

Mr. President, we know what has been in the public media. We know that an investigation has been conducted by the Public Integrity Section and by the FBI. The question is raised as to what that investigation has disclosed, which is known to the Attorney General. I believe we ought to have an answer from the Attorney General based upon what has been presented to her from the public record, and an inquiry as to what she knows from the confidential record that she is privy to.

When the grand jury investigates, those matters are secret. When the FBI investigates, those matters are not made available to the Judiciary Committee. But we have presented a substantial body of material, and I believe we are entitled to an answer not only as to that, but a certification, in effect, from the Attorney General as to what she may know beyond what is in the public record, because that investigation has been going on for a long time, and she is privy to what has occurred with the investigation of the FBI and with the investigation of the grand jury. I think we are entitled to a response on that basis. But there is sufficient material on the record.

It is my hope that we will not have a filibuster on this resolution but we will be able to take it to a vote. As Senator DODD said at some length about the filibuster against the McCain-Feingold bill, I broke party ranks, as did a number of Republicans, in voting for cloture on that matter. I am not satisfied with the McCain-Feingold bill, which I have not cosponsored. But I do believe the matter ought to come to the floor and that we ought to offer amendments. We ought to see if a majority of the U.S. Senate is willing to pass campaign finance reform.

Similarly, on this resolution calling for independent counsel, I think we ought to have a determination up or down as to whether a majority of Senators agree with the letter which we sent over to the Attorney General calling for independent counsel.

I thank the Chair for sitting on this Friday afternoon when most of our colleagues have left town, and I will soon be returning to Pennsylvania.

I yield the floor.

Mr. DORGAN. Mr. President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent to proceed for 20 minutes as if in morning business.

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

#### CRIME IN AMERICA

Mr. DORGAN. Mr. President, there are a good many issues that come to the floor of the Senate that cause debate between Republicans and Democrats. Some are partisan, some cause great rancor, but there is one issue that ought not ever be a partisan debate. That is the issue of crime and how we in our country address it.

I come to the floor today to speak about legislation I will formally introduce on Monday on behalf of myself and a Republican colleague, Senator CRAIG, from Idaho. We have joined together to offer a piece of legislation that we introduced in the last Congress. I think this bill makes a great deal of sense, and I hope the Congress will consider it favorably in this session. As a way of describing the legislation, I want to address why I think legislation in this area is necessary to deal with the issue of crime.

There are a lot of things in this country we can point to that suggest our country is headed in the right direction. Our economy is growing. Some would like it to grow faster, but it is growing. We are not in a recession. You can point to some pretty good things in our education system. Not many people are getting on airplanes and leaving our country to go to college somewhere else. If you want to go to a world class university, largely you would want to be in the United States to do that. If you want to get good health care, you do not get on an airplane to go elsewhere. The best health care available in the world is available in most cases in this country. After doubling our use of energy in the last 20 years, America has cleaner air and cleaner water than we had 20 years ago.

So you can point to a number of things in this country that give cause for great optimism. But in the area of crime, I at least, and I think a lot of my colleagues and the American people, have a nagging feeling about the lack of safety and security in our country, that something we are doing is not working, that we seem to be on the wrong path. I know that some people point to crime statistics and say violent crime has declined. But when violent crime spikes way up and then drops marginally, violent crime is far too high in this country.

Here is a crime clock. One major criminal offense occurs every 2 seconds in our country, one violent crime every 18 seconds, one murder in America every 24 minutes, one forcible rape every 5 minutes in our country, one robbery every 54 seconds, one aggravated assault every 29 seconds. You cannot as a citizen of this country review what is happening on our streets and in our neighborhoods and believe we are on the right track with respect to crime.

This morning I read a piece in the Washington Post that described some of the concerns I have expressed before in this Chamber. It says, "Inmates' Early Freedom Rankles Many in Florida."

This article says: "Frank O'Neal got the news that his brother's murderer was being given an early release from prison when his son read it in the Tuesday edition of the local newspaper. All around the State of Florida, O'Neal's experience was repeated as corrections officials unexpectedly granted early release to 300 murderers, rapists, robbers, and other violent inmates."

Florida required prison officials to grant inmates 20 days off for good behavior, 20 days off for every 30 days that they served without regard to their crimes on the outside or their behavior on the inside. As a result, 200 additional inmates will be released next Monday, and 2,700 prisoners will eventually be set free early under this approach.

The fellow that Mr. O'Neal heard about yesterday was a man named Garcia. He stabbed William O'Neal, the brother of Frank O'Neal, 36 times. William O'Neal was a grocery store manager—stabbed 36 times before this fellow then stole a TV set and VCR and left him dead. Now, Garcia has been granted early release.

I have talked about early release previously. Some of the things I have talked about have convinced me that the system itself is a system which just does not work.

A couple of weeks ago there was a District of Columbia police officer who was murdered in Prince Georges County, MD. His name was Oliver Wendell Smith, Jr. He was shot three times in the back of the head outside of his apartment. His wallet, pistol, and badge were stolen.

All three men now charged with this murder have long criminal records. One of them was free on bond on drugs and weapons charges and another was on pretrial release for burglary and assaulting another police officer. I have their records in this paper given to me by the police department at my request. These are people who should not have been on the streets to murder a policeman. These are people who should have been in prison. We knew who they were, but our country said go ahead to the streets. In Florida, 2,700 criminals will go to the streets.

I talked last year about the Jonathan Hall case. A man named James "Buck" Murray was sentenced to life imprisonment without parole for the murder of Jonathan Hall. Jonathan Hall was a 13-year-old boy from this area who was stabbed about 58 times and then left for dead in an icy pond. But when they found his body, he had grass and dirt between his fingers because he obviously had not immediately died from all those stab wounds. He, laying in that icy pond, had tried to pull himself out of the pond but died before he could.

Now, let me tell you about the guy who murdered him. James "Buck" Murray, in 1970, was sent to 20 years in prison for slashing the throat of a cab driver, stealing a cab and leaving the driver for dead. While in a Virginia

prison, 3 years later, he abducted a young woman while on work release. He was then convicted of kidnaping and sentenced to 5 more years in prison. In 1991, he was convicted of murdering a fellow prisoner and sentenced to another 10 years behind bars, and in 1994, he was set free on mandatory parole with accumulated good time credits. A 13-year-old boy is dead because James "Buck" Murray, whom we knew to be a murderer, was put back on the street to live in Jonathan's neighborhood.

I also have talked about Bettina Pruckmayr in this Chamber. Bettina was 26 years old, by all accounts a wonderful, bright young woman, an attorney who came to the Washington, DC, area to work. On December 16, a year and a half ago, she was abducted in a carjacking and driven to an ATM machine in Washington, DC, and then fatally stabbed. Authorities charged 38-year-old Leo Gonzalez Wright with the murder. He was linked to that crime through a bank security photo taken at the ATM machine. He was stopped apparently in a stolen Mustang some days afterward. Mr. Wright should not have been on the streets. He was previously sentenced to 5 to 15 years for armed robbery, sentenced to 15 to 45 years to life for murder, released on parole, then served 16 years on a 20-year minimum sentence even though his actual sentence was 20 to 60 years.

I want to show my colleagues a chart about why these criminals are getting out of prison. It does not take Sherlock Holmes or Dick Tracy to figure out who is going to murder the next victim in our country. The average time spent in prison for committing a murder in America is just over 7 years. The average murderer spends 34 percent of their sentence in prison, and then is released early.

Kidnaping? The average kidnaper spends only 40 percent of his or her time behind bars and is released early. Robbery? It is 39 percent.

There is not a Member of the Senate whose life has not been touched by violent crime. My mother was killed in a manslaughter incident. I suspect that those of us who have personally been touched by violent crime never quite view violent crime the same way. For a family to receive a call, as have the families of those I have just described, to be told that their loved one is now dead in circumstances where you know that death should have been and could have been prevented, leaves an understanding something must change.

I want to show my colleagues something that I hope will shock the daylights out of everybody. We have, right now in prisons in America, 4,820 people serving in prison in our country for murders they committed while they were on parole, having been released early for another offense. In other words, our Government released murderers early, to say, "You are done with your sentence because we give you time off for good behavior, so go

back to the streets. We need to give you 'good time' for good behavior because if we do not give you that we cannot manage you in prison." So the prison authorities give a carrot of getting out early to violent offenders so they can better manage them in prison, and then the question is: Who manages them when they hit the sidewalk? Who manages them when they are in the neighborhood? Who manages them on a dark block when they are prepared to commit another murder? These 4,820 families of murder victims have every right to ask this Government, to ask every State government, every judge, every State legislator, and, yes, the U.S. Congress, how dare you do this? By what right do you have the opportunity to turn out murderers and rapists and robbers back to our streets?

The question is, what do we do about it? Can we, should we, will we do something about it? I hope so. Mr. President, 4,820 people are in prison for having committed murders when they should have been in prison, 3,890 rapists committed rapes when they should have been in prison, and the list goes on.

What do we do? My proposal is very simple. By far, most of criminal justice is handled at the State and we do not control it. I understand that these decisions are made by State governments and by State criminal justice systems. But we have a connection to it by virtue of a wide range of resources that we provide to State criminal justice systems.

I propose that we say to State that we want you to do the following, and the amount of resources that we provide to your criminal justice system depends on your doing it. We want you to decide that there is a difference in the requirement to incarcerate violent versus nonviolent offenders. We want you to separate offenders, nonviolent and violent, and for violent offenders we want everyone in this country to get a very simple message: If you commit a violent offense and you are sentenced to prison, prison is your address until the end of your term. No parole, no good time, no nothing. Your prison cell is your address until the end of your sentence. That is what I hope will happen across this country.

Until we get to that point, we are going to have stories as appeared in the Washington Post this morning—2,700 murderers, rapists, robbers, and other violent criminals will be released early because they have earned good time while in prison. Our country must decide to send a message to all Americans: If you commit a violent crime, you are going to serve your time in prison, and there is no excuse and there is no way out and there is no early out. You are going to serve your time in prison.

I have previously introduced legislation that also says to every State government in our country that if they had a violent prisoner behind bars and then decided that, because it is too

costly to keep the violent prisoner there, he or she will be released early to Main Street, to the sidewalk, to the side street—if that particular prisoner then commits another crime while out on early release, that State government has no immunity from lawsuits from the victims. That State government has a responsibility to keep that violent criminal off the streets. If it chooses to put that violent criminal back on the streets early, and that violent criminal commits a crime, the State who put the violent criminal back on the streets should have responsibility to the victims.

I must say, while I feel passionate about this issue because my family has experienced the tragedy of violent crime, I am blessed to come from a State that does not have as much violent crime as many. North Dakota is a wonderful State in which to live. Oh, it is a little cold sometimes in the winter. Yes, it snowed yesterday, it is blowing a little today. But it is a wonderful State with wonderful people and it is blessed with a lower crime rate than some areas of the country. But we are not immune. There is no State geographical border or boundary that says violent crime stops here.

There used to be a wonderful woman named Donna Martz who would bring bus tours to Washington, DC. The tours would come here and come to the front steps of the Capitol and they would always ask us, because they were from North Dakota, to take a picture with them on the steps, and our congressional delegation would be delighted to do that. Donna was a wonderful and remarkable woman. On a Sunday morning, in a motel parking lot in Bismarck, ND, a quiet Sunday morning in a relatively crime free city, Donna Martz was abducted, kidnaped, put in the trunk of a car and driven through five or six States for a good number of days. She was later discovered, dead, shot to death in the desert in the southwest part of our country.

From a motel parking lot on a quiet Sunday morning as Donna prepared to drive to her home north of Bismarck, she was instead kidnaped, put in the trunk of a car, taken on a ride of terror and brutally murdered.

By whom? By a couple of folks from Pennsylvania. Strangers to the criminal justice system? Oh, no. People we knew were violent and just couldn't keep in jail. Time after time after time, you look at these statistics and understand that this is not some mysterious disease for which there is not a cure. We understand what is happening and we ought to understand how to respond to it. If we cannot send a message across this country that those who commit violent crimes need to spend their entire sentence in prison—and I might say to judges around this country, I am also a little tired of the sentences that are handed out. I am a little tired of the slap on the wrist. I want violent criminals to be treated appropriately by judges. People who

are inherently violent and commit violent crimes ought to go to jail and spend a long time in jail with a sentence that is appropriate to that.

It is unforgivable in this country that the average murderer, the average person convicted of murder, is spending only 7 years in prison. That is unforgivable that our criminal justice system allows that to happen.

Again, we know what to do about that if we have the will. My friend, Senator CRAIG from Idaho, and I will introduce on Monday this legislation, and I hope very much that my colleagues will join us in saying this very simple message to all the States and all the people involved in the criminal justice system: Distinguish between violent and nonviolent offenders in our criminal justice system and say to every American, if you commit a violent crime, understand that you are going to spend all of your time in jail until the day that your sentence ends, and you are not going to get an hour off early. There is no good time, no parole, no help, no hope.

How do we do that? We do that through the resources we send to State and local governments that reward those States that adopt that provision, and, hopefully, State by State by State, we can develop a national policy that says to all Americans that we have begun to draw the line on violent crime, that we have sent a message to everyone who commits a violent crime that things have changed.

Mr. President, I hope, having given this long presentation, that some in the Congress will cosponsor, perhaps even the Presiding Officer, having listened at length, will cosponsor legislation of this type, and, one by one by one, we will achieve enough cosponsors on a bipartisan basis to this bill offered by a Democrat and a Republican. One by one by one, we will cosponsor, vote, and create a new law that does something good for this country.

Mr. President, with that, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HAGEL). Without objection, it is so ordered.

#### TRIBUTE TO SENATOR WENDELL FORD

Mr. DASCHLE. Mr. President, Harry Truman once said, "It is amazing what we can accomplish if we don't care who gets the credit."

That kind of selfless leadership is not found much in Washington anymore. But it is the essence of my great friend, WENDELL FORD.

Earlier this week, Senator FORD announced he would not seek a fifth term in this body.

For me, the news is bittersweet. I know how much Senator FORD looks forward to spending more time with his wife Jean and their family. I know how much he misses Kentucky, how much he simply just wants to go fishing with his grandchildren.

But I also know how much I will miss him and how much the Senate will miss him.

It is one of the traditions of this Senate that we carve our names inside our desks. Carved inside Senator FORD's desk is the name of one of this body's towering giants, Senator Henry Clay, "the Great Compromiser."

It is fitting that WENDELL FORD and Henry Clay should share the same desk—not just because they are both sons of Kentucky, but because they both understand that democracy requires compromise.

We can never compromise on principle. But we can—and we must—be willing to negotiate details if we are to accomplish anything of consequence.

That is one of many lessons I learned from WENDELL FORD.

It is ironic that WENDELL FORD comes from Kentucky, home of the great racehorses, because he is not a racehorse; he is a workhorse.

He has served the people of his State for more than 32 years as State senator, Lieutenant Governor, Governor, and now for the last 22 years as U.S. Senator. But he has always remained a public servant.

When he announced his decision not to seek reelection, Senator FORD said he loves this Senate as much as life itself.

The reason he loves it, though, is not because of the power or the glamour; those things have never really interested WENDELL FORD. He loves this institution because of the history that has been made here and because of the potential that exists here.

The potential to help people.

To make the promise of America a reality for every American.

To include those who have been left out.

That is why WENDELL FORD loves this Senate.

His great pride is not that he has sat with Presidents, but that he can sit and talk with friends at every creek and in every holler in Kentucky, and that Kentucky is better and, frankly, America is better because of his efforts.

He is truly a leader among leaders. We need more people like WENDELL FORD in the U.S. Senate today.

During his years here, Senator FORD has distinguished himself as a leader in areas from energy to aviation to election reform.

As chairman of the Senate Rules and Administration Committee, he helped reduce Senate committee spending.

He has been a long and persistent advocate of a 2-year Federal budget to help this body look beyond the immediate and plan better for our future.

He was the chief force behind the creation of an independent Federal Aviation Administration.

He was a prime sponsor of the motor voter registration bill which has brought millions of new Americans into the electoral process.

He was the chief sponsor, in 1990, of a Democratic campaign finance reform package, and I fully expect him to spend the next year and a half working to make bipartisan finance in campaigns a reality.

As Democratic whip since 1990, WENDELL FORD found yet another way to serve his caucus and his country. Whenever there has been a need, he has stood ready to fill it. Every Democrat—indeed, every Member of the Senate—has his or her own story to tell about how WENDELL FORD has made a powerful and positive contribution to this institution and to the Nation.

On a personal note, let me say that WENDELL has been a very special friend to my wife Linda and me. He has been a constant source of wisdom, of strength and perspective. I must say, I could not possibly express the gratitude that I feel for the great blessing that that friendship has meant to me now over all these years.

Years from now, when we are all gone from here, a new Senator will open the desk now occupied by Senator FORD and see his name carved there. He or she will be reminded not just of what this Senate was, but what it can be. As he looks at the names of Henry Clay and WENDELL FORD, and recognizes the greatness that that desk represents now, not caring much about who gets the accomplishment credit but just who gets the work done, they, as we, will thank WENDELL FORD for his contribution, for his vision, for his commitment to public service, and for his friendship.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. DOMENICI. On behalf of the majority leader, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, March 13, the Federal debt stood at \$5,362,035,571,060.06.

Five years ago, March 13, 1992, the Federal debt stood at \$3,854,493,000,000.

Ten years ago, March 13, 1987, the Federal debt stood at \$2,246,983,000,000.