screening and assessment of juveniles.

''(3) Individual treatment plans.

''(4) Significant involvement of juvenile judges where appropriate.

''(c) APPLICATION FOR COORDINATED JUVENILE SERVICES GRANT.—

''(1) IN GENERAL.—A consortium described in subsection (a) desiring to receive a grant under this section shall submit an application containing such information as the Administrator may prescribe.

''(2) CONTENTS.—In addition to guidelines established by the Administrator, each application submitted under paragraph (1) shall provide—

''(A) certification that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;

''(B) for the regular evaluation of the program funded by the grant and describe the methodology that will be used in evaluating the program;

''(C) assurances that the proposed program or activity will not supplant similar programs and activities currently available in the community; and

''(D) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support.

''(3) FEDERAL SHARE.—The Federal share of a grant under this section shall not exceed 75 percent of the cost of the program.

''(d) REPORT.—Each recipient of a grant under this section during a fiscal year shall submit to the Attorney General a report regarding the effectiveness of programs established with the grant on the date specified by the Attorney General.

''(e) FUNDING.—Grants under this section shall be considered an allowable use under section 205(a) and subtitle B.''.

SEC. ___09. BACKGROUND CHECKS.

Section 5(9) of the National Child Protection Act of 1993 (42 U.S.C. 5119c(9)) is amended—

(1) in subparagraph (A)(i), by inserting ''(including an individual who is employed by a school in any capacity, including as a child care provider, a teacher, or another member of school personnel)'' before the semicolon; and

(2) in subparagraph (B)(i), by inserting ''(including an individual who seeks to be employed by a school in any capacity, including as a child care provider, a teacher, or another member of school personnel)'' before the semicolon.

SEC. ___10. DRUG TESTS.

(a) SHORT TITLE.—This section may be cited as the ''School Violence Prevention Act''.

(b) AMENDMENT.—Section 4116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7116(b)) is amended—

(1) in paragraph (9), by striking ''and'' after the semicolon;

(2) by redesignating paragraph (10) as paragraph (11); and

(3) by inserting after paragraph (9) the following:

''(10) consistent with the fourth amendment to the Constitution of the United States, testing a student for illegal drug use, including at the request of or with the consent of a parent or legal guardian of the student, if the local educational agency elects to so test; and''.

SEC. ___11. SENSE OF THE SENATE.

It is the sense of the Senate that States receiving Federal elementary and secondary education funding should require local educational agencies to conduct, for each of their employees (regardless of when hired) and prospective employees, a nationwide background check for the purpose of determining whether the employee has been convicted of a crime that bears upon his fitness to have responsibility for the safety or well-being of children, to serve in the particular capacity in which he is (or is to be) employed, or otherwise to be employed at all thereby.

TITLE ___—TEACHER LIABILITY PROTECTION ACT

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Teacher Liability Protection Act of 1999''.

SEC. ___02. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The ability of teachers, principals and other school professionals to teach, inspire and shape the intellect of our Nation's elementary and secondary school students is deterred and hindered by frivolous lawsuits and litigation.

(2) Each year more and more teachers, principals and other school professionals face lawsuits for actions undertaken as part of their duties to provide millions of school children quality educational opportunities.

(3) Too many teachers, principals and other school professionals face increasingly severe and random acts of violence in the classroom and in schools.

(4) Providing teachers, principals and other school professionals a safe and secure environment is an important part of the effort to improve and expand educational opportunities.

(5) Clarifying and limiting the liability of teachers, principals and other school professionals who undertake reasonable actions to maintain order, discipline and an appropriate educational environment is an appropriate subject of Federal legislation because—

(A) the national scope of the problems created by the legitimate fears of teachers, principals and other school professionals about frivolous, arbitrary or capricious lawsuits against teachers; and

(B) millions of children and their families across the Nation depend on teachers, principals and other school professionals for the intellectual development of the children.

(b) PURPOSE.—The purpose of this title is to provide teachers, principals and other school professionals the tools they need to undertake reasonable actions to maintain order, discipline and an appropriate educational environment.

SEC. ___03. PREEMPTION AND ELECTION OF STATE NONAPPLICABILITY.

(a) PREEMPTION.—This title preempts the laws of any State to the extent that such laws are inconsistent with this title, except that this title shall not preempt any State law that provides additional protection from liability relating to teachers.

(b) ELECTION OF STATE REGARDING NONAPPLICABILITY.—This title shall not apply to any civil action in a State court against a teacher in which all parties are citizens of the State if such State enacts a statute in accordance with State requirements for enacting legislation—

(1) citing the authority of this subsection;

(2) declaring the election of such State that this title shall not apply, as of a date certain, to such civil action in the State; and

(3) containing no other provisions.

SEC. ___04. LIMITATION ON LIABILITY FOR TEACHERS.

(a) LIABILITY PROTECTION FOR TEACHERS.—Except as provided in subsections (b) and (d), no teacher in a school shall be liable for

harm caused by an act or omission of the teacher on behalf of the school if—

(1) the teacher was acting within the scope of the teacher's employment or responsibilities related to providing educational services;

(2) the actions of the teacher were carried out in conformity with local, state, or federal laws, rules or regulations in furtherance of efforts to control, discipline, expel, or suspend a student or maintain order or control in the classroom or school;

(3) if appropriate or required, the teacher was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the activities were or practice was undertaken within the scope of the teacher's responsibilities;

(4) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the teacher; and

(5) the harm was not caused by the teacher operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

(A) possess an operator's license; or

(B) maintain insurance.

(b) CONCERNING RESPONSIBILITY OF TEACHERS TO SCHOOLS AND GOVERNMENTAL ENTITIES.—Nothing in this section shall be construed to affect any civil action brought by any school or any governmental entity against any teacher of such school.

(c) NO EFFECT ON LIABILITY OF SCHOOL OR GOVERNMENTAL ENTITY.—Nothing in this section shall be construed to affect the liability of any school or governmental entity with respect to harm caused to any person.

(d) EXCEPTIONS TO TEACHER LIABILITY PROTECTION.—If the laws of a State limit teacher liability subject to one or more of the following conditions, such conditions shall not be construed as inconsistent with this section:

(1) A State law that requires a school or governmental entity to adhere to risk management procedures, including mandatory training of teachers.

(2) A State law that makes the school or governmental entity liable for the acts or omissions of its teachers to the same extent as an employer is liable for the acts or omissions of its employees.

(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.

(e) LIMITATION ON PUNITIVE DAMAGES BASED ON THE ACTIONS OF TEACHERS.—

(1) GENERAL RULE.—Punitive damages may not be awarded against a teacher in an action brought for harm based on the action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity unless the claimant establishes by clear and convincing evidence that the harm was proximately caused by an action of such teacher which constitutes willful or criminal misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed.

(2) CONSTRUCTION.—Paragraph (1) does not create a cause of action for punitive damages and does not preempt or supersede any Federal or State law to the extent that such law would further limit the award of punitive damages.

(f) EXCEPTIONS TO LIMITATIONS ON LIABILITY.—

(1) IN GENERAL.—The limitations on the liability of a teacher under this title shall not apply to any misconduct that—

(A) constitutes a crime of violence (as that term is defined in section 16 of title 18, United States Code) or act of international terrorism (as that term is defined in section 2331 of title 18, United States Code) for which the defendant has been convicted in any court;

(B) involves a sexual offense, as defined by applicable State law, for which the defendant has been convicted in any court;

(C) involves misconduct for which the defendant has been found to have violated a Federal or State civil rights law; or

(D) where the defendant was under the influence (as determined pursuant to applicable State law) of intoxicating alcohol or any drug at the time of the misconduct.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to effect subsection (a)(3) or (e).

SEC. ___05. LIABILITY FOR NONECONOMIC LOSS.

(a) GENERAL RULE.—In any civil action against a teacher, based on an action of a teacher acting within the scope of the teacher's responsibilities to a school or governmental entity, the liability of the teacher for noneconomic loss shall be determined in accordance with subsection (b).

(b) AMOUNT OF LIABILITY.—

(1) IN GENERAL.—Each defendant who is a teacher, shall be liable only for the amount of noneconomic loss allocated to that defendant in direct proportion to the percentage of responsibility of that defendant (determined in accordance with paragraph (2)) for the harm to the claimant with respect to which that defendant is liable. The court shall render a separate judgment against each defendant in an amount determined pursuant to the preceding sentence.

(2) PERCENTAGE OF RESPONSIBILITY.—For purposes of determining the amount of noneconomic loss allocated to a defendant who is a teacher under this section, the trier of fact shall determine the percentage of responsibility of that defendant for the claimant's harm.

SEC. ___06. DEFINITIONS.

For purposes of this title:

(1) ECONOMIC LOSS.—The term ''economic loss'' means any pecuniary loss resulting from harm (including the loss of earnings or other benefits related to employment, medical expense loss, replacement services loss, loss due to death, burial costs, and loss of business or employment opportunities) to the extent recovery for such loss is allowed under applicable State law.

(2) HARM.—The term ''harm'' includes physical, nonphysical, economic, and noneconomic losses.

(3) NONECONOMIC LOSSES.—The term ''noneconomic losses'' means losses for physical and emotional pain, suffering, inconvenience, physical impairment, mental anguish, disfigurement, loss of enjoyment of life, loss of society and companionship, loss of consortium (other than loss of domestic service), hedonic damages, injury to reputation and all other nonpecuniary losses of any kind or nature.

(4) SCHOOL.—The term ''school'' means a public or private kindergarten, a public or private elementary school or secondary school (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), or a home school.

(5) STATE.—The term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, or any political subdivision of any such State, territory, or possession.

(6) TEACHER.—The term ''teacher'' means a teacher, instructor, principal, administrator, or other educational professional, that works in a school.

SEC. ___07. EFFECTIVE DATE.

(a) IN GENERAL.—This title shall take effect 90 days after the date of enactment of this Act.

(b) APPLICATION.—This title applies to any claim for harm caused by an act or omission of a teacher where that claim is filed on or after the effective date of this Act, without regard to whether the harm that is the subject of the claim or the conduct that caused the harm occurred before such effective date.

NOTICES OF HEARINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry Subcommittee on Forestry, Conservation, and Rural Revitalization will meet on May 18, 1999, in SR–328A at 9:00 a.m. The purpose of this meeting will be to discuss noxious weeds and plant pests.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, May 26, 1999, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on S. 510, a bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Amie Brown or Mike Menge (202) 224–6170.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that S. 1027, a bill to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy, and for other purposes, has been added to the agenda of the hearing that is scheduled for Thursday, May 27, 1999, at 2 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, DC, 20510–6150.

For further information, please call Colleen Deegan, counsel, or Julia McCaul, staff assistant at (202) 224–8115.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power.

The hearing will take place on Wednesday, June 9, 1999, at 2 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to continue the oversight conducted by the subcommittee at the April 6, 1999 Hood River, OR hearing on the process to determine the future of the four lower Snake River dams and conduct oversight on the Northwest Power Planning Council's framework process.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, DC, 20510–6150.

For further information, please call Colleen Deegan, counsel, or Julia McCaul, staff assistant at (202) 224–8115.

ADDITIONAL STATEMENTS

TRIBUTE TO MR. KENNETH J. LEENSTRA

● Mr. LEAHY. Mr. President, I rise today to recognize the accomplishments of a Vermont business and civic leader who is retiring today. Kenneth J. Leenstra is leaving as the president of General Dynamics Armament Systems in Burlington, VT. Over the past 35 years, he held several management positions at General Electric, Lockheed-Martin, and most recently at General Dynamics.

Ken oversaw the Burlington plant through the defense drawdown after the end of the cold war. It was a difficult time for the workers, and for managers like Ken who struggled to keep his plant efficient while orders dwindled. Through it all, Ken was dedicated to developing solutions that met the needs of his customers, and on maintaining a commitment to quality that meant that Burlington-made products were second to none. His commitment to quality earned his business numerous awards that are widely recognized across the defense industry.

On behalf of his many friends in the Burlington area, I want to express my thanks to Ken and his family and wish him the very best as he embarks on his retirement.●

AUTHORITY FOR COMMITTEES TO FILE

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that the committees have until 6 p.m. to file any reported legislation.

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

ORDERS FOR TUESDAY, MAY 18, 1999

Mr. SESSIONS. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9:30 a.m. on Tuesday, May 18. I further ask unanimous consent that on Tuesday immediately following the prayer the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on the motion to proceed to S. 96, the Y2K bill with the time until 9:45 equally divided.

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

Mr. SESSIONS. Mr. President, I further ask unanimous consent that if the cloture is not invoked, the Senate then proceed to morning business for 60 minutes under the control of Senator HELMS for a special order in memory of Adm. Bud Nance, for his dedication to the Senate and to our country. And I ask that following that time, the Senate return to the debate on the motion to proceed to S. 96.

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

Mr. SESSIONS. I ask unanimous consent that the Senate stand in recess from the hours of 12:30 p.m. until 2:15 p.m. for the weekly policy conferences to meet.

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

PROGRAM

Mr. SESSIONS. Mr. President, for the information of all Senators, the Senate will resume debate on the motion to proceed to the Y2K bill at 9:30 a.m. with the vote on invoking cloture occurring at 9:45 a.m. Following the special order, it is the intention of the leader to return to debate on the motion to proceed to S. 96. However, attempts may be made to come to a final agreement on the juvenile justice bill so that the Senate can complete action on that bill in a reasonable timeframe. Therefore, rollcall votes can be expected during tomorrow's session of the Senate. As always, Members will be notified accordingly as any votes are ordered.

RECESS UNTIL 9:30 A.M. TOMORROW

Mr. SESSIONS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 5:46 p.m., recessed until Tuesday, May 18, 1999, at 9:30 a.m.

EXTENSIONS OF REMARKS

SUPPORT THE CLINICAL RESEARCH ENHANCEMENT ACT

HON. JAMES C. GREENWOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. GREENWOOD. Mr. Speaker, today I rise to introduce the Clinical Research Enhancement Act, which has been endorsed by more than 80 associations and universities. The bill begins to address the disincentives that are steering young physicians away from research careers. The legislation improves our commitment to clinical research by: improving the peer review process for clinical research grants; establishing new training awards that focus on clinical investigators; establishing support for structured academic training in clinical investigation; and expanding the existing intramural loan repayment program so it will be available to clinical investigators in academic medical centers around the country.

Clinical research at NIH has dropped from 3% of NIH's budget to 1% over the past 30 years. Combine this decrease in applied research with the diminished capacity of some managed care organizations to subsidize clinical investigation, and it is easy to see why translating laboratory breakthroughs to the bedside are in jeopardy. Because clinical research is the pathway that links basic science to human health, we may endanger the hard fought increases in the NIH budget by failing to arm our scientists with practical applications.

Twenty years ago, Dr. James Wyngaarden, a former director of the NIH, brought the scientific community's attention to the issue when he described the clinical investigator as an endangered species. In 1994, the Institute of Medicine of the National Academy of Sciences reiterated this problem and offered solutions for the declining numbers of American physicians pursuing research careers. And again in January, significant data have come to light that documents this dramatic drop in physician scientists.

At the National Institutes of Health, the number of MD postdoctoral trainees has dropped by 51% between 1992 and 1996. In addition, the NIH has seen a ⅓ drop in the number of first time MD applications for grant support in just three short years between 1994 and 1997. This historical and continuing decrease in the number of physicians pursuing careers in applied biomedical research must be reversed.

I am including in the RECORD letters of support from the American Federation for Medical Research and the American Medical Association. In addition, I have included a list of supporters. My hope is this important legislation is considered and passed by this Congress. I encourage my colleagues to support it.

AMERICAN FEDERATION FOR
MEDICAL RESEARCH,
Washington, DC, May 12, 1999.

Hon. JAMES GREENWOOD,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN GREENWOOD: I write to express the strong support of the American Federation for Medical Research for the legislation you will introduce to enhance clinical research programs at the National Institutes of Health. The AFMR is a national organization of 5,000 physical scientists engaged in basic, clinical and health services research. Most of our members receive NIH support for their basic research but are finding it increasingly difficult to obtain funding for translational or clinical research studies through which basic science discoveries are translated to the care of patients.

In the past, academic medical centers provided institutional support for this research through revenues generated by patient care activities. However, as the health care marketplace has become increasingly competitive, academic centers have all but eliminated internal subsidies for clinical research or the training of clinical investigators. In fact, the Association of American Medical Colleges has estimated that these institutions have lost approximately $800 million in annual ''purchasing power'' for research and research training within their institutions.

This loss of support for clinical investigation has had a large effect on young investigators and medical students considering a research career. The number of medical school graduates indicating an interest in a research career has fallen steadily in the 1990's according to the American Medical Association. The number of first time physician applicants to the NIH for research support has fallen by thirty percent between 1994 and 1997. The Clinical Research Enhancement Act would seem to be an extremely modest investment in a much-needed program to reinvigorate our nation's clinical research capabilities.

There is a strong consensus among the 80 scientific and consumer organizations that have endorsed this legislation that Congress must stop the deterioration of the U.S. clinical research capacity. In addition, we must assure that the American people and the American economy benefit from the translation of basic science breakthroughs to improved clinical care and new medical products. The American Federation for Medical Research is pleased to have the opportunity to express its strong support for this important piece of legislation.

Sincerely,

WILLIAM LOWE,
President.

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, May 3, 1999.

Hon. JAMES GREENWOOD,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN GREENWOOD: The American Medical Association (AMA) is pleased to support the Clinical Research Enhancement Act of 1999.

At a time when we are on the verge of achieving exciting breakthroughs involving many fatal and debilitating diseases, it is important that research programs and accompanying funding keep pace to achieve this goal. A 1997 Institute of Medicine report emphasized the immediate need for additional clinical research support noting an insufficient number of persons involved in clinical research; lack of infrastructure to adequately select and support the best clinical research; and declining overall fiscal investment in biomedical research.

Your legislation would lend strong support by strengthening and improving the peer review process for clinical research grants; establishing innovative awards that would be reviewed by scientists with extensive backgrounds in clinical research; strengthening the general clinical research centers; providing support for scientists seeking advanced degrees in clinical investigation; and expanding the existing loan repayment program available to clinical scientists.

The AMA has been a solid advocate of strong clinical research programs. We ardently believe that fundamental and applied clinical research is essential to constructing the knowledge base for the practice of modern medicine and is the essential link connecting advances in basic science knowledge to advances in the diagnosis and treatment of human disease.

We commend you for your leadership on this issue and look forward to working with you to achieve passage of this much needed legislation.

Respectfully,

E. RATCLIFFE ANDERSON, JR.,
Executive Vice President.

SUPPORTERS FOR CLINICAL RESEARCH ENHANCEMENT ACT

Alliance for Aging Research; Alzheimer's Association; Ambulatory Pediatric Association; American Academy of Child and Adolescent Psychiatry; American Academy of Dermatology; American Academy of Neurology; American Academy of Optometry; American Academy of Ophthalmology; American Academy of Otolaryngology-Head and Neck Surgery; American Academy of Pediatrics; American Academy of Physical Medicine and Rehabilitation; American Association for Cancer Research; American Association for the Surgery of Trauma; American Association of Anatomists; American Association of Colleges of Nursing, American Association of Neurological Surgeons; American Cancer Society; American Celiac Society—Dietary Support Coalition; American College of Chest Physicians; American College of Clinical Pharmacology; and

American College of Medical Genetics; American College of Neuropsychopharmacology; American College of Preventive Medicine; American Diabetes Association; American Federation for Medical Research; American Gastroenterological Association; American Geriatrics Society; American Heart Association; American Kidney Fund; American Liver Foundation; American Lung Association; American Medical Association; American Neurological Association; American Optometric Association; American Pediatric Society; American Psychiatric Association; American Skin Association; American Society for Bone and Mineral Research; American Society for Clinical Nutrition; American Society for Clinical Pharmacology and Therapeutics; American Society for Reproductive Medicine; and

American Society of Addiction Medicine; American Society of Adults with Pseudo-Obstruction, Inc.; American Society of Clinical Nutrition; American Society of Hematology; American Society of Nephrology; American Thoracic Society; American Urological Association; Americans for Medical Progress; Arthritis Foundation; Association for Medical

School Pharmacology; Association for Research in Vision and Ophthalmology; Association of Academic Health Centers; Association of Academic Physiatrists; Association of American Cancer Institutes; Association of American Medical Colleges; Association of American Veterinary Medical Colleges; Association of Behavioral Sciences and Medical Education; Association of Departments of Family Medicine; Association of Medical and Graduate Departments of Biochemistry; Association of Medical School Pediatric Department Chairmen; Association of Pathology Chairs; Association of Professors of Dematology; Association of Professors of Medicine; and

Association of Program Directors in Internal Medicine; Association of Schools and Colleges of Optometry; Association of Schools of Public Health; Association of Subspecialty Professors; Association of Teachers of Preventive Medicine; Association of University Radiologists; American Urogynecologic Society; Center for Ulcer Research and Education Foundation; Citizens for Public Action; Cooley's Anemia Foundation; Crohn's and Colitis Foundation of America; Cystic Fibrosis Foundation; Dean Thiel Foundation; Digestive Disease National Coalition; East Carolina University School of Medicine; Ehlers-Danlos National Foundation; Emory University School of Medicine; The Endocrine Society; Epilepsy Foundation of America; Foundation for Ichthyosis and Related Skin Types; Gay Men's Health Crisis; General Clinical Research Center Program Directors' Association; Gluten Intolerance Group; and

Hemochromatosis Research Foundation; Hepatitis Foundation International; Inova Institute of Research and Education; Institute for Asthma and Allergy; International Foundation for Functional Gastrointestinal Disorders; Jeffrey Modell Foundation; Joint Council of Allergy, Asthma and Immunology; Juvenile Diabetes Foundation International; Lawson Wilkins Pediatric Endocrine Society; Lupus Foundation of America, Inc; Medical Dermatology Society; Mount Sinai Medical Center; National Caucus of Basic Biomedical Science Chairs; National Committee to Preserve Social Security and Medicare; National Health Council; National Hemophilia Foundation; National Marfan Foundation; National Multiple Sclerosis Society; National Organization for Rare Disorders; National Osteoporosis Foundation; National Perinatal Association; National Tuberous Sclerosis Association; National Vitiligo Foundation, Inc.; National Vulvodynia Association; and

North American Society of Pacing and Electrophysiology; Oley Foundation for Home Parenteral and Enteral Nutrition; The Orton Dyslexia Society; Osteogenesis Imperfecta Foundation; Parkinson's Action Network; PXE International; RESOLVE; Schepens Eye Research Institute; Scleroderma Research Foundation; Society for Academic Emergency Medicine; Society for the Advancement of Women's Health Research; Society for Inherited Metabolic Disorders; Society for Investigative Dermatology; Society for Pediatric Research; Society of Gastroenterology Nurses and Associates, Inc.; Society of Gynecologic Oncologists; Society of Medical College Directors of Continuing Medical Education; Society of University Urologists; St. Jude Children's Research Hospital; Tourette Syndrome Association, Inc.; United Ostomy Association; United Scleroderma Foundation; University of Rochester School of Medicine and Dentistry; Wound, Ostomy and Continence Nurses Society; and Yale University School of Medicine.

TRIBUTE TO THE SENIORS OF THE DISTRICT OF COLUMBIA IN HONOR OF OLDER AMERICANS MONTH

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in celebrating National Older Americans Month in the District of Columbia. District of Columbia seniors will come to the National Arboretum in the District of Columbia on Tuesday, May 18th for an afternoon of information about the programs Congress provides for senior citizens, for entertainment, and for lunch. Our senior citizens have earned this information and celebration I have for them each year at a place of interest in the District. We have celebrated National Older Americans Month at the National Cathedral, the FDR Memorial, the National Zoo, museums, and similarly interesting settings, some of which our seniors rarely get to visit.

The growing number of senior citizens in the District, one third of whom are over 80, have contributed to the best days of the nation's capital. As young people, they helped build this city to its strongest point, and as seniors today, they are helping to bring revitalization to the District.

Senior citizens in my District want the 106th Congress to know that the Social Security and Medicare programs have done more to make their senior years secure and healthy than any programs ever enacted by the Congress. Today, the Social Security program alone has taken one out of every three elderly Americans out of poverty and has rescued 60% of elderly women from poverty. In 1997, almost half of all elderly Americans would have had incomes below the poverty line without their Social Security benefits.

Today's seniors have fought hard to preserve their Social Security. Those who worry most about Social Security are younger baby boomers and their children. This Congress must make sure that the progressive benefit structure with annual increases is available for generations to come.

Far more problematic and worrisome for the District's seniors is the future of Medicare. At my Senior Legislative Day, I want to focus my own constituents on the immediate problems of Medicare, which runs out of money in 2008. Seniors, like other Americans, are being directed to HMOs in order to allow the program to achieve cost savings. Yet, already, we see many of the HMOs dropping seniors because the federal government has been unwilling to fund sufficiently these HMO senior programs. We have not met the challenge of doing what must be done for Medicare—making the savings necessary to save the program while assuring seniors that the benefits are sufficient to make the programs worth saving. Passage of the President's Patients' Bill of Rights is a crucial part of this effort.

On May 18th, the District's seniors will also be discussing the intolerable costs of prescription drugs not covered by Medicare. The Congress has not yet faced the challenges of the increasing use of costly medicines which are being used instead of more costly invasive procedures. The burden of these costs has been put entirely on seniors. It is a burden they cannot bear and should not bear.

Medicare has been a virtually universal program, with virtually all Americans covered, regardless of income. The need for healthcare tends to increase with age. It is certain that Medicare has saved and lengthened millions of American lives. On May 18th, at my Seniors Legislative Day, I intend to assure the seniors of the District of Columbia that I will have no greater priority than preserving Medicare. I ask the 106th Congress to help me keep that promise.

HONORING EDWARD ABRAMOWITZ

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. TOWNS. Mr. Speaker, I rise to talk about an extraordinary man of medicine, Dr. Edward Abramowitz, Attending Physician, Division of Cardiology, Department of Internal Medicine at Long Island College Hospital. Dr. Abramowitz is being honored on May 22nd by the Long Island College Hospital Board of Regents for his commitment to quality patient care and his medical leadership.

Born in New York City, Dr. Abramowitz received his B.S. degree from City College of the City University of New York and his M.D. from the Faculty of Medicine, Copenhagen University, Denmark in 1975. After graduation, he did rotating internships in OB/GYN, Surgery and Psychiatry in the Danish health care system.

Returning to New York, Dr. Abramowitz finished an Internal Medicine internship at Maimonides Medical Center and went on to complete a two-year internal medicine residency at Long Island College Hospital. In 1981, he completed a two-year fellowship in Cardiology at LICH and established a private practice in Cardiology and Internal Medicine. In 1991, Dr. Abramowitz was one of the founding members of Diagnostic Cardiology Associates, a premier diagnostic testing center for cardiovascular disease.

A longtime resident of Cobble Hill, Dr. Abramowitz was a member of the Board of Directors of the Brooklyn Heights Center for Counseling. Board Certified in Internal Medicine, Dr. Abramowitz is an active member of many professional organizations, including the American College of Cardiology, the American College of Physicians and the New York Cardiological Society. At Long Island College Hospital, Dr. Abramowitz has been an elected member of the Medical Executive Committee since 1989, serving as Secretary of the Medical Board from 1993 to 1996. He was elected Second Vice President of the Board in 1996, the position he currently holds. Dr. Abramowitz was a long-time member of the Ethics Committee and is a member of the Joint Coordinating Council of the Board of Regents. He is also Chairman of the Credentials Committee.

Dr. Abramowitz has always enjoyed teaching medical students and residents and is currently an Assistant Clinical Professor of Medicine at SUNY Health Science Center at Brooklyn (Downstate).

Dr. Abramowitz currently resides in Staten Island with Noel C. Bickford, Vice-Chair of the LICH Board of Regents and their two children, Rebecca (Becky), age 7, and Eric, age 5.

IN RECOGNITION OF BLAIR COUNTY COMMUNITY ACTION DAY

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. SHUSTER. Mr. Speaker, I rise today to designate today, Monday, May 17, 1999 as Blair County Community Action Day.

On August 20, 1999 we will celebrate the 35th Anniversary of the signing of the Economic Opportunity Act by President Lyndon Johnson. In October of 1964 Blair County Community Action was chartered as a Community Action Agency. Over the course of these past 35 years, BCCA has assisted thousands of economically challenged Blair County residents. Some examples of these types of assistance include providing residential weatherization, intervention services for utility assistance, family and individual counseling, employment and training programs and other personal and family growth and improvement opportunities.

Blair County Community Action is the very epitome of grassroots organization and community empowerment. They have provided much of the impetus for the development of several programs which now operate as separate agencies including Day Care Services, Legal Aid, and Meals on Wheels. They have been leaders in the development of the Target Area Groups of the 1960's and 1970's which led to the creation of today's modern advocacy groups and neighborhood planning and organization.

I am proud to honor Blair County Community Action for all the work they have done to provide opportunities for the citizens of Blair County.

COMMENDING KATE MEHR—WHITE HOUSE FELLOW

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. OLVER. Mr. Speaker, I rise today to commend a public servant of the highest caliber—Kate Mehr of Amherst, Massachusetts, who currently serves as a White House Fellow.

Since 1965, the White House Fellowship Program has called upon outstanding citizens, like Ms. Mehr, who have demonstrated excellence in community service, leadership, and professional achievement. It is the country's most prestigious fellowship for public service and leadership development. The selection process for White House Fellows is very competitive and is conducted by a Commission appointed by the President. Every year, there are 500 to 800 applicants nationwide for 11 to 19 fellowships. Ms. Mehr has demonstrated a long-standing commitment to public service through her involvement with many community-based organizations. Her service and commitment on behalf of the people of Massachusetts have earned her the honor of participating in this prestigious fellowship.

Ms. Mehr earned her BA in political science from Amherst College and an MPA from the John F. Kennedy School of Government at Harvard. She is the executive director of the Massachusetts Service Alliance in Boston, a statewide non-profit group. Its mission is to strengthen Massachusetts's communities through service and volunteerism, running over 200 service programs including AmeriCorps and after-school programs. During her tenure, the Alliance has increased state support for services by 750 percent. Her involvement with youth causes in Massachusetts is extensive and impressive. For example, the Governor appointed her coordinator of The Massachusetts Summit: The Promise of Our Youth, the follow up to the President's Summit, and served as a founding member of the Massachusetts, Legislative Children's Caucus. Ms. Mehr was also a victim-witness advocate, tutored a young Cambodian immigrant and was a volunteer basketball coach at a local YMCA. She taught government and history, and coached basketball and golf at the high school level.

As a White House Fellow, Ms. Mehr has been assigned to the U.S. Department of Agriculture (USDA), where she has been involved in several important hunger initiatives. She is responsible for developing and implementing the Initiative on Community Food Security, which will coordinate the resources of the USDA to assist communities in developing an infrastructure to fight hunger. Additionally, Ms. Mehr serves as a policy advisor to Secretary Dan Glickman on hunger policy and international food assistance programs. She also is planning a USDA Summit on Hunger for the fall of 1999.

Mr. Speaker, in recognition of Kate Mehr's remarkable record of professional excellence and community service, I ask my colleagues to join me in saluting her hard work and good citizenship.

A PROCLAMATION CELEBRATING THE 100TH ANNIVERSARY OF THE OHIO VETERANS OF FOREIGN WARS

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. NEY. Mr. Speaker, I commend the following to my colleagues:

Whereas, the Veterans of the United States have demonstrated a steadfast commitment to the preservation of the United States of America; and,

Whereas, on June 18th, 1999 the Department of Ohio, Veterans of Foreign Wars will be celebrating their 100th Anniversary and,

Whereas, the citizens of Ohio and the United States of America owe the Veterans of the United States a great deal of gratitude for their undying loyalty and dedication to the Union, I ask that my colleagues join me in congratulating the Veterans of Foreign Wars in Ohio on 100 years of service.

HONORING DR. OTTO MULLER

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise to pay tribute to my constituent, Dr. Otto F. Muller, a talented cardiologist who is retiring after forty years of service in the medical field. Highlights of Dr. Muller's career include ten years of service as the Chief of the Cardiovascular Clinic at Philadelphia General Hospital; and thirty five years as the Director of Research and Education, Medicine, and Cardiology at Mercy Catholic Medical Center. Most recently, Dr. Muller practiced with the Kelly Cardiovascular Group. Early in his career, Dr. Muller received fellowship and investigator grants from the American Heart Association, and served as its President from 1980–1982.

Heart disease is America's number one killer, and stroke is the number three killer. The state of Pennsylvania, in which Dr. Muller practices, ranks fifteenth in the United States for heart disease deaths. More than one in five Americans suffer from cardiovascular disease, the leading cause of disability, at an estimated cost of $287 billion in medical expenses and lost productivity. Moreover, the World Health Organization predicts that within twenty five years, heart disease will surpass pneumonia as the leading cause of death and disability worldwide.

I personally understand the dedication of doctors who are committed to battling cardiovascular disease. Three years ago, I underwent a successful coronary artery bypass graft after blockage of a coronary artery was detected during a routine screening. I was able to return to my full schedule of activities following the surgery, and my cardiologist placed me on a regimen of proper diet and exercise which has helped me to avoid further surgery. I applaud Dr. Muller for his dedication to his practice. For forty years, he has been a leader in the fight to eradicate this deadly disease. My own experience has taught me the need for increased awareness of this disease, and I have become one of the strongest advocates for increased research dollars.

I wish Dr. Muller the best of luck in his future endeavors, and thank him for his years of service in battling heart disease and stroke.

INTRODUCING THE GOVERNMENT WASTE CORRECTIONS ACT OF 1999

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. BURTON of Indiana. Mr. Speaker, today I am introducing the Government Waste Corrections Act of 1999.

One of my highest priorities as chairman of the Committee on Government reform is to attack the widespread fraud, waste, and error in many federal programs and activities that cost taxpayers billions of dollars every year. Already this year, the Government Reform Committee has held several hearings and received reports from GAO and agency Inspectors General on this subject. Just a few examples from the GAO and IG reports show outright waste that amounts to over $30 billion annually. This $30 billion figure only scratches the surface, no one knows the total cost to the federal government each year from waste and error.

One of the most troubling aspects of waste and error is that the problems tend to persist year after year. Many problems just grow worse. GAO, IGs and others already have fully

and repeatedly documented these problems. They don't need more general discussion; they need solutions.

The bill I introduce today will go a long way toward solving one of the most serious areas of waste and error—overpayments to vendors and others that provide goods and services to federal agencies. The bill deals with the problem by applying a proven practice from the private sector known as ''recovery auditing.''

The bill requires agencies to conduct recovery auditing to identify and collect back erroneous payments for programs that spend $10 million or more annually. This should result in recoveries to the taxpayers of at least $1 billion each year. The bill also provides agencies the means and incentives to make lasting improvements in their financial management that will reduce future overpayments, and other forms of waste and error.

The practice of recovery auditing is actually quite simple. Here's how it works:

Recovery auditors review payment transactions to uncover errors such as vendor pricing mistakes, missed discounts, duplicate payments, and so forth. The vast majority of payment transactions are correct. But inevitably, some errors occur because of communication failures between purchasing and payment departments, complex pricing arrangements, personnel turnover, and changes in information and accounting systems.

Once an error is identified and verified through the review of transactions, a notification letter is sent to the vendor for review. Monetary recoveries are usually accomplished through administrative offsets.

Recovery auditing has been used successfully by private sector firms for over 30 years. It began with major retailers and is now an accepted business practice among Fortune 1000 companies. It has helped even well-managed companies recover millions of dollars annually in overpayments to their vendors. It clearly has the potential to recover billions annually in federal overpayments, given the magnitude and complexity of federal payment programs coupled with the serious financial management problems that plague most agencies.

In places where recovery auditing has been tested in government, it has proven effective. The Army Air Force Exchange System (AAFES) has contracted with a recovery auditing firm since 1991. AAFES makes purchases of approximately $6.5 billion annually. Over the last 7 years, $108 million has been recovered.

In another example, the Defense Department has been conducting a recovery auditing demonstration program at several of its locations. Roughly $6 billion in purchase transactions are being reviewed in this audit. This program is nearing completion and has identified over $24 million in overpayments. These results were achieved despite the fact that most of the payments audited were 4 to 6 years old and agency records were incomplete.

The potential financial benefits to the federal government from recovery auditing are enormous, and can conservatively be estimated at well over $1 billion annually. Experience thus far with recovery auditing in the federal government shows an error rate of about 0.4 percent, of four times the private sector error rate. Given that federal procurements total about $170 billion per year, recoveries from procurement dollars alone could average at least $680 million annually.

Here's what my bill does:

It establishes a general mandate that all Executive branch agencies use recovery auditing for all of their activities that involve recurring payments totaling at least $10 million per year to vendors and other service providers. The scope of this mandate is very broad. It covers not only payments under procurement contracts, but also payments to fiscal agents, like consultants, who perform services on behalf of the federal government and are reimbursed from federal funds.

Exceptions from the bill's coverage could only be made by the Director of the Office of Management and Budget (OMB) in cases where he determines that recovery auditing would be impractical.

In addition to its general mandate for recovery auditing, the bill requires OMB to designate at least five agency recovery auditing model programs to receive particular attention and provide best practice for other federal recovery auditing programs.

If OMB provides strong leadership, and if agencies vigorously implement the bill's requirements as intended, recoveries to the federal government should amount to billions of dollars each year. This in itself will go a long way toward mitigating the effects of the pervasive waste and error that now occurs in federal payment programs. However, requiring agencies to identify and recoup overpayments is only one of the bill's key objectives. The other is to remedy the root causes that gave rise to the overpayments in the first place.

The bill contains two remedial measures. One requires that recovery auditing contractors periodically report to agencies on the conditions they find to have caused overpayments and provide recommendations for fixing them. The agency must take prompt action in response to these reports.

The second remedial measure is to dedicate up to 50 percent of overpayment recoveries to invest in management improvement programs that each agency must undertake. These programs will improve the agency's staff capacity, information technology, and financial management in order to prevent overpayments and reduce other problems of waste and error.

One particular feature of agency management improvement programs deserves special note. The bill provides for cash incentive awards of up to $150,000 for federal employees who make extraordinary contributions that result in concrete savings to their agencies from reductions in waste or error. One specific condition is that the employee or employees must be directly responsible for documented savings of at least twice the amount of their awards. Dedicated federal employees can be valuable front line soldiers in combating waste and error. When they accomplish major results, they deserve major rewards.

In addition to the 50 percent reserved for management improvement programs, the bill allows agencies to use up to 25 percent of collections from recovery audits to finance their recovery auditing costs, including making payments to contractors. Agencies can return another 25 percent of collections to the programs and activities from which the overpayments originated. Any collections not used for these purposes will be returned to the Treasury.

Mr. Speaker, my bill lays out an ambitious program of immediate and aggressive action to recover wasted tax dollars and achieve large annual savings for the federal government through application of the private sector business practice of recovery auditing. It also ensures a long-term investment in the fundamental management reforms so badly needed to achieve lasting improvements in the way the federal government does business. It includes bold and innovative measures such as unprecedented incentives for federal employees to combat waste.

The bill also contains controls and safeguards to ensure that its system of incentives is applied most effectively and is not abused. It assigns OMB substantial authority and responsibility to provide guidance and oversight. It provides for periodic reporting by both OMB and GAO. It envisions that Congress will likewise provide active oversight, including reviewing and, if necessary, modifying funding levels through reprogramming actions and other means.

I believe that this bill holds great potential to achieve substantial cost benefits for the government and the American taxpayers, as well as major improvements in the efficiency and effectiveness of agency operations throughout the government.

HONORING THE MARK SHORE MEMORIAL BIKE TEAM

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mrs. MORELLA. Mr. Speaker, I rise today in recognition of the Mark Shore Memorial Bike Team. This devoted team helped raise money to fight the chronic and debilitating disease of multiple sclerosis in the 17th Annual Snow Valley MS 150 Bike Tour. The inspirational bike team, consisting of Shore family members and close friends, was formed out of respect and love for Mark Shore.

Mark was born and raised in the Washington, DC metropolitan area. He died of MS-related complications on November 25, 1998. Mark is perhaps best known for serving as a two-term commissioner on the Montgomery County, Maryland Commission on People with Disabilities. He was very active in my district, consistently fighting for disability rights. I am proud to say that Mark was very instrumental in the implementation of many transportation-accessibility initiatives in Montgomery County, such as sidewalk curb cuts. His dedication to improving the lives of others with disabilities will not be forgotten.

The Mark Shore Memorial Bike Team set an ambitious goal to raise more money to fight multiple sclerosis than any other team in history. Mark's parents, Senator Frank and Josie Shore, brothers and sisters, friends and team co-captain Michael Gresalfi set a goal to raise over $25,000. The team was supported by many community members whose donations will help to end the devastating effects of multiple sclerosis.

Today, we thank the Mark Shore Memorial Bike Team for their tribute to Mark Shore, a man who did so much for the disabled community during his short life.

JOHN MINOR WISDOM

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. PETRI. Mr. Speaker, John Minor Wisdom, an outstanding American, Judge, son of the South, and Republican passed on this weekend. I submit the following review of his eventful legal and political career which appeared in the New York Times today, to be entered in the RECORD at this point.

[From the New York Times, May 17, 1999]

JOHN MINOR WISDOM, APPEALS COURT JUDGE WHO HELPED END SEGREGATION, DIES AT 93

(By Jack Bass)

Judge John Minor Wisdom, the New Orleans legal scholar who wrote opinion after opinion that desegregated courthouses throughout the Deep South and put blacks on juries, in the voting booth, in state legislatures and in integrated classrooms, died on Saturday in New Orleans. He would have turned 94 today.

He had remained active in the 1990's, saying he had no interest in retirement.

Judge Wisdom wrote the opinion that allowed James Meredith to attend the University of Mississippi, the first black student to do so. In 1967 he wrote the majority opinion in United States v. Jefferson County, the case that, as he recalled, ''really started affirmative action.''

His wide-ranging judicial opinions over more than four decades kept public schools open in Louisiana when officials tried to close them rather than integrate, ordered Florida to desegregate even its reformatories and told sports authorities to desegregate the boxing ring.

He accomplished this after President Dwight D. Eisenhower named him in 1957 to the United States Court of Appeals for the Fifth Circuit, a jurisdiction that then including six states of the old Confederacy—Louisiana, Florida, Alabama, Mississippi, Texas and Georgia.

It was four judges of the Fifth Circuit whose opinions helped shape the civil rights laws of the 1950's and 60's, changing forever the Deep South. Judge Wisdom was the last survivor of the men who came to be called ''the Four,'' a term used in a dissenting opinion by a fellow judge from Mississippi who saw them as destroyers of the Old South that he cherished. The others were Elbert P. Tuttle of Georgia, John R. Brown of Texas and Richard T. Rives of Alabama. All but Judge Rives were Republicans.

The judges of the Fifth Circuit amplified the mandate of Brown v. Board of Education, the epochal Supreme Court decision of May 17, 1954, that nullified state laws and state constitutional provisions allowing or requiring the segregation of black and white students in public schools because of their race. Among the Four's trail-blazing decisions of the 1960's, most of them written by Judge Wisdom, were the following:

In 1961, the judges struck down Louisiana's school-closing law, after St. Helena Parish voted to close its public schools rather than submit to desegregation.

In 1962, they agreed that James H. Meredith had been turned down for admission to the University of Mississippi because of his race, and ordered Ole Miss to admit him. In the court's opinion, Judge Wisdom wrote that university officials had ''engaged in a carefully calculated campaign of delay, harassment and masterly inactivity.'' Mr. Meredith became the first black to go to public school with white students in accordance with the Brown decision.

In 1963, the judges ordered the desegregation of all public parks, playgrounds and community and cultural centers in New Orleans.

In 1964, they struck down the jury-selection system in Orleans Parish in Louisiana because, as Judge Wisdom wrote, it ''operated to exclude all but a token number of Negroes'' from jury lists. He noted that ''no black ever sat on a grand jury or a trial jury panel in Orleans Parish.''

In 1965, they ruled that Louisiana's voter-registration law, because of its written test on the Constitution, discriminated against poorly educated back voters. Judge Wisdom wrote: ''A wall stands in Louisiana between registered voters and unregistered eligible Negro voters. The wall is the state constitutional requirement that an applicant for registration 'understand and give a reasonable interpretation of any section' of the Constitution of Louisiana or of the United States.'' It is, he wrote ''the highest, best-guarded, most effective barrier to Negro voting in Louisiana.''

He concluded that ''this wall, built to bar Negroes from access to the franchise, must come down.''

In 1966, the judges ordered Florida to desegregate its reformatories and declared no state could legally maintain segregation in any school, whatever its mission.

In 1967, they affirmed that the six states within their jurisdiction had to integrate their public schools from kindergarten on.

In 1968, Judge Wisdom made what he regarded as the most important opinion of his career, in United States v. Jefferson, in which the court overturned the so-called Briggs dictum. This was the belief, widely held by conservative judges in the South, that the Constitution did not require integration but merely forbade discrimination.

Judge Wisdom expressed his ''nagging feeling that it is not how far blacks have come that is important but how far they will have to go.'' He advocated ''the planned organized undoing of the effects of past segregation'' and set in motion the philosophical framework for what would come to be known as affirmative action. He wrote: ''To avoid conflict with the equal protection clause, a classification that denies a benefit, cause harm or imposes a burden must not be based on race. In that sense, the Constitution is color blind. But the Constitution is color conscious to prevent discrimination being perpetuated and to undo the effects of past discrimination. The criterion is the relevancy of color to a legitimate government purpose.''

UNDOING THE YEARS OF 'INGENIOUS DEVICES'

The Fifth Circuit made these rulings at a time when die-hard segregationists were using everything from violence to subtle evasion to resist change.

''Our court rapidly desegregated every place that could be desegregated: buses, hotels, restaurants, parks, barrooms and athletic contests,'' Judge Wisdom recalled in 1982.

''Our court had strong opposition from six state legislatures and state governors, year in and year out.''

''Senators, Congressmen, governors and local politicians eventually changed their attitude toward minorities,'' he continued. ''This not attributable to a change of heart but to the Voting Rights Act of 1965,'' which, he noted, enfranchised blacks ''previously disenfranchised by many ingenious devices.''

President Clinton, in awarding him the Presidential Medal of Freedom in 1993, said that his opinions ''advanced civil rights and economic justice, and his inspired words echo throughout many of this century's most significant Supreme Court opinions.''

SON OF THE SOUTH WHO LOVED LITERATURE

John Minor Wisdom was born in New Orleans on May 17, 1905, the son of Mortimer M. Wisdom and Adelaide Labatt Wisdom. His father was a member of the city's elite and proudly remembered marching in the funeral procession of Robert E. Lee in 1870. In 1925 the son received his bachelor's degree from Washington and Lee University, where he had an interest in literature. He studied literature for a year as a graduate student at Harvard University, but then entered the law school at Tulane University, where he graduated first in his class.

He formed the law firm of Wisdom and Stone with a classmate, Saul Stone, practicing law in New Orleans in the 1930's. He joined the Army Air Forces in World War II, serving in the Office of Legal Procurement.

Some of his early legal work dealt with business law. He opposed so-called fair-trade laws, legislation that permitted manufacturers to set the retail prices of products, ostensibly to protect small retailers from competition from big discounters. He told those attending the American Fair Trade Council meeting in New York in 1953 that they could ''never sell the American citizen on the justice or logic'' of fair trade.

Mr. Wisdom, a long-time Republican loyalist who served in the 1950's as a national committeeman from Louisiana, worked hard to open doors to the party in the South. In 1952 he broke with the more traditional Southern Republicans, who strongly supported the candidacy of the conservative Senator Robert Taft of Ohio for President.

Earlier that year, Mr. Wisdom and Elbert P. Tuttle, a lawyer in Atlanta, met at the request of Herbert Brownell, General Eisenhower's campaign manager, to organize a campaign in the South to support General Eisenhower for the Republican nomination against Senator Taft. Mr. Wisdom and Mr. Tuttle became co-chairmen of the Southern Conference for Eisenhower.

As Attorney General in the Eisenhower Administration, Mr. Brownell became an important figure in selecting Federal judges, and both Mr. Tuttle and Mr. Wisdom were eventually put on the Federal bench.

One of the earliest civil rights cases Judge Wisdom received after his appointment came in 1959, when the Fifth Circuit voided a Louisiana ban on boxing matches between blacks and whites. The court's decision was upheld by the United States Supreme Court.

In 1964 he dissented from the Fifth Circuit's majority opinion, which upheld the tradition of revealing the race of all candidates for public office on the ballot. The Supreme Court ultimately repudiated the majority decision and upheld his position.

Though most of the Fifth Circuit's groundbreaking decisions concerning discrimination were made in the 1960's, there were many significant cases in the 1970's. Among them was a 1972 decision striking down a Louisiana law barring biracial adoptions. ''It's obvious,'' Judge Wisdom wrote in the decision, ''that the Louisiana statute making race a decisive factor in adoption subordinates a child's best interest in some circumstances to racial discrimination.''

Judge Wisdom wrote several landmark opinions in employment discrimination cases. In 1979, the Supreme Court adopted the basic reasoning of his dissent in Weber v. Kaiser Aluminum and Chemical Corporation to uphold a hiring plan intended to overcome the effects of past discrimination.

Not all his major decisions concerned race. In 1974, he wrote an opinion that found that psychiatric patients as a class had a Federal constitutional right to adequate treatment when such patients were committed against their will to state institutions.

But to the end he felt that no opinion drew more fully on his intellect and imagination than U.S. v. Jefferson. By requiring ''the organized undoing of the effects of past desegregation,'' he placed an affirmative duty on school boards to develop desegregation plans. Including a model desegregation order, he served notice that ''the only school desegregation plan that meets constitutional standards is one that works.''

Judge J. Harvie Wilkinson of the Fourth Circuit Court of Appeals wrote in a 1979 book, ''The Supreme Court wrote from Brown to Bakke,'' that Judge Wisdom in Jefferson and related cases ''transformed the face of school desegregation law.''

A SCUTTLED CANDIDACY FOR THE SUPREME COURT

Despite the storms that attended his civil rights decisions, the stature he attained was such that in 1969, he was mentioned as a leading candidate for the Supreme Court. Moderate Republicans advanced his name after the Senate rejected President Richard M. Nixon's nomination of Judge Clement F. Haynsworth, whom Judge Wisdom opposed.

But Mr. Nixon's Attorney General, John Mitchell, scuttled the idea, reportedly complaining that Judge Wisdom was nothing more than a ''damn left-winger'' who, if he ever got on the Supreme Court, would ''be as bad as Earl Warren.''

The judge once told a reporter that when the Fifth Circuit was issuing its most contentious rulings, his dogs were poisoned and a rattlesnake was thrown in his backyard.

But despite the liberal views about race and civil rights he espoused throughout his judicial career, he maintained memberships in private clubs that discriminated against blacks and Jews.

''The people I see in these clubs are the guys I went to school with and have known all my life,'' he said. ''I would not resign from any such club.'' He said, ''They know how I stand on these matters'' and ''I certainly wouldn't change their views by getting out of the club.''

He is survived by his wife, Bonnie Mathews Wisdom, and two daughters, Kathleen Mathews Wisdom and Penelope Stewart Wisdom Tose. A son, John Minor Jr., died.

His former law clerks recalled that the judge was capable of spending an afternoon playing bridge for high stakes, following it with drinks with lifelong friends, discussing and reciting obscure Elizabethan poetry, and after cocktails and dinner at home, staying up well past midnight working on one of the many drafts his major opinions went through before he was satisfied.

IN RECOGNITION OF MR. TURNER KING, SR.

HON. RONNIE SHOWS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1999

Mr. SHOWS. Mr. Speaker, I rise today to recognize the outstanding achievements of Mr. Turner King, Sr., a member of New Hope Missionary Baptist Church in Southaven, Mississippi.

Mr. King, now 84 years young, was born in Nesbit, Mississippi and married the late Mrs. Rennell Bridgforth King. Mr. King supplemented his farming income by becoming a self-taught tailor, and by so doing he and his wife were able to provide education for their seven children, a niece and a nephew.

Della Mae King Sutton, a retired teacher, received her Bachelor's Degree from Mississippi Industrial College in Holly Springs. Turner King, Jr., now deceased, attended college for two years. Irene King McNeil, a teacher, earned her Bachelor's Degree at Mississippi Valley State University in Itta Bena. Earning their degrees at Rust College in Holly Springs include teachers Margaret King and Lerah Yvonne King Macklin, and Doris Ann King, who is in the banking business. Niece Marilyn Clarice Young White attended the University of Mississippi at Oxford for 3½ years and nephew Donald Ray Young graduated from Southaven High School.

Mr. Speaker, through hard work and determination, Mr. and Mrs. Turner King raised a fine family that has contributed much to our state. Turner King, Sr. and the late Mrs. King are role models for us all. I am proud to share with my colleagues in Congress this tribute to Turner King and the entire King family.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 18, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 19

9:30 a.m.
Indian Affairs
To hold hearings on S. 614, to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands; and S. 613, to encourage Indian economic development, to provide for the disclosure of Indian tribal sovereign immunity in contracts involving Indian tribes, and for other purposes.
SR–485

Energy and Natural Resources
Business meeting to consider pending calendar business.
SD–366

10 a.m.
Appropriations
Defense Subcommittee
To resume hearings on proposed budget estimates for fiscal year 2000 for the Department of Defense.
SD–192

Finance
Business meeting to mark up the proposed Affordable Education Act of 1999.
SD–215

2 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold oversight hearings on the status of Youth Conservation Corps and other job programs conducted by the National Park Service, Bureau of Land Management, Forest Service, and the U.S. Fish and Wildlife Service.
SD–366

Intelligence
To hold closed hearings on pending intelligence matters.
SH–219

2:30 p.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 2000 for foreign assistance programs.
SD–192

MAY 20

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 97, to require the installation and use by schools and libraries of a technology for filtering or blocking material on the Internet on computers with Internet access to be eligible to receive or retain universal service assistance.
SR–253

Environment and Public Works
Clean Air, Wetlands, Private Property, and Nuclear Safety Subcommittee
To resume hearings on the Environmental Protection Agency's proposed sulfur standard for gasoline as contained in the proposed Tier Two standards for automobiles.
SD–406

Energy and Natural Resources
To resume hearings to examine damage to the national security from alleged Chinese espionage at the Department of Energy nuclear weapons laboratories.
SD–366

10 a.m.
Governmental Affairs
Business meeting to consider S. 746, to provide for analysis of major rules, to promote the public's right to know the costs and benefits of major rules, and to increase the accountability of quality of Government; S. 59, to provide Government-wide accounting of regulatory costs and benefits; S. 468, to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public; the nomination of Eric T. Washington, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals; the nomination of Stephen H. Glickman, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals; the nomination of Hiram E. Puig-Lugo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia; and the nomination of John T. Spotila, of New Jersey, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.
SD–342

Health, Education, Labor, and Pensions
To resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act.
SD–628

10:30 a.m.
Appropriations
Foreign Operations Subcommittee
To continue hearings on proposed budget estimates for fiscal year 2000 for foreign assistance programs.
SD–192

2 p.m.
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold hearings on S. 348, to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public.
SD–366

2:15 p.m.
Veterans' Affairs
To hold hearings on proposals relating to cost of living adjustments in VA compensation and other benefits, improvements in Veterans' educational assistance benefits, long term care and homeless Veterans sevices, eligibility for burial in Arlington National Cemetery, WWII Memorial on the Mall, and U.S. Court of Appeals for Veterans claims retirement provisions.
SR–418

2:30 p.m.
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold joint oversight hearings with the House Committee on Government Reform's Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, on the Administration's fiscal year 2000 budget request for climate change programs and compliance with various statutory provisions in fiscal year 1999 appropriations acts requiring detailed accounting of climate change spending and performance measures for each requested increase in funding.
SD–366

Governmental Affairs
To hold oversight hearings on the national security methods and processes relating to the Wen-Ho Lee espionage investigation.
Room to be announced

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on issues relating to commercial space.
SR–253

MAY 24

1 p.m.
Aging
To hold hearings to examine Health Care Financing Administration assessments of home health care access.
SD–366

MAY 25

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on state progress in retail electricity competition.
SD–366

Health, Education, Labor, and Pensions
To resume hearings to examine medical records privacy issues.
SD–628

10 a.m.
Finance
To resume oversight hearings on United States Customs, focusing on commercial operations.
SD–215

Small Business
To hold hearings relating to education and business success.
SR–428A

2:15 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 140, to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System; S. 734, entitled the ''National Discovery Trails Act of 1999''; S. 762, to direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle in Biscayne

National Park; S. 938, to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park; S. 939, to correct spelling errors in the statutory designations of Hawaiian National Parks; S. 946, to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center; and S. 955, to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefied in Virginia, as previously authorized by law, by purchase or exchange as well as by donation.

SD–366

MAY 26

9:30 a.m.
Indian Affairs
To hold oversight hearings on Native American Youth Activities and Initiatives.

SR–485

Health, Education, Labor, and Pensions
Employment, Safety and Training Subcommittee
To hold hearings to examine mine safety and health issues.

SD–628

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 510, to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands.

SD–366

MAY 27

2 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold hearings on S. 623, to amend Public Law 89-108 to increase authorization levels for State and Indian tribal, municipal, rural, and industrial water supplies, to meet current and future water quantity and quality needs of the Red River Valley, to deauthorize certain project features and irrigation service areas, to enhance natural resources and fish and wildlife habitat; S. 244, to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system; S. 769, to provide a final settlement on certain debt owed by the city of Dickinson, North Dakota, for the construction of the bascule gates on the Dickinson Dam; and S. 1027, to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy.

SD–366

2:30 p.m.
Health, Education, Labor, and Pensions
Aging Subcommittee
To resume hearings on issues relating to the Older Americans Act.

SD–628

JUNE 9

9:30 a.m.
Environment and Public Works
Transportation and Infrastructure Subcommittee
To resume hearings on the implementation of the Transportation Equity Act for the 21st century.

SD–406

2 p.m.
Energy and Natural Resources
Water and Power Subcommittee
To hold oversight hearings on the process to determine the future of the four lower Snake River dams and conduct oversight on the Northwest Power Planning Council's Framework Process.

SD–366

JUNE 17

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings on mergers and consolidations in the communications industry.

SR–253

SEPTEMBER 28

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.

345 Cannon Building

Daily Digest
Senate

Chamber Action

Routine Proceedings, pages S5393–S5435

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1058–1062, and S. Con. Res. 32. **Page S5424**

Measures Reported: Reports were made as follows:

S. 1059, to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. (S. Rept. No. 106–50)

S. 1060, to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces.

S. 1061, to authorize appropriations for fiscal year 2000 for military construction.

S. 1062, to authorize appropriations for fiscal year 2000 for defense activities of the Department of Energy. **Page S5424**

Juvenile Justice: By unanimous-consent, the following amendments were proposed to S. 254, to reduce violent juvenile crime, promote accountability by rehabilitation of juvenile criminals, and punish and deter violent gang crime: **Pages S5394–S5416**

Wellstone Amendment No. 356, to improve the juvenile delinquency prevention challenge grant program. **Pages S5398–S5400**

Sessions/Inhofe Amendment No. 357, relating to the placement of a disclaimer on materials produced, procured or disseminated as a result of funds made available under this Act. **Pages S5400–03**

Wellstone Amendment No. 358, to provide for additional mental health and student service providers. **Page S5403**

Sessions (for Ashcroft) Amendment No. 348, to encourage States to prosecute violent juveniles as adults for certain offenses involving firearms. **Pages S5409–12**

Wellstone Amendment No. 359, to limit the effects of domestic violence on the lives of children. **Pages S5412–14**

Hatch (for Santorum) Amendment No. 360, to encourage States to incarcerate individuals convicted of murder, rape, or child molestation. **Pages S5414–15**

Ashcroft Amendment No. 361, to provide for school safety and violence prevention and teacher liability protection measures. **Pages S5415–16**

Y2K Act: Senate resumed consideration of a motion to proceed to the consideration of S. 96,to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date. **Page S5394**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to the bill on Tuesday, May 18, 1999, and pursuant to the order of Friday, May 14, 1999, a vote on the motion to close further debate on the motion to proceed will occur at 9:45 a.m. **Page S5435**

Communications: **Pages S5421–22**

Petitions: **Pages S5422–24**

Additional Cosponsors: **Pages S5424–25**

Amendments Submitted: **Pages S5427–34**

Notices of Hearings: **Pages S5434–35**

Additional Statements: **Page S5435**

Recess: Senate convened at 12 noon, and recessed at 5:46 p.m., until 9:30 a.m., on Tuesday, May 18, 1999. (For Senate's program, see the remarks of the remarks of the Acting Majority Leader in today's Record on page S5435.)

Committee Meetings

No Committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 6 public bills, H.R. 1827–1832; and 1 resolution, H. Con. Res. 108, were introduced. **Page H3215**

Reports Filed: One Report was filed today as follows:

H. Res. 173, waiving points of order against the conference report on H.R. 1141, making emergency supplemental appropriations for the fiscal year ending September 30, 1999 (H. Rept. 106–144).

Page H3215

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Pease to act as Speaker pro tempore for today. **Page H3213**

Recess: The House recessed at 2:07 p.m. and reconvened at 5:39 p.m. **Page H3214**

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: The House met at 2:00 p.m. and adjourned at 5:40 p.m.

Committee Meetings

CONFERENCE REPORT—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 1141, making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Young.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 496)*

S. 453, to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the ''Hurff A. Saunders Federal Building''. Signed May 13, 1999. (P.L. 106–27)

S. 460, to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the ''Robert K. Rodibaugh United States Bankruptcy Courthouse''. Signed May 13, 1999. (P.L. 106–28)

COMMITTEE MEETINGS FOR TUESDAY, MAY 18, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry, Subcommittee on Forestry, Conservation, and Rural Revitalization, to hold hearings on S. 910, to streamline, modernize, and enhance the authority of the Secretary of Agriculture relating to plant protection and quarantine, 9 a.m., SR–328A.

Committee on Commerce, Science, and Transportation, to hold hearings on S. 876, to amend the Communications Act of 1934 to require that the broadcast of violent video programming be limited to hours when children are not reasonably likely to comprise a substantial portion of the audience, 10 a.m., SR–253.

Committee on Energy and Natural Resources, Subcommittee on Energy Research, Development, Production and Regulation, to hold hearings on S. 924, entitled the ''Federal Royalty Certainty Act'', 2:30 p.m., SD–366.

Committee on Environment and Public Works, Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety, to hold hearings on the Environmental Protection Agency's proposed sulfur standard for gasoline as contained in the proposed Tier Two standards for automobiles, 9:30 a.m., SD–406.

Committee on Finance, to resume oversight hearings on United States Customs, focusing on commercial operations, 10 a.m., SD–215.

Committee on Health, Education, Labor, and Pensions, to resume hearings on proposed legislation authorizing funds for programs of the Elementary and Secondary Education Act, 10 a.m., SD–628.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review U.S. Forest Service payments to counties, 1 p.m., 1302 Longworth.

Subcommittee on Risk Management, Research and Specialty Crops, hearing on Commodity Futures Trading Commission Reauthorization, 3 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the District of Columbia, on D.C. Courts, 2 p.m., H–144 Capitol.

Committee on Armed Services, Subcommittee on Military Procurement, to mark up H.R. 1401, National Defense Authorization Act for fiscal year 2000 and 2001, 1 p.m., 2118 Rayburn.

Subcommittee on Military Research and Development, to mark up H.R. 1401, National Defense Authorization Act for fiscal year 2000 and 2001, 4 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth, and Families, hearing on

School Violence: Views of Students and the Community, 1:30 p.m., 2175 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on Hepatitis B Vaccine: Is the Vaccine Helping or Hurting Public Health? 10 a.m., 2247 Rayburn.

Subcommittee on Government Management, Information, and Technology, hearing on Oversight of Customer Service at the Office of Workers' Compensation Programs, 10 a.m., 2154 Rayburn.

Committee on House Administration, hearing on the FEC, 2 p.m., 1310 Longworth.

Committee on International Relations, Subcommittee on International Economic Policy and Trade, hearing on Encryption: Security in a High Tech Era, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Immigration and Claims, hearing on the following bills: H.R. 238, to amend section 274 of the Immigration and Nationality Act to impose mandatory minimum sentences, and increase certain sentences, for bringing in and harboring certain aliens and to amend title 18, United States Code, to provide enhanced penalties for persons committing such offenses while armed; H.R. 456, for the relief of the survivors of the 14 members of the Armed Forces and the one United States civilian Federal employee who were killed on April 14, 1994, when United States fighter aircraft mistakenly shot down 2 United States helicopters over Iraq; H.R. 945, to deny to aliens the opportunity to apply for asylum in Guam; and H.R. 1745, to amend the Immigration and Nationality Act to provide for the removal of aliens who associate with known terrorists, 10 a.m., 2226 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, oversight hearing on Public and Private Resource Management and Protection Issues in the National Forest System, 2 p.m., 1334 Longworth.

Subcommittee on National Parks and Public Lands, to mark up H.R. 592, to redesignate Great Kills Park in the Gateway National Recreation Area as "World War II Veterans Park at Great Kills"; followed by a hearing on H.R. 1487, National Monument NEPA Compliance Act, 10 a.m., 1324 Longworth.

Committee on Rules, to consider the following: H.R. 1654, National Aeronautics and Space Administration Authorization Act of 1999; and H.R. 1553, National Weather Service and Related Agencies Authorization Act of 1999, 1 p.m., H–313 Capitol.

Committee on Small Business, Subcommittee on Tax, Finance, and Exports, hearing on the Overseas Private Investment Corporation and its assistance to small business exporters, 3 p.m., 311 Cannon.

Committee on Ways and Means, Subcommittee on Trade, to mark up the following: the Trade Agency Authorizations, Drug Free Borders and On-Line Child Pornography Prevention Act of 1999; and H.R. 984, Caribbean and Central America Relief and Economic Stabilization Act, 4 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Tuesday, May 18

Senate Chamber

Program for Tuesday: Senate will resume consideration of a motion to proceed to the consideration of S. 96, Y2K Act, with a vote on a motion to close further debate on the motion to proceed to occur at 9:45 a.m. If cloture is not invoked, Senate will proceed to the transaction of certain morning business, to be followed by further consideration of the motion to proceed to the consideration of S. 96, Y2K Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m., for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, May 18

House Chamber

Program for Tuesday: Consideration of the Conference Report on H.R. 1141, Emergency Supplemental Appropriations (rule waiving all points of order, one hour of general debate).

Extensions of Remarks, as inserted in this issue

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.