

our best standards, knowing that we are all imperfect but have an obligation to do our very best.

In the words of Lord Mansfield in a case heard in London in 1772 (*Somersett v. Stewart*, 12 Geo. 3), the issue was a profoundly moral one. A man had a slave in England he wished returned to Jamaica to sell. That would have been legal under American law at the time. It was not legal under English law. In an epic statement, Mansfield said, "Fiat justitia, ruat coelum"—"Let justice be done, though the heavens fall." But it also could be indicated, "If justice is done with sufficient regularity and moderation, the heavens need not fall. They might even rejoice in the nation that has shown a capacity for redemption and self-renewal."

So I wish to state my profound gratitude for what you have said and done, and hope we will listen to your wise counsel. I might just say it was in so many ways representative of the very best of our Old and New Testament heritage.

I yield the floor.

The PRESIDING OFFICER. The distinguished majority leader is recognized.

Mr. LOTT. Mr. President, I was somewhat hesitant to speak at this time because I didn't in any way want to make this a partisan series of speeches, but my effort here and my intent is to make it totally nonpartisan and bipartisan.

I won't say anything today about the specifics of the substance that the Senator from Connecticut addressed. I made my comments on this subject on Monday of this week at a press conference down the hall. But I listened carefully, very intently to what the Senator from Connecticut had to say. I don't think there was very much more or less in what he had to say than what I had said earlier. I think our desire and intent, and our wishes and hopes are both the same.

Instead, I want to talk today about the Senator from Connecticut. I expected no less than this from him. He is truly one of the Senators in this body that is always standing for the right thing, trying to make sure that we do have a moral compass as individuals, as an institution. I knew that at some point he would rise and put it all into the proper perspective and that he would not go too far, that he would make us stop and think—not as Republicans or Democrats, but as Senators and Americans—about the seriousness and the difficulties that have been caused by this situation. So I want to thank the Senator from Connecticut for what he had to say, and what he has had to say on many other occasions on other subjects, and for the leadership he has provided on children and the violence and the filth they are being exposed to, and the leadership and pressure he has exerted to try to get us as a country and those involved directly in providing those films, those scenes,

to do something about it. So I thank him.

I know it was not easy. I know he has taken time to think about it and pray about it for over about 3 weeks now. I know there was probably a lot of reason not to say anything. But I also know that his conscience dictated that he had to express himself. I commend him for it and I thank him for it.

I also appreciate the fact that Senator KERREY of Nebraska and the Senator from New York, Mr. MOYNIHAN, would come here and lend his support to what the Senator from Connecticut had to say. This very day, I had lunch with the Senator from New York. Maybe the American people do not realize that we are friends off this floor and that we enjoy each other's company. And we do travel together. We get to be together with our wives and sometimes even our children. But today at lunch, with Senator MACK of Florida, Senator ROTH of Delaware, we were joined by the Senator from New York. We talked about the very serious situation in Russia. Every time he joins us, I immediately want to raise a part of the world and say, "What about India and Pakistan?" or "What about that country or this situation?" He is such a fountain of knowledge and has a wealth of experience and a tremendous understanding of history and people. I found it very informative, and I have been dwelling on what he had to say about Russia this afternoon.

I think at times like this, when our Constitution is going to be reviewed again as to what it means and when we are going to have to make decisions about what to do when we are presented with a set of facts—which may be nothing—it is going to be so important that there are some men and women on both sides of the aisle in this body, and in the other body, that can reach across the aisle and say, "What do we do?" and, most important, "What is best for our country?" With these men, and with others in this Chamber here today such as Senator HATCH, Senator COATS, Senator NICKLES, and the great STROM THURMOND, I am sure we will find a way to rise above petty politics and do the right thing, and Senator LIEBERMAN will lead the way.

I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from South Carolina is recognized.

PRAISING SENATOR LIEBERMAN

Mr. THURMOND. The Senator from Connecticut, who has just made some remarks, is one of the finest and ablest Members of this body. For as long as he has been in the Senate, and the longer I have dealt with him, I am more impressed with him. He is a member of the opposite party from me, but we can't go by party in deciding the merits of a man. We have to decide his own qualities. The Senator from Con-

necticut has impressed me as having the right qualities, which we all could emulate.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

GRATITUDE TO SENATORS LIEBERMAN, KERREY, AND MOYNIHAN

Mr. HATCH. Mr. President, in many respects, I have been pulling for the President to pull through this problem and one who had hoped that the speech he gave never would have had to have been given, and who still is very concerned about our country and how this matter is handled.

I want to express my gratitude to the distinguished Senator from Connecticut and my dear friends from Nebraska and New York, as well, for the moral compass that they have brought to the U.S. Senate floor this day, and really for the fine work they have done through the years in some of these very difficult matters.

When the distinguished Senator from Connecticut stands and speaks on these particular issues, he does so with authority because he has spoken out on so many moral issues in the past, and I think with good effect. I think it is important for all of us to reserve judgment on these matters until we have the report of Judge Starr. At that time, we can look at it and make determinations as to what should be done. There is no question that the President has been embarrassed by some of the things that have happened. There is also no question that these are difficult times for him, his wife, his daughter, and others in the administration—frankly, for all of us. Let's hope that we can approach this matter with kindness and deliberation and do the things that really need to be done in this area and, again, as the majority leader said, do what is in the best interest of our country. That may give us a number of alternatives that may be very just and worthwhile and beneficial to the country. Let's hope we choose the right path.

In any event, I express my gratitude to these members of the other party because I know how difficult it is for them to come to the floor and speak on this issue. I respect them for having done so. It is a difficult set of issues, and certainly I feel very deeply about them as well. I express my gratitude.

THE BANKRUPTCY REFORM BILL

Mr. HATCH. Mr. President, I am extremely disappointed in my good friend and colleague from Massachusetts, who has chosen to object to even proceeding to the bankruptcy reform legislation. The fact is that this Grassley-Durbin legislation has broad bipartisan support. This particular bill passed the Judiciary Committee with a 16-2 vote.

This piece of consensus legislation reflects the tireless efforts of both

Democrat and Republican Senators on the Judiciary Committee.

Mr. President, at subcommittee markup, no less than eight amendments were offered, all of which were adopted. Furthermore, at the full committee markup, 13 amendments were offered and eight of them were adopted. So there has been a real bipartisan effort to resolve the problems.

A number of changes requested by my colleagues on the minority side were included in a comprehensive substitute amendment that was adopted at the markup.

All during this process, I have been open to other changes. In fact, I worked with Senator DODD to address his concerns that the legislation may have an adverse impact on the ability of ex-spouses and children to collect support payments. Along with Senators GRASSLEY and KYL, I introduced a comprehensive amendment that creates new legal protections for ex-spouses and children who are owed child support and all money payments.

This amendment not only ensures that S. 1301 will have no adverse effect on child support and alimony payments, but also creates significant new legal protections that strengthen the ability of ex-spouses and children to collect the payments that they are owed. So we have made every effort to accommodate everybody here.

Further, I want to respond to the suggestion that this legislation does not help real working families. Mr. President, this bill does exactly that. It is an important bill that will help millions of American families. In fact, abuses of the current bankruptcy system impose a \$400 tax per family.

Let me be clear. This is not \$400 per family that declares bankruptcy; this is a tax on every American family. This legislation is designed to remedy that.

Again, I am extremely disappointed that we have not been allowed to proceed with this important bill, and I hope we can invoke cloture on this.

UNANIMOUS CONSENT REQUEST— S. 10

Mr. HATCH. Mr. President, on behalf of the majority leader, I ask unanimous consent that it be in order for the majority leader, after consultation with the Democratic leader, to proceed to Calendar No. 210, S. 10, the Violent and Repeat Juvenile Offender Act, and that it be considered under the following limitations:

The only amendments in order be a substitute amendment offered by Senators HATCH and SESSIONS, and the following listed amendments:

An amendment by Senator CAMPBELL on law enforcement concealed carry;

Senator LUGAR on jail drug treatment;

Senator HUTCHISON, SOS on prosecutions;

Senator SMITH of Oregon, juveniles with weapons at school;

Senator HATCH, relevant amendment; And, five relevant amendments offered by the minority leader or designee;

There be a managers' package of amendments to be cleared by both the majority and minority manager;

And, that each amendment be subject to relevant second degrees.

I finally ask unanimous consent following the disposition of any or all amendments the bill be read a third time, the Judiciary Committee be discharged from further consideration of H.R. 3, and the Senate proceed to its consideration; that all after the enacting clause be stricken, and the text of S. 10, as amended, be inserted in lieu thereof; the bill be read a third time, and the Senate proceed to a vote on passage of the bill. I further ask that following the vote, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

Mr. LIEBERMAN. Mr. President, reserving the right to object, I regret that on behalf of the minority leader we must object to the unanimous consent that was just propounded. On this side Members are working to try to find a way to make some progress on this matter and a number of matters related to criminal justice that also need attention. So I must, therefore, formally object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I understand my colleague is acting on behalf of the minority leader, as I am for the majority leader and the Senate Judiciary Committee. But I am disappointed that Members on the other side of the aisle do not wish to take up juvenile crime legislation under an agreement that provides the Senate chance of getting this done. We all know that time is short and the schedule crowded in the last weeks of a session, and in my view, the only way we can get this important bill done is to work in good faith to limit amendments.

I would like to remind my colleagues that this issue, and this legislation are not new. It has been over a year since the Judiciary Committee completed action on S. 10, the most comprehensive reform and reauthorization of the Juvenile Justice and Delinquency Prevention Act in that law's 25 year history. Since the Judiciary Committee completed action on S. 10, we have heard many suggestions on the key provisions of this bill. Many suggestions we received were helpful, and are incorporated in the substitute amendment. And I should note for my colleagues that the minority has had the text of this substitute for well over a month. The substitute is a good faith

effort to respond to the legitimate concerns of all members, and makes changes to improve and streamline the block grant, clarify the juvenile records provisions, and improve the anti-gang provisions while ensuring the protection of the rights of law abiding citizens.

All of us have been shocked over the past several months, as our nation has witnessed a series of atrocious crimes committed by juveniles. These incidents bring home to all of us the reality of juvenile crime. And the reality is that we can no longer sit silently by as children kill children, as teenagers commit truly heinous offenses, as our juvenile drug abuse rate continues to climb. FBI data confirms the national problem of rampant juvenile violent crime. In 1996, juveniles accounted for nearly one fifth—19 percent—of all criminal arrests in the United States. Persons under 18 committed 15 percent of all murders, 17 percent of all rapes, and 32.1 percent of all robberies.

Our juvenile crime problem has taken a new and sinister direction. I can imagine few acts more heinous than some of the crimes recently committed by juveniles around the country. We seem now to be in a new era, in which juveniles are committing sophisticated adult crimes. This disturbing trend demonstrates the need to reform the juvenile justice system that is failing the victims of juvenile crime, failing too many of our young people, and ultimately, failing to protect the public.

The Senate has before it comprehensive youth violence legislation. S. 10, the Hatch-Sessions Violent and Repeat Juvenile Offender Act, was reported out of the Judiciary Committee last year on bipartisan vote, two to one vote. This legislation will fundamentally reform and redirect the role played by the federal government in addressing juvenile crime in our Nation.

S. 10 provides the framework to address the modest federal role in reforming a system that neither protects the public nor succeeds in preventing juvenile crime or rehabilitating the offenders. That is why, I believe, it has the support of law enforcement organizations such as the Fraternal Order of Police, the National Sheriffs Association, and the National Troopers Coalition, as well as the support of juvenile justice practitioners such as the Juvenile Judges Association, and victim's groups including the National Victims Center and the National Organization for Victims Assistance.

In short, S. 10 lays the groundwork for a new national approach to the problem of juvenile crime. This is not a federal approach. Indeed, much of S. 10, including the flexible block grant program, the reform of the mandates under the current JJDPA, and the reform of the federal juvenile code that applies to the handful of juvenile cases in federal court, all take their lead from successful reforms in the states.