

passed overwhelmingly in the House, as it will here. I only know of two or three people who are opposed to it. That should not be enough to stop this bill.

In fact, I will join with the majority leader if he wants to bring the satellite bill up and instantly file cloture. I could get him the necessary signatures in 20 seconds. I can guarantee him that if it was necessary—and I hope that it would not be—to vote cloture, he would get far more than the 60 votes necessary for it; 90 to 95 Members of the Senate want to pass this. I hope the distinguished majority leader will allow it to come to a vote.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). In my capacity as the Senator from New Hampshire, I ask unanimous consent that the quorum be rescinded.

Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

The PRESIDING OFFICER. On behalf of the leader, I ask unanimous consent that the period for morning business be extended until 4 p.m. under the same terms as previously ordered.

Hearing no objection, it is so ordered.

In my capacity as the Senator from New Hampshire, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative assistant 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 (Mr. CRAPO). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, is the Senate currently in morning business?

The PRESIDING OFFICER. The Senate will be in morning business until the hour of 4 p.m.

REGULATING THE INTERSTATE TRANSPORT OF PRISONERS

Mr. DORGAN. Mr. President, I have introduced a piece of legislation in the Senate with my colleagues, Senator ASHCROFT from Missouri, and Senator LEAHY from Vermont. I have written this legislation with their assistance to deal with a problem that could cause and will cause and perhaps has caused significant jeopardy to Americans, American families and others.

Let me describe the circumstance. There is a young girl from North Dakota named Jeanna North. Jeanna was a wonderful 11-year-old young girl from Fargo, ND, who was brutally murdered by a man named Kyle Bell. Kyle Bell had previously been sentenced to 30 years in prison for assaulting three

other girls, had been convicted of violent acts, and then sentenced to life in prison for murdering this 11-year-old girl, Jeanna North, in Fargo, ND.

This convicted child murderer and violent offender, after being convicted and sentenced in the courts of North Dakota, was being transported to prison in another state. Apparently, folks who molest children and are convicted of crimes against children sometimes are put in prisons elsewhere because they run into problems in prison. Even in that culture they are not considered very good people, so child molesters are sent to other prisons for their own safety. This fellow named Kyle Bell, who killed young Jeanna North, was being transported to a prison in the State of Oregon.

This convicted child killer was being transported by a private company which was contracted by the State of North Dakota. Apparently—and I wasn't aware of this—there are transport companies that hire themselves to State and local governments to transport prisoners and criminals around the country. The private company's name was Transcor.

Kyle Bell was on a bus with more than a dozen other prisoners. The bus stopped in New Mexico at a gas station. One guard got out of the bus to fill the bus with some fuel, a second guard got out of the bus and went into the service station apparently to buy a hamburger or whatever one was going to buy at the food station, and two other guards fell asleep on the bus. The other guards slept on the bus.

Kyle Bell, a convicted child killer, in handcuffs and shackles—with one guard putting gas in the bus, the second guard buying food in the gas station, and the other two asleep in the front seat—Kyle Bell took a key he had in his shoe, took off his shackles and climbed out the ventilator, the roof of the bus. That bus then continued on its route. It wasn't for 9 hours, when the bus was already in Arizona, that the guards discovered this convicted child killer had escaped. Nine hours later they finally discovered he had escaped. Two hours after that, the guards finally notified law enforcement authorities.

Today this man is somewhere in this country. "America's Most Wanted" did a story last Saturday, the second they have done. Now over a month has gone by and this violent child killer is somewhere on the loose.

Why? Because a private company that is required to meet no standards at all hired itself out to haul violent criminals. If you hire yourself out to haul toxic waste interstate, I will tell you one thing: you are going to have to meet standards. If you are going to haul toxic waste, one State to another, you have to comply with reasonable standards for public safety. The same is true if you haul circus animals. The same is true if you are trucking cattle across the country. But if you truck convicted killers across the country—

no standards at all. If you want to be in that business, get your cousin, your brother-in-law, maybe a couple sons, buy a minivan and you are in business. Contract with a State or local government and you can haul violent criminals through Arizona, New Mexico, North Dakota, New Hampshire, anywhere. You do not have to meet any minimum standards. There is something wrong with that.

Senator ASHCROFT and I and Senator LEAHY are introducing a piece of legislation saying: If you are holding yourself out to do business hauling violent criminals interstate in this country, then you must meet some reasonable minimum standards.

When Kyle Bell walked away from that rest stop, he was wearing civilian clothes. Apparently, he walked into a parking lot, they think, of a shopping center. But he wouldn't have been noticed as a convicted child killer because he was wearing civilian clothes. One would ask the question: if you are hauling a convicted killer across this country, why would you not have that convicted killer in an orange suit that says "prisoner" on it? Instead, he was sitting on that bus with a key in his shoe and civilian clothing, so when he slipped out of that bus when the guards were asleep and walked into a shopping center parking lot, apparently no one noticed. So over a month has gone by and people in this country are at risk because this convicted killer is on the loose.

This young girl, Jeanna North, who died, you can imagine how her folks feel. I talked to her folks last week. The aunt and uncle of Kyle Bell, this murderer, are worried as well because he has threatened his own relatives.

The point is this: All of this has happened because a private company decides it is going to hire itself out to haul killers around the country, but there are no standards to be met. Senator ASHCROFT and I and Senator LEAHY believe the Justice Department ought to write standards—no tougher than they themselves will follow in the Federal Bureau of Prisons or the U.S. Marshals Service. Incidentally, they do transport killers all across the country. The U.S. Marshals Service has done it for years; so has the Federal Bureau of Prisons. We believe there ought to be some minimum standards that apply to these companies. The Justice Department ought to be able to establish those standards that are no greater than the standards that will be complied with by the Federal agencies themselves.

Is this, this escape of Kyle Bell, some sort of strange and unusual occurrence? No, regrettably it is not. Let me give a few examples.

Although there are no reporting requirements for private companies that haul convicted prisoners across this country, media reports indicate that in the last 3 years alone, 21 violent convicted prisoners have escaped during transport by private companies. No

Federal Bureau of Prisons prisoners have escaped during transport—none. U.S. Marshals Service—it has been years and years since the Marshals Service has had anyone escape from their custody during transport. But private companies that are unregulated and have no requirements to meet?

July 24, 1999: Two men convicted of murder escaped while being transported from Tennessee to Virginia. Two guards went into a fast food restaurant to get breakfast for the convicts. When they returned, they didn't notice the convicts had freed themselves from their leg irons. While one guard returned to the restaurant, the other stood watch outside the van, but he forgot to lock the door. The inmates kicked it open and fled. One was caught 45 minutes later; the other stole a car and was free for 8 hours before being apprehended.

July 30, 1997: Convicted rapist and kidnaper Dennis Glick escaped while being transported from Salt Lake City to Pine Bluffs, AR—again by a private company. While still in the van, Glick grabbed a gun from a guard who had fallen asleep. He took seven prisoners, a guard, and a local rancher hostage, and led 60 law enforcement officials on an all-night chase across Colorado before being recaptured the next morning.

November 30, 1997: Whatley Rolene was being transported from New Mexico to Massachusetts. He was able to remove his handcuffs and grab a shotgun while one guard was in a gas station and the other slept in the front seat. He later surrendered after a showdown with the Colorado State Patrol and a local sheriff's office.

December 4, 1987: During transport, 11 inmates escaped from a private company after overpowering a guard in the van. Among the escapees was convicted child molester Charles E. Dugger and convicted felon and former jail escapee Homer Land. Apparently, they shed their shackles by either picking their locks or using a key. The guard in the van opened the van doors to ventilate it while the other guard was inside the Burger King. The guard in the van had been on the job less than a month.

The man named Dugger was apprehended a short time later, but Homer Land forced his way into the home of a couple in Owatonna, MN, held them hostage for 15 hours, and forced them to drive into Minneapolis where they escaped when Land went into a store to buy cigarettes. He was later apprehended on a bus headed to Alabama.

August 28, 1986: A husband-and-wife team of guards showed up at an Iowa State Prison to transport six inmates, five of them convicted murderers, from Iowa to New Mexico. When the Iowa prison warden saw there were only two guards, a husband and wife, to transport six dangerous inmates, five of them convicted murderers, he responded, "You've got to be kidding me." Despite his concerns, the warden released the prisoners to the custody of

the guards when he was told the transport company had a contract to move these prisoners.

Despite explicit instructions not to stop anywhere but a county jail until reaching their destination, the guards decided to stop at a rest stop in Texas. During the stop, the inmates slipped out of their handcuffs and leg irons and overpowered the two guards. The six inmates stole the van and led police on a high-speed chase before being captured.

The escape was not even reported to the local police by the guards who were at fault but instead by a tourist who witnessed the incident.

There is clearly something wrong here. I mentioned a few of these examples. Violent prisoners are being hauled across this country, interstate transportation, without the kind of basic precautions you would expect. Again I say if you want to haul toxic waste interstate you must meet specific safety criteria. But that is not the case if you want to haul violent criminals.

What if you or your family were to drive up to a gas station and stop next to a minivan that is holding three convicted murderers being transported by some guy and his two sons-in-law to a prison in California? Is that something you would worry about? I would. People in this country ought to worry about that. There ought to be standards.

It is interesting that most of these escapes occurred when a private company stopped at a fast food place or to get fuel. Do you know what federal agencies do when they need to stop someplace? They try to only stop at a police station or jail or prison so they have decent help in making certain these folks are not going to escape during a stop.

None of this makes any sense. All of us know this is not the way to do business. The Kyle Bell escape is just the most recent. God forbid that this man should murder someone while he is out. God forbid someone is injured, hurt, or murdered during this person's escape.

This story of Kyle Bell's escape was on "America's Most Wanted," last Saturday night. I don't know whether he will be apprehended, when he will be apprehended, where he might be apprehended. But this country and its law enforcement authorities should not be having to go through this. This person should be in a maximum security prison in the State of Oregon right now. That is where he was headed. He should be serving life in prison for the killing of this 11-year-old girl. Instead, he is somewhere out there in this country, a danger to the American people because we have private transport companies that are required to meet no regulations, no minimum standards.

The legislation I have introduced is rather simple. With my colleague from the State of Missouri, Senator ASHCROFT, and my colleague, Senator LEAHY, from Vermont, I have introduced legislation that will say the Jus-

tice Department shall establish minimum standards and minimum requirements a business must meet in order to transport violent offenders. I am only talking about violent offenders. Among those would be the requirement of certain kinds of handcuffs and shackles, the requirement for violent offenders to wear easily recognized, bright clothing identifying them as prisoners, and a range of other sensible ideas.

The bill does not allow the Justice Department to impose requirements on the private sector that exceed the requirements the U.S. Marshals Service or the Federal Bureau of Prisons themselves will meet as they transport prisoners. But it seems to me reasonable, and it does to my colleagues as well, that we ought to require some basic, thoughtful, commonsense standards to be met on the part of these private companies.

I should also say that some of the companies themselves believe this is a reasonable thing to do. Some of the transport companies themselves say there needs to be some set of standards. Because when anyone can get into this business without taking reasonable precautions, we will have convicted murderers escaping and the American public will be at risk.

This legislation is supported by a wide range of organizations: The National Sheriffs Association, the American Jail Association, the California Correctional Peace Officers Association, the New York Correctional Officers and Police Benevolent Association, the North Dakota Chiefs of Police Association, the North Dakota Fraternal Order of Police, the Victims Assistance Association in my State, the Klaas Kids Foundation in California, the Megan Nicole Kanka Foundation, and others.

We call this bill Jeanna's bill. It is called Jeanna's bill in the hopes that the memory of this 11-year-old girl, Jeanna North, might serve for the Congress to pass good legislation that will impose sensible, commonsense requirements on private companies transporting violent criminals so some other family will not have to go through the agony, the heartbreak, and the sheer terror that has visited the North family—first because of the murder of their daughter, then the trial of the murderer, and now the murderer's escape.

Let us hope Congress can pass this kind of legislation and we will not in the future be seeing stories about private companies allowing convicted killers to escape while they are being transported to their life in prison in a maximum security institution.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

EXTENSION OF MORNING BUSINESS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that morning business be extended for 5 minutes.

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

HONORING RON DAYNE

Mr. FEINGOLD. Mr. President, I am on the floor today principally to continue to battle for our Wisconsin dairy industry and Wisconsin dairy farmers. As I was here today, I had a chance to reflect on something else about Wisconsin that we will be bragging about today. I come here as a proud alumnus of the University of Wisconsin-Madison. Of course, I am talking about the new career rushing record in college football just set by one of the greatest Badgers of all time, Ron Dayne.

Ron Dayne rushed his way into football glory on Saturday. After rushing for an incredible 6,181 yards in his career, he needed only 99 yards to break the record set last year by Texas's Ricky Williams.

Short runs throughout the first half brought him within yards of the record and helped his team build an early lead. Then, with 5 minutes left in the second quarter, he broke the record on a 31-yard sprint and went on to rush a total of 216 yards to help catapult the Badgers—with my apologies to my colleagues from the Hawkeye State—to a crushing 41-3 victory against Iowa.

I quote from Matt Bowen, a leading tackler for the University of Iowa, on the difficulty of stopping University of Wisconsin running back Ron Dayne. Matt said: "It's like trying to catch a couch as it tumbles down a few flights of stairs."

With this achievement, Ron Dayne has rushed his way into the front of a pack of Heisman hopefuls, and he has helped guarantee his team another trip to Pasadena on New Year's day as the undisputed champions of the Big 10. Through it all, Ron Dayne has been a model person as well as a model team player, exhibiting a modesty and dedication that make him a Badger hero for the ages.

On Saturday, as jubilant Badger football fans waved their souvenir Dayne towels in the air at Camp Randall Stadium and chanted Ron Dayne's name, they celebrated a great victory for Wisconsin, and above all they celebrated a player who does honor to his school, to himself, and to the game he has taken to a new level of excellence.

The Great Dayne, as we all him in Wisconsin, finishes his regular season career with a phenomenal record of 6,397 rushing yards. He has secured himself a lofty place in the history of college football, and a permanent place in the hearts of every Wisconsin Badger

fan. As Ron Dayne said about his incredible run into the record books, "It's kind of sinking in now. This is the best."

As a Wisconsinite and a dedicated Badger fan, I can tell you that it truly is the best, and that Ron Dayne, the best all-time rusher in college football, is a true Badger hero.

Mr. President, On Wisconsin!

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

BANKRUPTCY REFORM ACT OF 1999

The PRESIDING OFFICER. The Senate will now resume consideration of S. 625, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 625) to amend title 11, United States Code, and for other purposes.

Pending:

Feingold amendment No. 2522, to provide for the expenses of long term care.

Hatch/Torricelli amendment No. 1729, to provide for domestic support obligations.

Leahy amendment No. 2529, to save United States taxpayers \$24,000,000 by eliminating the blanket mandate relating to the filing of tax returns.

Wellstone amendment No. 2537, to disallow claims of certain insured depository institutions.

Wellstone amendment No. 2538, with respect to the disallowance of certain claims and to prohibit certain coercive debt collection practices.

Feinstein amendment No. 1696, to limit the amount of credit extended under an open end consumer credit plan to persons under the age of 21.

Feinstein amendment No. 2755, to discourage indiscriminate extensions of credit and resulting consumer insolvency.

Schumer/Durbin amendment No. 2759, with respect to national standards and homeowner home maintenance costs.

Schumer/Durbin amendment No. 2762, to modify the means test relating to safe harbor provisions.

Schumer amendment No. 2763, to ensure that debts incurred as a result of clinic violence are nondischargeable.

Schumer amendment No. 2764, to provide for greater accuracy in certain means testing.

Schumer amendment No. 2765, to include certain dislocated workers' expenses in the debtor's monthly expenses.

Dodd amendment No. 2531, to protect certain education savings.

Dodd amendment No. 2753, to amend the Truth in Lending Act to provide for enhanced information regarding credit card balance payment terms and conditions, and to provide for enhanced reporting of credit card solicitations to the Board of Governors

of the Federal Reserve System and to Congress.

Hatch/Dodd/Gregg amendment No. 2536, to protect certain education savings.

Feingold amendment No. 2748, to provide for an exception to a limitation on an automatic stay under section 362(b) of title 11, United States Code, relating to evictions and similar proceedings to provide for the payment of rent that becomes due after the petition of a debtor is filed.

Schumer/Santorum amendment No. 2761, to improve disclosure of the annual percentage rate for purchases applicable to credit card accounts.

Durbin amendment No. 2659, to modify certain provisions relating to pre-bankruptcy financial counseling.

Durbin amendment No. 2661, to establish parameters for presuming that the filing of a case under chapter 7 of title 11, United States Code, does not constitute an abuse of that chapter.

Torricelli amendment No. 2655, to provide for enhanced consumer credit protection.

Wellstone amendment No. 2752, to impose a moratorium on large agribusiness mergers and to establish a commission to review large agriculture mergers, concentration, and market power.

AMENDMENT NO. 2663

(Purpose: To make improvements to the bill)

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

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New York [Mr. MOYNIHAN] proposes an amendment numbered 2663.

Mr. MOYNIHAN. 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 107, line 7, strike "(C)(i) for purposes of subparagraph (A)—" and insert the following:

"(C) for purposes of subparagraph (A)—

"(i) if the debtor, and the spouse of the debtor in a joint case, as of the date of the order for relief, have a total current monthly income greater than the national or applicable State median family monthly income calculated on a monthly basis for a family of equal size, or in the case of a household of one person, the national median household income for one earner (except that for a household of more than 4 individuals, the median income shall be that of a household of 4 individuals, plus \$583 for each additional member of that household)—"

On page 107, lines 8 and 14, move the margins 2 ems to the right.

On page 107, line 19, strike "and" and all that follows through line 20 and insert the following:

"(ii) if the debtor and the debtor's spouse combined, as of the date of the order for relief, have a total current monthly income that does not satisfy the conditions of clause (i)—

"(I) consumer debts owed to a single creditor and aggregating more than \$1,075 for luxury goods or services incurred by an individual debtor on or within 60 days before the order for relief under this title are presumed to be nondischargeable; and

"(II) cash advances aggregating more than \$1,075 that are extensions of consumer credit under an open end credit plan obtained by an individual debtor on or within 60 days before the order for relief under this title are presumed to be nondischargeable; and