

(Docket Number TB-99-07) (RIN0581-AB75), received April 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8647. A communication from the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Minimum Financial Requirements for Futures Commission Merchants and Introducing Brokers" (RIN3038-AB51), received April 20, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8648. A communication from the Farm Credit Administration transmitting, pursuant to law, the report of a rule entitled "Loan Policies and Operations; Participations" (RIN3052-AB87), received April 17, 2000; to the Committee on Agriculture, Nutrition, and Forestry.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with a preamble:

S. Res. 272: A resolution expressing the sense of the Senate that the United States should remain actively engaged in southeastern Europe to promote long-term peace, stability, and prosperity; continue to vigorously oppose the brutal regime of Slobodan Milosevic while supporting the efforts of the democratic opposition; and fully implement the Stability Pact.

By Mr. HELMS, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Con. Res. 98: A concurrent resolution urging compliance with the Hague Convention on the Civil Aspects of International Child Abduction.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FEINGOLD (for himself and Mr. LEVIN):

S. 2463. A bill to institute a moratorium on the imposition of the death penalty at the Federal and State level until a National Commission on the Death Penalty studies its use and policies ensuring justice, fairness, and due process are implemented; to the Committee on the Judiciary.

By Mr. GORTON:

S. 2464. A bill to amend the Robinson-Patman Antidiscrimination Act to protect American consumers from foreign drug price discrimination; to the Committee on the Judiciary.

By Mr. WELLSTONE:

S. 2465. A bill to amend the Internal Revenue Code of 1986 to deny tax benefits for research conducted by pharmaceutical companies where United States consumers pay higher prices for the products of that research than consumers in certain other countries; to the Committee on Finance.

By Mr. GORTON:

S. 2466. A bill to require the United States Trade Representative to enter into negotiations to eliminate price controls imposed by certain foreign countries on prescription drugs; to the Committee on Finance.

By Mr. SPECTER:

S. 2467. A bill to suspend for 3 years the duty on triazamate; to the Committee on Finance.

By Mr. SPECTER:

S. 2468. A bill to suspend for 3 years the duty on 2, 6-dichlorotoluene; to the Committee on Finance.

By Mr. SPECTER:

S. 2469. A bill to suspend for 3 years the duty on 3-Amino-3-methyl-1-pentyne; to the Committee on Finance.

By Mr. SPECTER:

S. 2470. A bill to suspend for 3 years the duty on fenbuconazole; to the Committee on Finance.

By Mr. SPECTER:

S. 2471. A bill to suspend for 3 years the duty on methoxyfenozide; to the Committee on Finance.

By Mr. SHELBY:

S. 2472. A bill to amend the Migratory Bird Treaty Act to restore certain penalties under the Act; to the Committee on Environment and Public Works.

By Mr. GRASSLEY:

S. 2473. A bill to strengthen and enhance the role of community antidrug coalitions by providing for the establishment of a National Community Antidrug Coalition Institute; to the Committee on the Judiciary.

By Ms. SNOWE (for herself and Mr. SESSIONS):

S. 2474. A bill to amend title 10, United States Code, to improve the achievement of cost-effectiveness results from the decision-making on selections between public workforces and private workforces for the performance of a Department of Defense function; to the Committee on Armed Services.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 297. A resolution to authorize testimony and legal representation in *Martin A. Lopow v. William J. Henderson*; considered and agreed to.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FEINGOLD (for himself and Mr. LEVIN):

S. 2463. A bill to institute a moratorium on the imposition of the death penalty at the Federal and State level until a National Commission on the Death Penalty studies its use and policies ensuring justice, fairness, and due process are implemented; to the Committee on the Judiciary.

#### NATIONAL DEATH PENALTY MORATORIUM ACT OF 2000

Mr. FEINGOLD. Mr. President, I rise today to introduce the National Death Penalty Moratorium Act of 2000. This bill would place an immediate pause on executions in the United States while a national, blue ribbon commission reviews the administration of the death penalty. Before one more execution is carried out, jurisdictions that impose the death penalty have an obligation to ensure that the sentence of death will be imposed with justice, fairness, and due process. I am pleased that my distinguished colleague from Michigan, Senator LEVIN, has joined me as a cosponsor of this important initiative.

If a particular aircraft crashed one out of every eight flights, Congress would act immediately to ground it. But as New York public defender Kevin

Doyle says in the book, *Actual Innocence*, that is about what is happening now with the death penalty in this country. Since the reinstatement of the modern death penalty, 87 people have been freed from death row because they were later proven innocent. That is a demonstrated error rate of 1 innocent person for every 7 persons executed. When the consequences are life and death, we need to demand the same standard for our system of justice as we would for our airlines.

Both supporters and opponents of the death penalty should be concerned about the flaws in the system by which we impose sentences of death. More than 3,600 inmates sit on State and Federal death rows around the country, while it becomes increasingly clear that innocent people are being put to death.

A 1987 study found that between 1900 and 1985, 350 people convicted of capital crimes in the United States were innocent of the crimes charged. Some escaped execution by minutes. Regrettably, according to researchers Radelet and Bedau, 23 had their lives taken from them in error.

In Illinois, since 1973, 13 innocent people have been freed from death row in the time that 12 were executed. Governor George Ryan, a supporter of the death penalty, has done two things in response: He has effectively imposed a moratorium on executions and established a blue ribbon commission to review the administration of capital punishment in Illinois. Governor Ryan and I are from different political parties, but we both recognize that the system by which we impose the death penalty is broken.

Modern DNA testing of forensic evidence led to the exoneration of 5 of the 13 innocents freed from Illinois' death row and 8 of the 87 men and women who have been freed from death row nationwide since the 1970's. But Illinois and New York are the only states that currently provide some measure of access to DNA testing for death row inmates. My distinguished colleague from Vermont, Senator LEAHY, has introduced a bill, the Innocence Protection Act, of which I am a co-sponsor, that would ensure access to DNA testing for all inmates on death row in the Federal system and the 38 States that impose the death penalty. That bill is an important initiative to help ensure that innocents are not condemned to death. I hope my colleagues will join Senator LEAHY in moving this bill forward.

But, as Governor Ryan and others have recognized, flaws in our system unfortunately go well beyond access to DNA testing. As Barry Scheck, Peter Neufeld and Jim Dwyer note in their book, *"Actual Innocence,"*

Sometimes eyewitnesses make mistakes. Snitches tell lies. Confessions are coerced or fabricated. Racism trumps truth. Lab tests are rigged. Defense lawyers sleep.

Indeed, Scheck and Neufeld note that eyewitness error is the single most important cause of wrongful convictions.