plaintiffs will have similar claims against common defendants—a situation ripe for a profusion of class action lawsuits. By giving the Federal judiciary original jurisdiction over Y2K class actions, Congress will sentence Federal courts to overburdened caseloads far beyond the crisis that we currently face.

I want to make it clear that I recognize the seriousness of the Y2K problem and the need to address some of the related legal issues. Senators BENNETT and DODD deserve tremendous credit for their committee's assessment of how the U.S. Government is preparing for the Y2K problem.

I commend Senator MCCAIN for his forward-thinking focus on the legal ramifications of the millennium bug. But I have serious reservations about making Federal courts a clearinghouse for Y2K lawsuits of any kind. Proponents of this measure have argued that it is necessary to federalize the Y2K litigation in order to establish national uniformity in this area of the law.

This view runs counter to basic tenets of federalism. According to the National Governors' Association, 39 States currently have legislation enacted or pending that could resolve this issue at the State level. As such, the burden of proof falls on the proponents of this legislation to show why the Federal Government, contrary to two centuries of tradition of State responsibility for civil litigation, is in the best position to deal with this issue. Such an action of federalization amounts to a theft of what has traditionally been the State responsibility for these types of cases. As such, I will oppose cloture on this legislation.

Mr. President, thus far, I know of no plan whatsoever to address the massive new workload that legislative action such as the federalization of Y2K cases could impose on the Federal judiciary, particularly the U.S. district courts.

I urge my colleagues to consider not only the potential legal cases that will be generated by the Y2K challenge, but also to thoughtfully consider where those cases should best be heard. I believe the presumption should be that those cases should be heard where most of our civil litigation is heard, which is in State courts. I do not believe that the proponents of this change have effectively advocated for the necessity of changing that basic tradition in American jurisprudence.

We must be vigilant, as Members of Congress, to avoid legislative action that will increase the workload on our Federal courts without a commensurate increase in judicial resources. If we fail to do so, the end result will be justice delayed and justice denied.

I thank the Chair.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Thursday, April 29, 1999.

Thereupon, the Senate, at 6:04 p.m., adjourned until Thursday, April 29, 1999, at 9:30 a.m.