want to hear that the chairman did this by fiat, or the chairman—which he is capable of doing—got the ranking member in and convinced him, or has mesmerized him into changing his view. That is not true—possible, but not true. That is not what happened. The administration was either in the room or informed of everything we have done on this point. They, like me, believe that this is the best we can get and that it can get the job done.

Now, I say to some of my colleagues, very bluntly—I will state it on the record—they say that they think the administration is wrong as well. Well, look, I have to sign on with some team here, you know. They are the ones running the show. They are the ones with the expertise. They know a lot more about what is needed to satisfy the 150 some nations of the United Nations. I take their word for it and I believe they are correct—substantively correct—that it can be done. The administration doesn't love this; I don't love it; the chairman doesn't love it. But that's what this legislation is about. That is why we have a Congress. That is how it is supposed to work to arrive at a consensus.

Let me conclude by saying, Mr. President, that I have been here a long time. I have worked on a lot of big bills. I have been, like the chairman of the committee, in the majority and the minority. I like one better than the other. I have been both places, and I have been in both places twice. As I said, I have had the responsibility on my side of the aisle of shepherding through some very comprehensive legislation, not the least of which was the crime bill. But I think if the chairman of the committee and I stood here in January, the first week we were in session, and said that JESSE HELMS of North Carolina and JOE BIDEN of Delaware are going to sit down in a room over the next 5 or 6 months and work out an entire package on how to deal with all this—when is the last time we passed an authorization? It was in 1994. That was the last time we passed any legislation to pay arrearages. It was the last time we got any consensus on how to reorganize. Well, we have done that. We both may be wrong, but we have done it.

We have brought to the floor a comprehensive package. So that I don't confuse anybody, the most important thing to me is, first of all, to maintain my principle, and, second, to maintain the commitments I make. There are going to be amendments on this floor that I would like to vote for. For example, my friend from Indiana, Senator LUGAR, one of the most informed men in the United States of America on foreign policy, believes, as I do, that we should dedicate more than $819 million toward paying our arrearages. As a matter of fact, I am the guy who called him when I thought my friend from North Carolina and I could not work out an agreement, and said, ''If I introduce an amendment to raise the arrearages, will you vote for me in committee?'' But then the chairman came along and said, ''I will agree.'' I ended up voting against my friend from Indiana in the committee to raise the number higher. I did that because I made a commitment.

This is an overall package, all of this. It is not fair for me to say to the ranking member or to the chairman, who has made significant concessions from his former positions, I want to take this one piece out of the overall agreement and still keep the agreement, any more than it would be fair for him to go into a committee and vote to reduce the number from $819 million to $600 million. He will not do that to me, and I will not do that to him. This is not a matter of us making a personal deal. This is meeting the commitment given to us by the Senate: Can we put together a bipartisan consensus on this?

I want to announce to everybody that I am probably going to be casting votes here, and I will state why at the time—they may say, ''How can BIDEN vote that way?'' If it stood all by itself, I probably would not vote that way. But I believe the package we brought for the Senate's consideration is serious, balanced, important to the foreign policy of this Nation, and workable. I will stick with it. It is not a perfect bill. Like any document that is the result of negotiations between two opposing parties, it represents compromise and it contains some elements that neither of us like. But it represents, in my judgment, an incredibly constructive compromise. I urge my colleagues to support it.

Mr. President, unless my friend from North Carolina wishes to take the floor, I have nothing further to say.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. HELMS. Mr. President, I shall not devote a lot of time to expressing my appreciation to Senator BIDEN. He knows how I feel. Beginning in January, he is correct, I wasn't sure that we would work this out. He is a fair man, and I try to be. As I look back on it, it was an inspiring experience for me. I thank him, and I hope we can expedite the proceedings from now on.

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

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

Mr. HELMS. Mr. President, the bill is open for amendment. This is a good time for Senators who have amendments—and I hope only a few, if any, do, but I expect there will be some—this would be a good time for them to come over. We will accord them as much time as they need. But I say with all the earnestness that I have, it would be helpful if Senators will come and offer their amendments because the bill is open to amendment at this time.

I thank the Chair, 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. SESSIONS. Mr. 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. Mr. President, I ask unanimous consent to proceed for 15 minutes as if in morning business.

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

FIGHTING JUVENILE CRIME

Mr. SESSIONS. Mr. President, we are facing a crisis in juvenile crime in America. At no time in our Nation's history have we experienced such severe and pervasive juvenile violence.

The statistics tell a frightening story. From 1983 to 1992—in just 9 years—juvenile arrests for violent crimes increased 57 percent. Specifically, juvenile arrests for aggravated assaults increased 95 percent while juvenile arrests for murder rose 128 percent. To put it in more concrete terms, over 2 million juveniles are arrested each year, many for violent crimes. In 1995 alone, teenagers committed almost 4,000 murders. Sadly, the worst is yet to come.

A huge demographic explosion will occur early next century. By 2006 the teenage population will top 30 million, the most in 30 years. Respected criminologists, such as James Q. Wilson and Marvin Wolfgang, agree that this demographic bulge could have a disastrous effect because of the large increase in young males in their crime-prone years. The number of juveniles will increase 31 percent by the year 2010. Experts predict this increase, particularly in young males, will mean at least 3,000 more murderers, rapists, and muggers on the streets than exist today. A U.S. Department of Justice report confirms these dire predictions. The Justice report estimates that by the year 2010 juvenile arrests for violent crime will more than double.

So today I want to discuss how we can help the States fight juvenile crime. As chairman of the Youth Violence Subcommittee of the U.S. Senate Judiciary Committee, I am greatly interested in crafting a bipartisan juvenile justice bill. But before we begin, let's face the facts.

The Federal Government has only a limited role in fighting juvenile crime. Ninety-nine percent of all juvenile

cases are tried in State courts. I believe that S. 10 is a great bill because its primary focus is aimed at helping the States fight juvenile crime.

So today there are three main provisions of S. 10 that I would like to talk about and to highlight, and which I think we ought to consider: drug testing, the expansion of juvenile detention facilities, and recordkeeping.

S. 10—the Hatch-Sessions bill—deals with these important problems in an effective way. First, let's talk about drug testing. S. 10 provides the States block grants to fight juvenile crime. One of the requirements to receive the block grants is that States make reasonable efforts to drug test all juveniles arrested for a felony. There is no provision in S. 10 more important, in my opinion, than drug testing.

Drug testing is one of the most important diagnostic and rehabilitative tools available in fighting crime. Mr. Eric Holder, President Clinton's nominee for Deputy Attorney General, who testified just last week before the Judiciary Committee, stated that drug testing provided vital information for dealing with juveniles who have been arrested, and that when he served as a Federal judge he tested all arrestees.

Drug testing is so important because it allows authorities to identify a drug problem before the juvenile becomes hopelessly addicted. It tells the parents what may have driven this young person to become involved in crime. It helps the judge to craft an appropriate sentence and appropriate police conditions. It helps the probation officer conduct appropriate supervision of these young offenders. However, many have raised a concern about the cost of drug testing requirements in S. 10. There is great bipartisan support for drug testing. The only question raised is whether or not it is too expensive. It is not. For example, a typical price charged by a commercial laboratory for a single drug test for cocaine and marijuana is $5.75. Moreover, volume purchases of drug testing equipment can reduce that price to even less than $5. Both of these figures have been verified by official price quotes from commercial laboratories.

S. 10 provides $75 million to the States to implement this drug testing provision. If the roughly 900,000 juveniles arrested last year for FBI indexed felonies were tested at $6 a test, it would cost approximately $5.4 million. It should be noted that most States already test arrestees to some extent. Therefore, the cost will be reduced significantly.

Obviously, S. 10 provides more than ample resources, not only for an initial test but for supervision followup tests as well. That is important. When a young person is released from prison, followup tests should be conducted, particularly if he has drug tendencies. A followup test can tell whether or not that child is back into an unhealthy lifestyle and headed for criminal trouble and additional time.

Another important matter is juvenile recordkeeping. Juvenile recordkeeping in America is a travesty. Most judges—whether in adult court or juvenile court—do not have access to a defendant's juvenile record because those records are either sealed or are not shared with other jurisdictions within the law enforcement community. S. 10 greatly improves juvenile recordkeeping without overstepping the Federal Government's role in juvenile crime, and without great expense. One of the few requirements in this bill is that the States make reasonable efforts to record, collect, and disseminate juvenile criminal records for the FBI just like they do for all adult cases.

In order to ease the burden on the States, we provide funds to help them upgrade their juvenile justice record system. We have estimates from organizations that specialize in recordkeeping that State juvenile records can be updated and sent to the FBI for roughly $50 million.

I believe S. 10 provides the States with more than sufficient resources to accomplish this goal. And please note that this bill in no way mandates the States to open their cases. Each State will make its own decision. It simply says that the law enforcement community, through the National Crime Information Center computer system, will have arrests and convictions for serious felonies by juveniles. Those records are only available for law enforcement and judicial purposes.

The following is a true story that illustrates the problem we are talking about. A 15-year-old was arrested and pled guilty to armed robbery. Previously, he had been arrested several times for violent crimes in a different State. Unfortunately, the presiding judge did not have access to these prior arrest records because they were not part of the National Crime Information Center computer system.

Despite the fact that he had pled guilty to a violent crime, the judge decided to release him after being assured that he would be going into a residential facility. Soon after that young offender was released, he shot and paralyzed a police officer during an attempted theft. There is no doubt that the judge would not have released him, had he had access to that juvenile's prior record of violent crime. The lack of access to juvenile records in this case directly contributed to a tragic crime. When a probation officer supervises a young offender, he needs to know the young offender's criminal history. It is simply illogical that we fail to maintain those records in a readily accessible way.

Reporting juvenile records to a national clearinghouse will provide law enforcement officers and judges across this Nation with accurate criminal history information. This will serve to protect law enforcement personnel when they are dealing with juvenile suspects and defendants, as well as provide necessary information to the judiciary.

One proper role for the Federal Government, in law enforcement, is to serve as a national clearinghouse for information. Our proposal fulfills such a role and in the process dramatically improves our juvenile justice system.

There is another matter of importance. The Hatch-Sessions bill helps States improve their juvenile detention centers. The bill provides matching grant money to the States for the construction and renovation of juvenile detention facilities. In the last 20 years, juvenile prison construction has not kept pace with the tremendous increase in juvenile crime. While States and the Federal Government have increased adult prison capacity significantly, the construction of juvenile facilities has been neglected consistently.

Ladies and gentlemen of the Senate, if crime is to be reduced, we must increase juvenile detention and juvenile detention space. I mention crime, and not merely juvenile crime, for this reason. The line between juvenile crime and adult crime has never been so blurred. An ever-increasing amount of serious crime is committed by young offenders. By some accounts, juveniles now account for almost 20 percent of violent crime arrests and over one-third of all property crime arrests.

The following facts illustrate the need for more juvenile detention centers. Only 56 out of every 1,000 juveniles arrested are incarcerated. I repeat that. Only 56 out of every 1,000 juveniles arrested are incarcerated. We are simply not identifying the violent criminals and putting them in prison.

To put it in more concrete terms, consider this. In 1991, over 123,000 juveniles were arrested for violent crimes, yet there were less than 50,000 juvenile beds in the United States available to house them. And many repeat, habitual property criminals have to be incarcerated, too. I wish that were not so, but that is simply the fact. We have had a doubling of violent juvenile crime in less than a decade. We simply have to increase our bed space. Again, I wish that were not so.

A lack of proper juvenile detention centers eliminates the deterrent effect of the criminal justice system. When a police officer arrests an offender in a stolen car for burglarizing a person's home, and he cannot keep him even 1 night in the local jail because it is not an approved juvenile facility or because there is no space in the juvenile facility—that young offender is released back on the street. This undermines respect for the law. Not only does the young offender get the wrong impression, but so do his classmates, running-mates, and gang members. They see Billy get arrested and expect something to happen. When he is released the very same day, they get a message. It is not the message we want to convey. We simply have to step up to the plate and do more about that.

Another matter. Many of my colleagues have indicated that our bill fails to provide sufficient prevention money. I would like to point out that according to the General Accounting Office, the Federal Government currently has 131 programs administered by 16 different departments and agencies that may be used to benefit at-risk and delinquent youth. In 1995, the total cost of these programs exceeded $4 billion. We are already spending tremendous sums of Federal taxpayer money on prevention programs. I hope they work. Some of them do and some of them do not. We need to do a better job of oversight. And the States also are spending tremendous sums of money for prevention purposes. We have a juvenile justice system that is broken, and we need to fix it.

Here is a chart which shows the huge number of programs and the total dollars—$4 billion—being spent right now with Government appropriated funds for at-risk and delinquent youth. This bill has prevention matters in it, but it is also focused primarily on changing our juvenile justice system from a state of collapse into an effective system that will actually work to deter crime.

There are 21 gang intervention programs, 35 mentoring programs, 42 job training assistance programs, 47 counseling programs, 44 self-sufficiency programs, 53 substance abuse intervention programs. Each of these programs is already being funded in an effort to help at-risk young people not get caught up in a life of crime. The penalty imposed for every act of wrongdoing, starting from that first offense, is in itself prevention.

Mr. President, 61 percent of the juveniles brought into the juvenile court system are 15 years of age or younger. These juveniles may still be amenable to discipline. However, there is currently little respect for our State juvenile system because the juvenile judges have little resources and almost no bed space to carry out the sanctions they would like to impose. S. 10 will assist the States in rectifying this deficit in resources.

So, Mr. President, I have mentioned only three provisions of the bill today but there are many more. There is a tough antigang provision that has great potential to crack down on gangs; historic reforms of Federal procedures to make cases more easily prosecutable in Federal court; elimination of unwise Federal mandates; requirements for local juvenile crime, advisory committee groups, and I just noticed the Senator from Delaware has arrived. This provision is modeled after a provision he put in the law a number of years ago to require the local court system to get together to discuss civil case processing.

We believe, and I think Senator BIDEN agrees, that if we are going to give money to a local juvenile court system, we ought to at least ask that the judge, the prosecutor, the sheriff, and the police chief get together and discuss just how well their system is working and what they can do to make that system work better.

I appreciate the consistent leadership over the years that Senator BIDEN has provided. He is the ranking member of the Juvenile Justice Subcommittee, and his contributions were very valuable in putting together a bill that I believe eventually will be a historic step forward in juvenile justice. I believe that this is the most significant juvenile crime bill in over 20 years. Our juvenile justice system is broken. These are sound, thoughtful, practical and effective provisions that will help fix a broken system.

Mr. President, I urge my colleagues as time goes by to give the highest consideration to this legislation and urge their support of its passage.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

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

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

Mr. BIDEN. Mr. President, I will say at the outset I will cease if anyone comes to the floor. I am acting in a bit of a dual capacity here. I am comanaging the bill that is before us. We are waiting for some of our colleagues to come over with amendments. But in the meantime let me before the Senator from Alabama leaves the floor acknowledge and thank him for his acknowledgement of my efforts in this area and thank him for the knowledge he has brought to this body as a former prosecutor, an attorney general in his State, and as a former U.S. attorney running a Federal operation in his State as well, and for the vigor with which he has attacked the obvious problem. It is only of late that most people are acknowledging we should be focusing on juvenile crime. He in his capacity within his State both as a Federal official and a State official has been focused on it for some time. He and I have some outstanding disagreement on how to approach this, but we are substantially in agreement.

A LESSON FOR ALL OF US

Mr. BIDEN. Mr. President, with your permission, rather than immediately comment on the same subject matter, I ask, as we used to say in the Senate, a point of personal privilege. I would like to comment on a story that was published in my hometown newspaper that is the antithesis of problems relating to juvenile delinquency. It is a story about a family I am very close to.

I should say at the outset I am prejudiced in this regard. I have a very close relationship and high regard for the father and mother of this family, and three of the four children in this family have worked with me and are friends of my children. One of them is in this Chamber today at my request as an employee of one of our colleagues from Florida.

Mr. President, I want to tell this story because we rarely get a chance to share with our colleagues the kind of story I am about to share and, I might add, that in my almost 25 years in the Senate I have only done this on one other occasion, but I think it is just remarkable.

The story is about a family named Kimmel, the Kimmel family. Going way back, I didn't practice law with but practiced law in adjoining suites to Mort Kimmel and knew his wife Marsha. We go back now about 30 years.

Mr. President, it is the kind of story which I rarely share but my reluctance to discuss this in a public forum was increased initially because the individuals involved were such close personal friends, Mort and Marsha Kimmel and their family. I have known Mort and Marsha, as I said, for 30 years and the children have worked with me on my campaigns and have been friends with my children as well. They are among the most giving and caring people I know.

A story appeared on the front page of our largest statewide newspaper entitled ''Triumph of the Heart.'' I will ask at the appropriate time it be printed in the RECORD. It is a picture of my buddy, Mort Kimmel, and his wife and his four children. I will explain that in a minute. It is focused on a young man named Larry Spiller who is, in fact, the nephew of Mort and Marsha Kimmel.

It is really a story about Larry Spiller and his aunt and uncle and his cousins who welcomed Larry into their home and into their hearts after a severe family tragedy. I think it holds some lessons for what we all say we value but few of us practice. It is a story of selflessness, of sacrifice, and, most of all, of what being family, in my opinion, is all about.

On New Year's Eve, in 1987, the Spiller family got on an airplane—mother, father, and three children—to head to a ski trip in Vermont. Larry's father had a commercial pilot's license. He was instrument-rated but got caught while flying the family up to Vermont, after one stop and then taking off again, in a wind shear 90 feet before the runway as they were landing and the plane crashed. Larry's mother and father both died in the crash, and Larry's two brothers were mortally injured. This young man, Larry Spiller, was then 8 years old. He was the only survivor. And because he happened to have switched seats with his mom just before they attempted to land—he had been riding in the copilot seat, and his mom wanted to get up front to help his dad because of the weather—and he was seated in a seat where his back was to the pilot, I expect and most people think that is the reason why he survived.

Well, what happened was, on that awful day, there was a meeting shortly