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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, May 2, 2000, at 12:30 p.m.

Senate

TUESDAY, APRIL 25, 2000

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, in a few moments we will pledge allegiance to our flag with words that may have become faithlessly familiar with repetition. As we affirm that we are one nation under You, dear God, shake us awake with the momentous conviction that You alone reign supreme and sovereign in this Nation and very powerfully and personally in this Chamber. Give us a renewed sense of Your holy presence and fill us with awe and wonder. This is Your Senate and the Senators are here by Your divine appointment and are accountable to You for every word spoken and every piece of legislation passed. Help them and all of us who work with them to live this day on the knees of our hearts, with renewed reverence for Your presence and profound gratitude for the grace and goodness of Your providential care for our beloved Nation. May all that we say and do this day be done by Your grace and for Your glory. For You are the Lord, the Creator, and our Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable GEORGE VOINOVICH, a Senator from the State of Ohio, led the Senate in the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Arizona.

SCHEDULE

Mr. KYL. Mr. President, today the Senate will begin debate on the motion to proceed to S.J. Res. 3, proposing an amendment to the Constitution to protect the rights of crime victims, until 12:30 p.m. Following that debate, the Senate will stand in recess until the hour of 2:15 p.m. in order for the weekly party caucuses to meet. At 2:15, the Senate will proceed to a vote on the motion to invoke cloture on the motion to proceed to S.J. Res. 3. If cloture is not invoked on the motion, then a second vote will occur on cloture on the substitute amendment to the marriage tax penalty bill.

I thank my colleagues for their attention.

ORDER OF PROCEDURE

Mr. KYL. Before we begin, I will also ask unanimous consent that Senator SPECTER address the Senate for 10 minutes on an unrelated matter.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I hope in the process of the debate this week we get some information from the majority as to when we are going to be taking up the conference report on juvenile justice, when we will be taking up the conference report on the Patients' Bill of Rights, when we are going to start doing some substantive things on education. The session is winding down. We have 13 appropriations bills with which we must deal in the process. I think it would be a real shame if we finished the year without having worked on some of these issues the American public want most, including doing something about prescription drugs for senior citizens and the rest of the American public.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania has 10 minutes.

Mr. REID. Mr. President, there was a unanimous-consent request in that regard that has not been approved yet.

Mr. KYL. I wanted to note that I am sure the majority leader will be happy to respond to all of the elements the distinguished minority whip has raised when he is able to reach the floor.

Mr. REID. Mr. President, I have no objection to the Senator from Pennsylvania speaking for 10 minutes as long as the minority also has 10 minutes to speak in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RESERVATION OF LEADER TIME

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

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROTECT THE RIGHTS OF CRIME VICTIMS—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the motion to proceed to S.J. Res. 3 which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to S.J. Res. 3 proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 10 minutes.

Mr. SPECTER. I thank my distinguished colleague from Arizona for yielding me a few moments this morning.

ELIAN GONZALEZ

Mr. SPECTER. Mr. President, I have sought recognition to comment briefly on the case involving young Elian Gonzalez. At 11 o'clock this morning, Senator LOTT has scheduled a closed-door proceeding with Attorney General Reno, and there are a number of important outstanding questions which, in my view, should be addressed.

At the outset, let me make it plain that I believe and have believed that young 6-year-old Elian Gonzalez should have been reunited with his father at the earliest possible time. I believe that as a legal matter there is no real justification for any asylum proceeding to keep young Elian Gonzalez in the United States. The purpose of asylum is to protect an alien from going back to a country where he or she will be persecuted. That certainly is not the case with Elian Gonzalez. He would be adulated.

Nonetheless, I believe there are some very serious issues which have arisen that the Congress ought to address, and the most prominent of those is the manner in which Elian Gonzalez was taken into custody. In my opinion, there were less intrusive ways in which that could have been accomplished. The Immigration and Naturalization Service said that they proceeded at 5 a.m. because they did not want to have any interference from the crowd. The avoidance of interference from the crowd could have been accomplished at high noon if the crowd were to have been moved back several blocks, which is customary where people have a right to demonstrate, people have a right to express themselves, but they do not have the right to do it right at the location where there may be other interests which have to be preserved. Had the crowd been several blocks away, there would have been no difficulty in taking whatever action was deemed appropriate without the risk of having a problem with the crowd.

Once the Immigration and Naturalization Service agents were directed to move in to take custody of young Elian, they had been armed to protect themselves. But the action necessitating their being armed had very great potential for violence. It was a potential powder keg. Fortunately, there were no serious injuries. But there could have been. And it is my view that there ought to be a look by the Congress at ways to improve these procedures in the future.

The Supreme Court of the United States, in the case of Garner v. Tennessee, issued a ruling involving a Tennessee statute which involved law enforcement officers using deadly force against a fleeing felon even if that felon was unarmed. The Supreme Court of the United States held that this statute was unconstitutional because deadly force may not be used unless it is to save lives or avoid grievous bodily injury. Now, the problem with what was done by the INS in moving in with drawn weapons at 5 a.m. was that it could have triggered a chain reaction which could have led to violence. And there was really no necessity. They were not dealing with the customary INS case where they have a suspected terrorist or a violent criminal. This is not a John Dillinger who has to be taken into custody. That matter could have waited another day.

When I read the morning papers last Friday that the Department of Justice was considering moving in to take young Elian Gonzalez, I wrote to both the Attorney General and the President and expressed the view that there were a number of less intrusive alternatives which could have been undertaken. And I pressed hard at that time for them to have a court order.

When the President said the Federal court ordered Elian Gonzalez taken into custody, that is not correct. The Court of Appeals for the 11th Circuit specifically refused to decide and declined to issue an order requested by the Department of Justice to have the uncle turn over Elian to INS so he could be turned over to the father. The district court did not deal with the custody issue either, but only decided that if there were to be an application for asylum, the proper person to make that was the father and not the uncle.

On this state of the record, there is a very serious legal issue as to what authority the INS had to take Elian into custody. They certainly were not going to take him into custody to deport him because there was an order of the circuit court prohibiting that until the circuit court had decided the case.

There is, in my opinion, a need for Congress to take a look at another issue. The Department of Justice, regrettably, does not have a good record at Ruby Ridge or at Waco. I chaired the subcommittee hearings on Ruby Ridge which led to a change in the FBI rules on use of deadly force and currently am chairing a special task force of a subcommittee looking into Waco. In the context of what happened at Ruby Ridge and Waco and what happened with the potential powder keg in Miami last Saturday morning, it is my view the Congress ought to consider institutionalizing some permanent unit within the Department of Justice.

The raid, which was conducted at 5 a.m., has the potential—and it is hard to determine—of leaving very deep scars on young Elian Gonzalez. When it occurred, the question came into my mind as to why the father was not at the scene, if not present at the house, but close to the scene to assist in soothing young Elian. I think the entire matter could have been avoided had the crowd been cleared, had there been a court order, had the Government taken up the representation of the uncle's lawyer that Elian would be peacefully turned over.

In the interim, it is my hope that the proceedings in Federal court will be expedited. I ask unanimous consent that the letters I wrote to Attorney General Reno and President Clinton be printed in the RECORD at the conclusion of my statement.

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

(See exhibit 1.)

Mr. SPECTER. Mr. President, those letters set forth in some greater detail the way those hearings can be expedited. When the Million Man March occurred in 1998 in New York City, the Federal court ruled on August 26, and the court of appeals took it up on September 1 and issued a 9-page opinion the same day. In the Pentagon papers case, only 18 days elapsed from the publication of the papers until the case went through the district court, the court of appeals, and the Supreme Court of the United States. I renew my suggestion to the Department of Justice to expedite those proceedings.

Ultimately, Elian will be returned with his father to wherever they choose to go. I hope they will stay in the United States, but that is a matter for the Gonzalezes to determine. Juan Miguel Gonzalez is the father, having parental responsibility for the child, but these are issues as to the use of this extraordinary force and what should be institutionalized in the Department of Justice, which I think the Congress should look into in oversight hearings, not to attach any blame but to improve procedures and approaches for the future.

Again I thank my distinguished colleague from Arizona and yield the floor.

EXHIBIT 1

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 21, 2000.

Hon. JANET RENO,
Attorney General, U.S. Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL RENO: I am deeply concerned about reports in today's media that you may initiate action through Federal law enforcement agencies to take Elian Gonzales from the residence of his relatives in Miami and return him to his father. My concern arises from the experience at Ruby Ridge, a subject on which I chaired Judiciary

Subcommittee hearings and also on the Waco incident, on which I am now chairing a Judiciary Subcommittee on Department of Justice oversight.

In advance of any such action there are a number of alternatives which could be pursued. For example, the Court of Appeals for the 11th Circuit could be asked to expedite the appeals process. There are many precedents for prompt, expedited Circuit Court action such as that taken by the Court of Appeals for the 2nd Circuit on the Million Man March case in 1998. There, the District Court, by order dated August 26, 1998, allowed the March for September 5 and the Circuit Court heard arguments on September 1, 1998 and issued a written opinion the same day.

Another option would be to ask the Court of Appeals for the 11th Circuit to hear the case en banc which could be accomplished very promptly.

Yet another option is to ask the Supreme Court of the United States to take the case and hear it on an expedited basis which that Court has the authority to do at any time. The Pentagon Papers were published on June 12, 1971. The District Court issued a decision on June 19, the 2nd Circuit heard the case on June 22 and decided the case on June 23. The Supreme Court heard arguments on June 26 and decided the case on June 30, 1971.

In a case involving the Iranian hostages, the Solicitor General asked the Supreme Court for the United States for certification before judgment on June 10, 1981. The Supreme Court granted the request on June 11, ordered briefs within one week, heard arguments on June 24 and decided the case on July 2, 1981.

There is good reason to believe that the order of the 11th Circuit three-judge panel will be reversed for a number of reasons. One glaring error is that there is no basis for asylum for Elian Gonzales since that relief is granted when the individual faces persecution or some prospective ill treatment upon his return, which is certainly not the case with young Elian. If returned to Cuba, he will be the subject of adulation, not mistreatment.

Before resorting to action to take Elian from his Miami relatives, I urge you to seek a judicial order from the United States District Court authorizing such action by the Department of Justice. While perhaps not technically necessary, such an order might well be persuasive enough for the Miami relatives to turn Elian over voluntarily. Such an order may also be persuasive so that others would not impede Department of Justice action to take Elian from his Miami relatives.

I am sending a copy of this letter to the President, and I am sending you a copy of a letter I am writing to him.

Sincerely,

ARLEN SPECTER.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 21, 2000.

Hon. WILLIAM JEFFERSON CLINTON,
President, The White House, Washington, DC.

DEAR MR. PRESIDENT: With this letter, I am enclosing a copy of a letter which I am sending to Attorney General Reno suggesting a number of judicial remedies before any action is taken to return Elian Gonzales to his father other than through a voluntary turning over of the boy by his Miami relatives.

I am writing to you and the Attorney General without being privy to any of the ongoing negotiations, but only because of my concern about what happened at Ruby Ridge and Waco which involved incidents where I have been extensively involved in oversight of the Department of Justice by Senate Judiciary Subcommittees.

If there is to be any action taken by Federal law enforcement officials other than a voluntary turning over by the Miami relatives of Elian Gonzales, then I urge you to be personally involved and to consult with experts in the field, in addition to officials at the Department of Justice because of the deeply flawed actions taken by the Department of Justice at Ruby Ridge and Waco and in other law enforcement judgments of the Attorney General.

As noted in my letter to the Attorney General, the hand of the Federal Government can be considerably strengthened by a District Court order authorizing the Department of Justice to take Elian Gonzales from his Miami relatives and returned to his father.

It may well be that taking the potential use of force off the table would materially damage the Government's bargaining position with the Miami Gonzales family; but if force is to be used, it must be used with mature, measured judgment contrary to what was done at Ruby Ridge and Waco.

Sincerely,

ARLEN SPECTER.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I seek recognition under the 10 minutes reserved on the Democratic side.

The PRESIDING OFFICER. The Senator is recognized.

REPUBLICAN PRIORITIES

Mr. DURBIN. Mr. President, we just heard a statement from the Senator from Pennsylvania which echoes the statements of many Republicans since the reuniting of Elian Gonzalez with his father. This was a very sad situation. The Attorney General's comments indicate she made extraordinary efforts on a personal basis and through the Department of Justice to resolve the differences between the members of this family involving this 6-year-old boy.

I am sorry it came to the process that it did in the early hours of the morning on Saturday. I understand up until the very last moment, negotiations were underway with the family, with the very basic goal of reuniting this little boy with his father.

I will never know what took place in those conversations, but I can certainly understand that when the decision was made to enforce the law, to enforce the subpoena, and to move forward, those agents who went into that home were entitled to protect themselves. They did not know, going into that home, whether there was any danger inside. The fact that they were armed, of course, is troublesome in the presence of a 6-year-old boy, but I do not believe a single one of us would ask any law enforcement agent in America—Federal, State, or local—to endanger their own lives by walking into a building without adequate protection and show of force.

I hope we will put this in perspective. I have been absolutely fascinated by the Republican response to this. To consider some of the statements that have been made by Republican leaders on Capitol Hill since this event in Miami tells us a great deal about their priorities. There is a passion, there is a commitment, there is a sense of urgency to drop everything we are doing on Capitol Hill and move into a thorough investigation of this episode which occurred in the early morning hours of Saturday to decide whether or not Attorney General Reno was doing the appropriate thing in the way she approached it.

My question to the Republican majority in the Senate and the House is: Where is your passion, where is your sense of urgency, where is your commitment when it comes to the gun violence which is occurring on the streets of America every single day?

Yesterday, here in our Nation's Capital, families who gathered at the National Zoo for an annual holiday witnessed gun violence which claimed some seven victims, one of whom is now on life support and may not survive. Yet for a year—one solid year—the Republican leadership on Capitol Hill has refused to bring forward any gun safety legislation. Overnight they can call for an investigation of Attorney General Reno. Overnight they can bring her to Capitol Hill because of this question of what occurred in Miami. But for one solid year, they have been unwilling and unable to step up and do anything about gun safety to protect children and families across America.

Mr. DORGAN. Will the Senator yield?

Mr. DURBIN. No one was injured in the house of Elian Gonzalez's relatives in Miami. Thank God. But kids are injured every day across America. Twelve children are killed every day across America because of gun violence, and this Republican majority, which has this passion to investigate, ought to have the passion to legislate, to pass laws to make America safer. I would like to see some proportionality in the way they respond to the real issues facing American families.

I yield to my colleague from North Dakota.

Mr. DORGAN. Mr. President, I appreciate the Senator yielding to me.

This is a very sad chapter. It is a story of a 6-year-old child who has been used as a political football now for some many months—yes, by Fidel Castro, but also by some in this country—and it ought to stop. What happened the other morning in Miami is something none of us wants to see in this country, but it happened without violence occurring. No one was injured, and the fact is, a 6-year-old boy was restored to his father's care.

I have heard all of the stories and all of the words. I watched television last evening. I heard irresponsible statements about Waco, about storm troopers, all kinds of conjecture about secret meetings between Fidel Castro and officials in this country. Look, those things serve no purpose at this point.

This is a 6-year-old boy whose mother died and who now has been restored to the care of his father. Are there

those here who believe that a 6-year-old boy whose father loves him should not be restored to the care of his father? If so, then let's have a long debate about parental rights. I suspect they do not want to restore this young boy to the care of his father because his father is a Cuban and he will go back to Cuba and that is a Communist country. But I do not see people coming to the floor of the Senate talking much about the fate of the children in Vietnam—that is a Communist country—or the fate of the children in China—that is a Communist country.

All of a sudden, this one 6-year-old child whose mother is dead and whose father wants him, because he comes from Cuba, does not have the right to be restored to the care of his father? Something is wrong with this.

I understand there is great passion on all sides. The Attorney General was faced with an awful choice, and she made a choice. The choice she made was to use whatever show of force was necessary—not force; show of force was necessary—to prevent violence while they were able to get this boy and restore him to the care of his father.

The fact is, it worked. In a little under 3 minutes, they were able to get this boy. This boy, now we see in a smiling picture, is in his father's arms where he ought to be.

I know we can criticize Janet Reno and others till the Sun goes down and every day thereafter, but it is not going to change the fact that this boy belongs with his father. We all know that. We should not use this boy for some broader political purpose of U.S.-Cuba relations, anti-Castroism, this, that, or the other thing. This is not about Fidel Castro. This is about a 6-year-old child and his father.

Mr. LEAHY. Will the Senator yield?

Mr. DORGAN. I am happy to yield.

Mr. LEAHY. I am pleased to hear both of my distinguished colleagues talking about the necessity to protect those who go into a situation such as that. In an earlier career in law enforcement I had the experience of going on raids or arrests or hostage situations, oftentimes in the middle of the night. They are a very frightening thing.

I suspect those immigration officers and marshals also have families who worry about whether they are going to come back alive. They are entitled to some protection, too. They talk about a frightening picture of a man so intimidating that everybody would stand still. His finger was not on the trigger of his gun. If you look at the picture, the safety was on the weapon. An unarmed female INS officer, with no body armor or anything else, came in there, putting her own life at risk so the little boy would not be frightened when she picked him up. And she spoke to him in Spanish.

The Miami relatives could have avoided this. The Miami relatives took a position they wanted to help little Elian and hurt Fidel Castro. They helped Fidel Castro and hurt little Elian. They should have given him back to his father long ago. Instead, they made this whole situation necessary.

The officers who went in there are entitled to protect themselves. If I were their spouse, if I were their child, I would hope that they would. Then to accuse them of brainwashing or drugging this little boy is scandalous. These marshals, who took the little boy into their custody, are sworn to give their own life, if necessary, to protect the person they have in their custody.

They were there to protect the little boy. They did protect the little boy. He is now back with his father where he belongs.

I resent the statement of some of the Miami relatives saying these pictures of a happy child with his father are doctored, that it is not really little Elian, that they substituted someone else for him, or that the marshals drugged him. One relative even said the only reason he called his father from the airplane was because they put a gun to his head. This is outrageous.

These brave men and women, who constantly put their lives on the line to protect the people of this country, including oftentimes Members of Congress, ought to be praised.

Mr. DURBIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER (Mr. FRIST). Twenty seconds.

Mr. DURBIN. Let me close by saying I hope we will see the same passion, the same commitment, the same sense of urgency from the Republican side when it comes to gun safety legislation, when it comes to legislation for a Patients' Bill of Rights, when it comes to a prescription drug benefit, as we have seen in their passion to continue to investigate every member of the Clinton administration.

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROTECT THE RIGHTS OF CRIME VICTIMS—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The time until 12:30 p.m. shall be equally divided between the two leaders.

The Senator from Arizona.

Mr. KYL. Mr. President, this is a historic time because we are about to commence a debate on an amendment that has passed through the Senate Judiciary Committee but has not yet come to the floor of the Senate; that is, an amendment to the U.S. Constitution to protect the rights of victims of violent crime.

I am very pleased this morning, along with Senator DIANNE FEINSTEIN of California, to be making the primary case in support of this amendment.

I would like to make some opening remarks and then turn our opening time over to Senator FEINSTEIN for a discussion of the history of this amendment and much of the articulation of the need for it. But let me make a few preliminary comments.

First of all, we have heard a little bit about passion on a related matter. I can tell you there is nothing about which I am more passionate these days than supporting the rights of victims of violent crime.

According to the Department of Justice, there are over 8 million victims of violent crime in our society every year. Not enough is being done to protect the rights of these victims. They have no constitutional rights, unlike the defendants. Those accused of crime have more than a dozen rights which have been largely secured by amendments to the U.S. Constitution.

They, of course, trump any rights that States, either by statute or State constitutional provision, grant to the victims of crime.

It is time to level the playing field, to balance the scales of justice, and provide some rights for victims of crime. These are very basic and simple rights, as Senator FEINSTEIN will articulate in just a moment.

To secure basic rights to be informed and to be present and to be heard at critical stages throughout the judicial process is the least that our society owes people it has failed to protect.

Thirty-two State constitutional amendments have been passed by an average popular vote of nearly 80 percent. Clearly, the American people have developed a consensus that the rights of crime victims deserve protection.

Unfortunately, these State provisions have not been applied with sufficient seriousness to ensure the protection of these victims of crime.

Let me note some quotations, first from the Attorney General of the United States, and then from attorneys general—these are the law enforcement officials of our country—and the Governors, who, of course, are the chief executives of the various States.

Attorney General Reno explained, in testimony before the Senate Judiciary Committee:

> Efforts to secure victims' rights through means other than a constitutional amendment have proved less than fully adequate. Victims' rights advocates have sought reforms at the State level for the past 20 years. However, these efforts have failed to fully safeguard victims' rights. These significant State efforts simply are not sufficiently consistent, comprehensive, or authoritative to safeguard victims' rights.

Legal commentators have reached the same conclusion.

For example, Harvard law professor Laurence Tribe has explained that the existing statutes and State amendments ''are likely, as experience to date sadly shows, to provide too little real protection whenever they come into conflict with bureaucratic habit, traditional indifference, sheer inertia, or any mention of an accused's rights regardless of whether those rights are genuinely threatened.''

According to a December 1998 report from the National Institute of Justice, the victims are denied their rights. The report concluded that:

Enactment of state laws and state constitutional amendments alone appear to be insufficient to guarantee the full provision of victims' rights in practice.

The report went on to note numerous examples of how victims were not given rights they were already supposed to be given under State provisions.

For example, even in several States identified as giving strong protection to victims' rights, fewer than 60 percent of the victims were notified of the sentencing hearing, and fewer than 40 percent were notified of the pretrial release of the defendant. That can be a serious matter to a victim of crime. A followup analysis of the same data found that racial minorities are less likely to be afforded their rights under the patchwork of existing statutes.

According to a letter, dated April 21 of this year, signed by 39 of the State attorneys general:

We are convinced that statutory protections are not enough; only a federal constitutional amendment will be sufficient to change the culture of our legal system.

A 400-page report by the Department of Justice on victims' rights and services concluded that:

[t]he U.S. Constitution should be amended to guarantee fundamental rights for victims of crime.

The report continued:

A victims' rights constitutional amendment is the only legal measure strong enough to rectify the current inconsistencies in victims' rights laws that vary significantly from jurisdiction to jurisdiction on the state and federal levels.

For those who are concerned that somehow a Federal constitutional amendment would impinge upon States rights other than noticing, of course, that 75 percent of the States would have to approve such a constitutional amendment for it to go into effect, let me refer to a resolution of the National Governors' Association, which passed by a vote of 49–1, strongly supporting a constitutional amendment.

It stated:

Despite . . . widespread state initiatives, the rights of victims do not receive the same consideration or protection as the rights of the accused. These rights exist on different judicial levels. Victims are relegated to a position of secondary importance in the judicial process.

The resolution also stated:

The rights of victims have always received secondary consideration within the U.S. Judicial process, even though states and the American people by a wide plurality consider victims' rights to be fundamental. Protection of these basic rights is essential and can only come from a fundamental change in our basic law: the U.S. Constitution.

That is it. Despite the well-meaning intention of judges, prosecutors, and others who fundamentally agree that victims need these rights of basic fairness in our criminal justice system, as the evidence has overwhelmingly demonstrated, they are just not getting that kind of fair treatment, despite the best efforts of all these people. That is why, after 18 years, the conclusion has been reached by so many that the only way to guarantee these rights is by placing them in the U.S. Constitution where defendants' rights have also been amended into existence.

We all know it shouldn't be easy to amend the Constitution, but we have been very careful to communicate with prosecutors and others who are familiar with the issues. After 63 drafts, we think we have it right. We think we have a very tightly drawn amendment, which Senator FEINSTEIN will explain in just a moment, that protects these rights without denigrating whatsoever the rights of the defendants or those accused of crime.

Our amendment has 42 cosponsors in this body, a bipartisan group of Democrats and Republicans. We have 39 State attorneys general who have signed a strong letter in support. Our Presidential candidates, both current and past, have strongly supported a crime victims' rights amendment, as have groups such as Parents of Murdered Children, Mothers Against Drunk Driving, the National Organization for Victim Assistance, and others.

I thought it would be appropriate to recognize the President of the United States, who said in a very strong statement before a number of crime victims' rights groups:

I strongly believe that victims should be central participants in the criminal justice system, and that it will take a constitutional amendment to give the rights of victims the same status as the rights of the accused.

He also said the following, which I think represents the views of all of us in this body:

I do not support amending the Constitution lightly; it is sacred. It should be changed only with great caution and after much consideration. But I reject the idea that it should never be changed. Change it lightly and you risk its distinction. But never change it and you risk its vitality.

But this is different. This is not an attempt to put legislative responsibilities in the Constitution or to guarantee a right that is already guaranteed. Amending the Constitution here is simply the only way to guarantee the victims' rights are weighed equally with defendants' rights in every courtroom in America.

Mr. President, that is all we ask.

I ask unanimous consent to print in the RECORD three pages of groups that strongly support our amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CRIME VICTIMS' RIGHTS AMENDMENT SUPPORTERS

PUBLIC OFFICIALS

42 cosponsors in the U.S. Senate (29R; 13D), Former Senator Bob Dole, Representative Henry Hyde, Texas Governor George W. Bush, California Governor Gray Davis, Arizona Governor Jane Hull, Former U.S. Attorney General Ed Meese, Former U.S. Attorney General Dick Thornburgh, Former U.S. Attorney General William Barr, The Republican Attorneys General Association, Alabama Attorney General Bill Pryor, Alaska Attorney General Bruce Botelho, Arizona Attorney General Janet Napolitano, California Attorney General Bill Lockyer, Colorado Attorney General Ken Salazar, Connecticut Attorney General Richard Blumenthal, Delaware Attorney General M. Jane Brady, Florida Attorney General Bob Butterworth, Georgia Attorney General Thurbert E. Baker, Hawaii Attorney General Earl Anzai.

Idaho Attorney General Alan Lance, Illinois Attorney General Jim Ryan, Indiana Attorney General Karen Freeman-Wilson, Kansas Attorney General Carla Stovall, Kentucky Attorney General Albert Benjamin Chandler III, Maine Attorney General Andrew Ketterer, Maryland Attorney General J. Joseph Curran, Jr., Michigan Attorney General Jennifer Granholm, Minnesota Attorney General Mike Hatch, Mississippi Attorney General Mike Moore, Montana Attorney General Joseph P. Mazurek, Nebraska Attorney General Don Stenberg, New Jersey Attorney General John Farmer, New Mexico Attorney General Patricia Madrid, North Carolina Attorney General Michael F. Easley, Ohio Attorney General Betty D. Montgomery, Oklahoma Attorney General W.A. Drew Edmondson, Oregon Attorney General Hardy Meyers, Pennsylvania Attorney General Mike Fisher, Puerto Rico Attorney General Angel E. Rotger Sabat.

South Carolina Attorney General Charlie Condon, South Dakota Attorney General Mark Barnett, Texas Attorney General John Cornyn, Utah Attorney General Jan Graham, Virgin Islands Attorney General Iver A. Stridiron, Virginia Attorney General Mark Earley, Washington Attorney General Christine O. Gregoire, West Virginia Attorney General Darrell V. McGraw Jr., Wisconsin Attorney General James Doyle, Wyoming Attorney General Gay Woodhouse, Alaska State Legislature.

LAW ENFORCEMENT

Federal Law Enforcement Officers Association, Law Enforcement Alliance of American (LEAA), American Probation and Parole Association (APPA), American Correctional Association (ACA), National Criminal Justice Association (NCJA), National Organization of Black Law Enforcement Executives, Concerns of Police Survivors (COPS), National Troopers' Coalition (NTC), Mothers Against Violence in America (MAVIA), National Association of Crime Victim Compensation Boards (NACVCB), National Center for Missing and Exploited Children (NCMEC), International Union of Police Associations AFL–CIO, Norm Early, former Denver District Attorney, Maricopa County Attorney Rick Romley, Pima County Attorney Barbara Lawall, Shasta County District Attorney McGregor W. Scott, Steve Twist, former chief assistant Attorney General of Arizona.

California Police Chiefs Association, California Police Activities league (CALPAL), California Sheriffs' Association, Los Angeles County Sheriff Lee Baca, San Diego County Sheriff William B. Kolender, San Diego Police Chief David Bajarano, Sacramento County Sheriff Lou Blanas, Riverside County Sheriff Larry D. Smith, Chula Vista Police Chief Richard Emerson, El Dorado County Sheriff Hal Barker, Contra Costa County Sheriff Warren E. Rupf, Placer County Sheriff Edward N. Bonner, Redding Police Chief Robert P. Blankenship, Yavapai County Sheriff's Office, Bannock County Prosecutor's Office, Los Angeles County Police Chiefs' Association.

VICTIMS

Mothers Against Drunk Driving (MADD), National Victims' Constitutional Amendment Network (NVCAN), National Organization for Victim Assistance (NOVA), Parents of Murdered Children (POMC), Mothers Against Violence in America (MAVIA), Justice for Murder Victims, Crime Victims United of California, Justice for Homicide Victims, We Are Homicide Survivors, Victims and Friends United, Colorado Organization for Victim Assistance (COVA), Racial Minorities for Victim Justice, Rape Response and Crime Victim Center.

Stephanie Roper Foundation, Speak Out for Stephanie (SOS), Pennsylvania Coalition Against Rape (PCAR), Louisiana Foundation Against Sexual Assault, KlaasKids Foundation, Marc Klaas, Victims' Assistance Legal Organization, Inc. (VALOR), Victims Remembered, Inc., Association of Traumatic Stress Specialists, Doris Tate Crime Victims Bureau (DTCVB), Rape Response & Crime Victim Center, John Walsh, host of ''America's Most Wanted'' Marsha Kight, Oklahoma City bombing victim.

OTHER SUPPORTERS

Professor Paul Cassell, University of Utah School of Law, Professor Laurence Tribe, Harvard University Law School, Professor Doug Beloof, Northwestern Law School (Lewis and Clark), Professor Bill Pizzi, University of Colorado at Boulder, Professor Jimmy Gurule, Notre Dame Law School, Security on Campus, Inc., International Association for Continuing Education and Training (IACET), Women in Packaging, Inc., American Machine Tool Distributors' Association (AMTDA), Jewish Women International, Neighbors Who Care, National Association of Negro Business & Professional Women's Clubs, Citizens for Law and Order, National Self-Help Clearinghouse, American Horticultural Therapy Association (AHTA), Valley Industry and Commerce Association.

Mr. KYL. In terms of specific letters of support and so on, we will hear about that at a later time.

I conclude my statement by saying it has been a great pleasure for me to work on a bipartisan basis with Senator DIANNE FEINSTEIN who, as have I, has spent the better part of 4 years honing and crafting this amendment, working with victims' rights groups, visiting with fellow Senators, Members of the House of Representatives, representatives of the White House, the Department of Justice, and many others in an effort to ensure that the amendment we present to the Senate today is the very best possible product we could present.

We are always open to more suggestions. We have never closed the door to additional suggestions by people who in good faith wish to make sure this amendment will do what we want it to do, without, of course, taking away the rights of defendants. We remain committed to that proposition.

Over the next several days, obviously, we will hear from opponents. We are delighted to hear their comments and to visit with them about suggestions they may have. At the end of the day, as all of the statements I have read suggest, there is no alternative. There is only one way to protect the victims of violent crime; that is, through adoption of a Federal constitutional amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, had the Senator from Arizona completed his remarks?

Mr. KYL. I have completed my opening statement. I don't think there is a specific agreement. The time is divided equally.

The PRESIDING OFFICER. The time is equally divided between Senator KYL and Senator LEAHY.

Mr. LEAHY. Mr. President, normally I would speak at this point, under the usual procedure, following the majority floor leader. I know the distinguished Senator from California wishes to speak. I will not follow the normal procedure and speak but allow her to go forward. Then I will claim the floor after her speech.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank our ranking member for this opportunity. It gives an opportunity for the Senator from Arizona and me to explain the amendment. I very much appreciate that.

Providing constitutional rights for victims of violent crime has been at the top of my list of priorities as a Senator from California. I will take a few moments to explain why.

I thank our colleague, Senator KYL, for his leadership in bringing this issue to the forefront and working so closely with me in a bipartisan way over the past 4 years through two Congresses. I believe this is what voters sent us here to do, to work together, Republicans and Democrats, House and Senate, to find solutions to the problems ordinary Americans face every day. Indeed, ordinary Americans do find problems in the criminal justice system.

There were about 9 million victims of violent crimes in 1996, when we began this effort, and each of the 4 years since that time in the United States. Many of these victims were actually victimized a second time by the criminal justice system. They were kept in the dark about their case. They were excluded at the trial. They were unable to express their concerns for their safety when a decision was made to release their attacker. It is for these victims we are fighting for this amendment to the Constitution of the United States.

There are those who say the Constitution is a static document; it is a perfect document; it should not be changed. There are those who say it should not be changed easily. There are those who say it should not be changed without need. We are in the latter two. We believe we have a serious amendment, and we believe we can demonstrate the need for this change.

The amendment we propose today meets a situation, the situation that when the Constitution of the United States was written in 1789, there were but 4 million people in 13 colonies. Today we are over 250 million people, and victims of violent crimes alone amount to over 9 million a year.

When the Constitution was written, it was a different day. In 1791, the Bill of Rights was written. Between the text of the Constitution and the text of the Bill of Rights, a number of rights were provided to the accused, rights to protect them against an overeager, overzealous, and overambitious Government. We all know what they are: The right to counsel, to due process, to a speedy trial, against double jeopardy, against self-incrimination, against unreasonable searches and seizures, the right to have warrants issued upon probable cause, the right to a jury of peers, the right to be informed, and so on.

Victims were entirely left out, and when the Constitution and the Bill of Rights were written in 1789 and 1791, there were essentially no rights provided to victims in the United States. There was good reason for it. I want to say why that took place.

When the Constitution was written, in America in the late 18th century and well into the 19th century, public prosecutors did not exist. Victims could, and did, commence criminal trials themselves by hiring a sheriff to arrest the defendant, initiating a private prosecution. The core rights of our amendment to notice, to attend, to be heard were inherently made available to a victim of a violent crime. As Juan Cardenas, writing in the Harvard journal of law and public policy, observed:

> At trial, generally, there were no lawyers for either the prosecution or the defense. Victims of crime simply acted as their own counsel, although wealthier crime victims often hired a prosecutor.

Gradually, public prosecution replaced the system of private prosecution. With the explosive growth of crime in this country in recent years, it became easier and easier for the victim to be left aside in the process.

As other scholars have noted:

> With the establishment of the prosecutor the conditions for the general alienation of the victim from the legal process further increased.

Mr. President, this began to happen in the mid 19th century, around 1850, when the concept of the public prosecutor was developed in this country for the first time.

> The victim is deprived of his [or her] ability to determine the course of a case and is deprived of the ability to gain restitution from the proceedings. Under such conditions, the incentives to report crime and to cooperate with the prosecution also diminished. As the importance of the prosecution increases, the role of victim is transformed [in our country] from principal actor to a resource that may [or may not] be used at the prosecutor's discretion.

Those aren't my words; those are words of Fredric Dubow and Theodore Becker in ''Criminal Justice and the Victim.''

So we see why the Constitution must be amended to guarantee these rights. There was no need to guarantee them in 1789 and 1791, when the Bill of Rights was added. We see that the criminal justice system has changed with the

evolution of the concept of the public prosecutor, and we see that America has changed. The prevalence of crime has changed. The number of victims has changed. So creating the need and circumstance to respond to these developments and to restore balance in the criminal justice system by guaranteeing certain basic rights of violent crime victims in the United States is what we seek to do.

Those rights would be as follows: The right to notice of proceedings; the right not to be excluded from proceedings; the right to be heard at proceedings, if present; the right to submit a statement; the right to notice of release or escape of an attacker. For me, that is a central point and how I got involved in this movement. Also, there is the right to consideration in ensuring a speedy trial; the right to an order of restitution ordered by a judge; the right to consideration of safety in determining any conditional release. Those are basic, core rights that we would give to a victim of violent crime to be balanced against the rights of the accused.

Senator KYL mentioned that among our supporters are Prof. Laurence Tribe of the Harvard Law School. Professor Tribe is a noted constitutional expert. Let me quote portions of his testimony from the House hearing on the amendment:

> The rights in question—the rights of crime victims not to be victimized yet again through the processes by which government bodies and officials prosecute, punish, and release the accused or convicted offender—are indisputably basic human rights against government, rights that any civilized system of justice would aspire to protect and strive never to violate.
>
> Our Constitution's central concerns involve protecting the rights of individuals to participate in all those government processes that directly and immediately involve those individuals and affect their lives in some focused and particular way. . . . The parallel rights of victims to participate in these proceedings are no less basic, even though they find no parallel recognition in the explicit text of the U.S. Constitution.
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> The fact that the States and Congress, within their respective jurisdictions, already have ample affirmative authority to enact rules protecting these rights is. . .not a reason for opposing an amendment altogether. . . . The problem, rather, is that such rules are likely, as experience to date sadly shows, to provide too little real protection whenever they come into conflict with bureaucratic habit, traditional indifference, sheer inertia, or any mention of an accused's rights regardless of whether those rights are genuinely threatened.

Now, some people would say, ''Let's pass another Federal statute.'' To them, I say: Been there, done that. We did that twice—in the case of the Oklahoma City bombing—and the judge ignored the Federal statute both times. According to the FBI, 98.4 percent of violent crimes are prosecuted in State courts. So why a Federal statute won't work is that even the broadest Federal statute would affect only 1 percent of the victims of violent crimes in this Nation. And then that statute could, in effect, be trumped at any time by the constitutional amendment provided to the accused.

The attorneys general of 37 States, Puerto Rico, and the Virgin Islands have all signed a letter with this statement:

> We are convinced that statutory provisions are not enough. Only a Federal constitutional amendment will be sufficient to change the culture of our criminal justice system.

Let me tell you, very personally, why I believe this to be very necessary. Let me take you back to my life in San Francisco in the 1970s. In 1974, in my home city, a man by the name of Angelo Pavageau broke into the house of Frank and Annette Carlson in Portrero Hill. Mr. Pavageau tied Mr. Carlson to a chair, murdered him by beating him with a hammer, a chopping block, and a ceramic vase. He then repeatedly raped Annette Carlson, who was 24 years old, breaking several of her bones. He slit her wrists and tried to strangle her with a telephone cord before setting their home on fire and leaving them to go up in flames.

But Mrs. Carlson survived the fire; she lived and she testified against her attacker. That testimony sent him to prison where he resides, I believe, to this day. But she has been forced to change her name. She lives anonymously and she continues to live in fear that one day her attacker may be released and come back after her.

When I was mayor of San Francisco, she called me several times to notify me that she had found out that he was up for parole, and she begged me to do what I could to see that she would know if he was released so she could protect herself. Amazingly, it was up to her to find this information. The system did not provide it.

I believe no American citizen should have to live out of fear that their attacker will be released from jail or from prison without their notice. That is a basic right provided by this measure.

In 1979, a killing occurred which galvanized the victims' rights movement in California. A young woman named Catina Rosa Salerno was murdered on her first day of school at the University of the Pacific in Stockton. The killer was an 18-year-old, Steven Jones Burns, Catina's high school sweetheart and a trusted family friend. After shooting her, Burns went back to his dorm room to watch Monday night football. He could see her as she bled to death outside his window.

During the trial, the family was not allowed in the courtroom and had to sit outside waiting for news. The murder of Catina had a profound and lasting effect on the family. Her mother, Harriet, and her father, Michael, cofounded Crime Victims United, one of California's more outspoken groups for victims' rights, and the family has since that day worked tirelessly to educate the public about the rights of crime victims.

These cases helped California become the first State in the Nation to pass a crime victims' constitutional amendment, an amendment to the State Constitution of California, Proposition 8, in 1982. It gave victims the right to restitution, the right to testify at sentencing, probation, and parole hearings, established a right to safe and secure public school campuses, and made various changes in criminal law. It was a good start.

Since that time, a total of 32 States have passed constitutional amendments to provide victims of crime with certain basic rights. All of them have passed by substantial margins—Alabama, 80 percent; Connecticut, 78 percent; Idaho, 79 percent; Illinois, 77 percent; Indiana, 89 percent; Kansas, 84 percent. Some States passed them by constitutional convention: South Carolina, Tennessee, Texas, Utah, Virginia, Washington, and Wisconsin.

What is wrong with that? What is wrong is the paperwork quilt of different rights provided by different State Constitutions. The remaining States—18 of them—provide no basic rights for a victim of a violent crime. We provide a basic core of rights—of notice, of presence, to be heard, to be noticed of an attacker's release, to restitution if ordered by a judge—eight certain, basic, core rights that exist for every victim of a violent crime throughout the United States. For the first time in history, the Constitution would recognize a victim has core basic rights, that those rights are present in the Constitution, and that the victims are free to exercise those rights.

In summary, I know this amendment is controversial. I know there are those who will say these State amendments are enough. I want to give a few examples of why the State amendments are not enough.

Maryland has a State amendment. But when Cheryl Rae Enochs Resch was beaten to death with a ceramic beer mug by her husband, her mother was not notified of the killer's release 2½ years into the 10-year sentence. The mother was not given the opportunity to be heard about this release—in violation of the Maryland constitutional amendment.

Arizona has a State constitutional amendment, but an independent audit of victim-witness programs in four Arizona counties, including Maricopa County, where Phoenix is located, found that victims were not consistently notified of hearings; they were not conferred with by prosecutors regarding plea bargains; they were not consistently provided with an opportunity to request postconviction notification.

Ohio has a State amendment. But when the murderer of Maxine Johnson's husband changed his plea, Maxine was not notified of the public hearing and was not given the opportunity to testify at his sentencing as provided in Ohio law.

A Justice Department-supported study of the implementation of State

victims' rights amendments released earlier this year made similar findings:

Even in States with strong legal protections for victims' rights, the Victims' Rights study revealed many victims are denied their rights. Statutes themselves appear to be insufficient to guarantee the provision of victims' rights.

The report goes on:

Nearly two-thirds of crime victims, even in states with strong victims' rights protection, were not notified that the accused offender was out on bond.

Therefore, the victim had no opportunity to protect himself or herself.

Nearly one half of all victims, even in the strong protection states, did not receive notice of the sentencing hearing—notice that is essential if they are to exercise their right to make a statement at sentencing.

Finally:

A substantial number of victims reported they were not given an opportunity to make a victim impact statement at sentencing or parole.

State amendments are not enough. The reason a Federal statute will not work is that it has not worked before and our area of coverage is too small. The best Federal statute we could pass would cover but 1 percent of victims of violent crimes in this Nation.

That leaves but one remedy. It is a difficult remedy. It takes time. It imposes an act of conscience on every Member of this body and the other body who believes the Constitution of the United States should not be amended: Is it worthy to make this amendment to afford the victim of a rape attack, the victim of an attempted murder attack, with the notice as to when that individual is going to be released from jail or prison? I think it is.

Is this a worthy enough cause so that an individual can at least be noticed when a trial is going to take place, can at least be present, can at least make a statement, can at least have an order of restitution if ordered by a judge, and to at least have notice of these basic rights? I think so.

I don't believe the Constitution of the United States was written purposefully to exclude victims. The victim was part of the trial. The victim brought the trial. The victim brought the investigation. The victim was present in court. And our country functioned that way until the mid-19th century and the evolution of the public prosecutor.

The only way to remedy this significant omission, I contend, is to amend the Constitution of the United States and at long last show the Constitution is, in fact, a living document, that it does expand to take into consideration the evolution of circumstances within our country. This cannot be done, it cannot be achieved, without an amendment to the Constitution of the United States.

I reserve the remainder of my time, and I yield the floor.

Mr. HATCH. Mr. President, the people who have followed the victims' rights amendment closely know that I voted for this measure in the Judiciary Committee, and that I did so despite some reservations about its provisions and its language. No one has worked harder on this issue than the distinguished chairman of the Judiciary Committee's Subcommittee on Technology, Terrorism, and Government Information—Senator JON KYL. He has been a tireless advocate for victims rights, and has done more than most will ever appreciate to make the Senate's consideration of this proposed resolution a reality. Both he, and his lead cosponsor and ranking member on the Subcommittee, Senator DIANNE FEINSTEIN, are to be commended. Frankly, they—and the committed network of victims' advocates—are why we are here today. It is because of their tireless commitment to this measure that I will vote to invoke cloture on the motion to proceed to consideration of S.J. Res. 3. I should be clear, however, that I do so with some reservations concerning the proposed text of the amendment. But I hope my concerns can be addressed during the floor debate on the resolution.

Among my reservations are:

Its scope: the amendment's protections apply only to violent crimes;

Its vagueness: some of its definitions are unclear and will be subject to too much judicial discretion; and

Its effects on principles of federalism: the proposed amendment could pave the way for more federal control over state legal proceedings.

Given my reservations, some of my colleagues have asked how I could nevertheless approve the Senate's consideration of S.J Res. 3. I'd like to explain, beginning with a little background on the origins of the criminal justice system.

Our Constitution provides the backbone for what has unquestionably evolved into the best criminal justice system that has ever existed on Earth. Decent and thoughtful people have worked for over two hundred years writing and re-writing the statutes, case law, rules and procedures that guide the judges and lawyers who run the system. Those laws and rules have, by and large, kept the courts appropriately focused on the twin goals of seeking the truth and protecting the accused from arbitrary or unreasonable government actions.

Although our criminal justice system is the best, it is not perfect. There are many ways in which it could improve. One of the most important areas needing improvement is the manner in which the criminal justice system treats victims of crime.

The fact that the drafters of the Constitution did not include specific rights for victims of crime is not surprising. At that time, there was no need for such rights because victims were parties to the legal actions against their perpetrators. There was no such thing as a public prosecutor; victims brought cases against their attackers. When the Constitution was drafted, victims of crime were protected by the same rights given to any party to litigation.

The rights of victims were dramatically altered—along with the rest of the criminal justice system—with the advent of government-paid public prosecutors in the mid-1800s. Since then, the government, not the victim, has been the party litigating against criminals in court. Obviously this has been a tremendously important effect on society by ensuring that criminals are punished even when their victims could not, or would not, prosecute them. Today we would not have even a semblance of crime control without public prosecutors.

Unfortunately, however, one side-effect of replacing victims with public prosecutors was to force victims to the sidelines of the criminal justice system. No longer are victims parties to the case. No longer do individual victims have legal representation in court. No longer are the victims an integral part of the process. Instead, victims have become relegated to the role of one-call witnesses who can be summoned—or not—by either side.

The distance between victims and the criminal process has grown greater over time. Prosecutors are overworked, courts face backlogs of cases, and prisons are overcrowded. These practical constraints, together with strategic legal considerations, has led to an increasingly institutional view of crime—a view that focuses on processing cases rather than involving victims.

In conclusion, Mr. President, I believe the time has come for the Senate to consider the victims rights amendment. The issue for the Senate should not be whether we pass a victims' rights amendment—I believe we should do so. But I believe we must ensure that whatever form our final product takes, we have fully debated and considered the matter. In the end, deliberations and our final passage of a victims' rights amendment will have profound, reaching effects on the criminal justice system. We need to be sure the results are as we would wish them to be.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I listened to my two distinguished colleagues. Not only are all colleagues ''distinguished'' colleagues, but these two are also personal friends. One is a Republican, one a Democrat. Both are individuals I like very much, individuals with whom I enjoy working on the Senate Judiciary Committee.

However, notwithstanding our friendship and our service on the same committee, I must disagree with them on this constitutional amendment.

I do not disagree with them at all on the intent of the amendment to give victims rights; to make sure they can be heard in sentencing, to make sure their views are sought out in every area from plea bargains to compensation. I know in the 8 years I was a prosecutor I did that. It was the standard

procedure in my office. I insisted that victims be heard in the pre-sentence report, victims be heard by the court, victims be heard by the prosecutor's office if a determination was made to either bring extra charges or to drop some charges—whatever the reason might be.

I must admit, I would have been very concerned had there been a constitutional amendment of this nature because I can almost picture the number of appeals, the number of delays, and the number of other issues that would come up. In many ways, it would create, in my view, just the opposite effect from that which the sponsors want; that is, so many appeals could come out of this that everybody would lose sight of who is being prosecuted and why.

Last Wednesday, we observed the fifth anniversary of the killing of 168 Americans in the horrific bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and we opened the Oklahoma City National Memorial.

Every American was shocked at the initial bombing. Every American must have been moved by the speeches and the observance at the memorial. I remember, after that terrible incident, the Senate proceeded to consider antiterrorism legislation. The incident was in the spring, and by June, we were considering antiterrorism legislation. In fact, at that time the Senate accepted my amendment to include victims legislation in the antiterrorism bill. I worked with Senator MCCAIN to increase assessments against those convicted of crime, with the assessments to go to the Crime Victims Fund. When the matter was completed the following year, we preserved our legislative improvements to help victims of terrorism in the United States, in fact around the world, as the Justice for Victims of Terrorism Act of 1996. We moved very quickly to respond.

Last Thursday, we also observed the anniversary of the tragic violence at Columbine High School. That was one in a series of deadly incidents of school violence over the last few years. Scores of our Nation's children have been killed or wounded over the last 3 years from school violence, and that violence has shaken families and communities across our Nation. In the wake of the Columbine violence, the Senate moved to the consideration of juvenile crime legislation. We had one of the few real Senate debates in the past few years. We had a 2-week debate. During that 2-week debate, we greatly improved the bill with numerous amendments, including a number directed at commonsense, consensus gun safety laws.

On May 20 last year, within a month of the Columbine tragedy, the Senate acted to pass the Hatch-Leahy juvenile crime bill. We did it by a 3–1 margin, but since last May when we passed it, the Congress has kept the country waiting for final action on the legislation. Since last May, the Congress and the Senate have kept the country waiting for sensible gun safety laws. It has been now more than a year since the tragic event at Columbine High School in Littleton, CO; more than a year since 14 students and a teacher lost their lives in that tragedy on April 20, 1999. Still, the American people are waiting for action by this Congress.

It has been more than 11 months since the Senate passed the Hatch-Leahy juvenile justice bill by a bipartisan vote of 73–25. It had modest, but I believe effective, gun safety provisions in it. It has been more than 8 months since the House and Senate juvenile justice conference met. That was only a ceremonial meeting. We did it for the first and the last and the only time. Throughout the entire school year that has ensued, the Republican Senate chairman of the House-Senate conference and the Republican leadership of the Congress, have refused to call this conference back to work. The Senate and House Democrats have been ready for months to reconvene the juvenile justice conference and work with Republicans to craft an effective juvenile justice conference report that includes reasonable gun safety provisions. But the majority has refused to act.

I think the lack of attention, a lack of effective action is shameful, particularly in light of the fact that Congress has spent far more time in recess than in session since the first ceremonial meeting of the conference.

I spoke on the floor several times over the last year—on September 8, September 9, October 21, March 21, March 28, March 29, April 5, April 6, April 13, and today—urging the majority to reconvene the juvenile justice conference. I have joined with Senators, both in writing and on the floor, to request the Senate leadership let us complete our work on the conference and send a good bill to the President. We should not delay simply because some powerful gun lobbies do not want us to pass even the most modest gun safety legislation; even the modest provision that closes this huge loophole we now have for gun shows where somebody in a flea market can sell firearms to felons.

On October 20, 1999, all the House and Senate Democratic conferees sent a letter to Senator HATCH and Congressman HYDE, calling for an open meeting of the conference. On March 3 of this year, after another shocking school shooting involving 6-year-old classmates in Michigan, Representative CONYERS and I wrote again to Senator HATCH and Congressman HYDE requesting an immediate meeting of the conference. The response has been resounding silence.

Even a bipartisan letter on April 11 from the Republican chairman of the House Judiciary Committee, HENRY HYDE, and the Ranking Democrat, JOHN CONYERS, to the Republican Senate chairman of the conference, Senator HATCH, has not succeeded in getting the conference back to work. We have to find time, or at least the will, to pass balanced, comprehensive juvenile crime legislation. This is something that could be signed into law today, or within a day after being passed. This is legislation we passed by a 73–25 margin, and then we hold it in abeyance because the gun lobbyists said do not touch this.

What have we done in the meantime? We keep having a number of proposed constitutional amendments. Last month, it was a proposed constitutional amendment regarding the flag. I spoke at the beginning and end of that debate to urge the Senate to turn to completing our work on the juvenile crime bill, health care reform legislation, on minimum wage legislation, on privacy legislation, on confirming the Federal judges needed in our courts around the country, and all the other matters that have been sidetracked this year. But rather than doing the legislative work that we should do first and foremost, we are now going to turn our attention to another constitutional amendment, this one with regard to crime victims' rights.

I believe constitutional amendments, if they are brought up, should be approached seriously. The distinguished Senator from Arizona and the distinguished Senator from California have approached it seriously. But that means a real, serious debate. If we are going to amend the Constitution of the United States, we should do it seriously. Instead, late on Thursday, after we voted to adopt an adjournment resolution, and everybody had left for the airport, the majority leader came to the floor to move to proceed to this matter. I do not think constitutional amendments should be a time filler to be called upon when we do not want to proceed to legislative items. Nor is a constitutional amendment the type of item that should be rushed through Senate consideration. It should be explored and thoughtfully considered. If we are going to start having constitutional amendments rather than legislative matters, then let's set aside a good period of time—a few weeks—to talk about this one.

Let's talk about the others that should come up. I can think of at least two. Let's have a constitutional amendment debate on abortion. For those who think Roe v. Wade should be the law of the land, let's write it into the Constitution. For those who think it should not be, this is the chance to overrule the Supreme Court. Let's settle once and for all this whole constitutional issue on abortion. Let's have a constitutional amendment on that. I am perfectly willing to move forward with that. Even though I have stated my strong positions on this issue, let's have a debate on it.

There are those who are concerned about whether we have too many gun rights and those who think we do not have enough. Maybe we should have a gun amendment to clarify the second amendment. Maybe we should get these

issues out of the way once and for all. We can spend a few weeks on each one of these. We can be done by late August, and the Senate will have spoken as to how they think it should be done.

The last two times the Senate debated the so-called balanced budget amendment, those debates consumed a number of weeks, as they should. This was a palliative I happened to oppose. We were told that without a constitutional amendment to balance the budget, we could never balance the budget. Many of us said if we did our work and wrote the legislation the right way we could. Of course, that is exactly what happened. We did not need a constitutional amendment after all. We are now debating how to spend the budget surpluses because we balanced the budget without a constitutional amendment.

This proposed amendment is of similar length and additional complexity and will require some time to debate, as we did with the balanced budget amendment.

In addition, of course, this is the first time this amendment will be debated by the Senate. It has never been debated by the House. So there is a lot of new ground to cover. If we are to pass it, I know the House will want to look to our debate. I assume there will be weeks of debate on it, as there should be. It is a legitimate issue.

I think it can be handled statutorily, but if we are going to do it in the Constitution, we should spend the weeks necessary to make sure we get it right.

By way of illustration, the Judiciary Committee took more than 6 months to file its report on the proposed amendment, even though a similar measure had been the subject of a report last Congress. I note that the majority views in the committee report run over 40 pages. The principal sponsors, Senators KYL and FEINSTEIN, added a statement of their own additional views on top of those. I urge all Senators to read them because they are worth reading. I note that the minority views, in which I join with Senators KENNEDY, KOHL, and FEINGOLD, extend over 35 pages. I think they are well worth reading. There is a lot of discussion in them.

We will vote today on the majority leader's motion to invoke cloture on the motion to proceed. I will not oppose invoking cloture on the motion to proceed. In fact, I urge Senators to vote for cloture on the motion to proceed. I hope it will be a 100–0 vote. But once we proceed to consideration of this measure, my colleagues should understand that it is an important matter that will require some extensive debate, and we will see serious and substantial amendments to this proposal. I have heard from both sides of the aisle. I told the distinguished Senator from California that I will offer a statutory alternative in the days ahead that can move the cause of crime victims' rights forward immediately by a simple majority vote, without the additional complications and delays the constitutional amendment ratification process might entail, and without the need to return to Congress to draft, introduce, and pass implementing legislation. There will be other amendments, as I have said.

I know the distinguished sponsors of this amendment have been through more than 60 drafts to date. This is not an easy issue. It is hardly fixed in stone. It has not had Senate scrutiny. In fact, a number of Senators told me when they came back from the recess that they were surprised to know this was coming up because it was added to the agenda after we had voted to adjourn for the Easter recess. Many Senators are surprised it is before us. I have told them the proposed constitutional amendment is important. I think its meanings and mandates have to be explored.

In my personal view—and I actually note this with some sadness—the focus on the constitutional amendment has actually had the unintended consequence of slowing the pace of victims' rights legislation over the past several years. I am reminded of the debate we had year after year of the need for a balanced budget amendment to the Constitution. President Reagan, who submitted budgets with the biggest deficits in the Nation's history, would always give great speeches about needing a constitutional amendment to balance the budget. Of course, I used to tell him: There you go again. All you had to do was introduce a balanced budget and let us vote on it. Instead, he introduced budgets, as was his right as President, with enormous deficits, and then a few days later gave a speech saying: I wish we had a constitutional amendment to balance the budget so we could balance this budget.

A President came along who did balance the budget. It was a very tough vote. I remember that vote in 1993. By a 1-vote margin in the House—no Republicans voted to balance the budget, which means cutting a whole lot of programs—no Republicans voted for it. It passed by a 1-vote margin in the House. It was a tie vote in the Senate. Vice President GORE had to preside and cast the deciding vote for a balanced budget.

It was tough. A lot of special interest groups from the right to the left saw their programs nailed, but it was the only way to balance the budget, and we balanced it. The stock market and the various financial markets took note: This is serious; they really are serious. That vote began this huge economic surge in this country. I do recall some on the other side saying: Why, if we vote to balance the budget, we are going to have enormous layoffs, 20 percent unemployment, we are going to have a depression, we are going to have a recession—all these things. Instead, the economy has created the most jobs ever in the history of our Nation. We have had the greatest economic expansion in our Nation's history and an enormous budget surplus. That is what happened, but it took a tough vote, not a palliative of a constitutional amendment to balance the budget; a tough vote.

A lot of Democrats who were courageous enough to actually vote to balance the budget were defeated the next year because they had to cast such unpopular votes to balance the budget. They did the right thing, and their children and grandchildren will bless them for it.

I have argued that rather than look again, in this case victims' rights, to a constitutional amendment, we should be looking at a statutory way, the same way we did with the balanced budget. I wish the Senate was considering the Victims Assistance Act, S. 934, and its extensive provisions to improve crime victims' rights and protections now and do that during this debate. Instead of during the next several weeks debating the constitutional amendment, why don't we debate S. 934?

I wish we would consider our Seniors Safety Act, S. 751, that helps protect our seniors from nursing home fraud and abuse and creates protections for victims of telemarketing fraud. These senior citizens who are abused in nursing homes and who are ripped off from telemarketing frauds are victims also.

I wish the Senate would consider a number of the scores of additional legislative proposals that would assist crime victims. Instead of the weeks we will spend on this constitutional amendment, why don't we debate the Violence Against Women Act II, S. 51, that my friend, Senator BIDEN, has championed? That bill will continue and improve important and effective programs for domestic violence victims and other victims of crime. The aid to those victims of crime would be immediate.

Senator WELLSTONE has introduced the International Trafficking of Women and Children Victim Protection Act, S. 600. It has received little attention, but it should be debated. He also sponsored the Battered Women's Economic Security and Safety Act, S. 1069, and the Children Who Witness Domestic Violence Protection Act, S. 1321. These bills were introduced to improve the safety and security of these victims, but they are not being considered.

It is said that we do not have time, but we are going to spend several weeks on a constitutional amendment that would still have to go through the other body, and would still have to go to the States for approval and ratification. During those several weeks, we could be debating those pieces of legislation for victims.

Senators SNOWE, HUTCHISON, GRAMS, ASHCROFT, SMITH, ABRAHAM, HATCH, EDWARDS, DURBIN, TORRICELLI, and others have sponsored legislation to help crime victims, but I do not think we are going to consider them. We are

going to debate a proposed constitutional amendment. We will spend several weeks on something that is not self-executing but would require additional follow-on legislation in any event, but we are told we do not have time to debate, again, legislation which could apply help to victims this summer.

So as we turn to this constitutional debate, I observe it is not a matter on which the immediate filing of a cloture motion would be appropriate. I urge all Senators—Republicans and Democrats alike—to vote for cloture on the motion to proceed. But if we are serious about debating this measure, then we should debate it. The distinguished Senator from Arizona should have all the time he needs to talk about it. The distinguished Senator from California should have all the time she needs to talk about it. Other Senators who strongly support it should have all the time they need. But a number of Senators who disagree with them ought to have time to speak, too.

If it means setting aside other legislative agenda, then let's do so. We have a short legislative calendar filled with recesses as it is. Do away with a couple of the recesses and devote a significant portion of that time to this. It is not my first choice. I would prefer to go to legislative matters on the calendar. But if we are going to bring up a constitutional amendment, let's do it right.

I hope once we turn to the measure, the majority leader will recognize the inappropriateness of filing a cloture motion on this unexplored, proposed constitutional amendment. When that course was followed in 1995 in connection with the constitutional amendment to impose term limits on Congress, it short circuited the debate and prevented any serious consideration or amendment.

But then I suspect in that case it was because a lot of the people who said they were for term limits never wanted to actually vote on term limits. We have had people in this body who have been for term limits before I was born, people who have come back here 20 and 30 and 40 years to the Congress saying: We have to do something about term limits. They are so determined they will stay here if it takes them 100 years. If they have to serve for 100 years to get term limits, they will do it. It is probably why we have never voted on term limits, because it is a lot easier to talk about it than to vote on it. It is like a balanced budget; it is a lot easier to talk about it than to vote on it.

But we have a serious matter here. It has never been considered by the Senate, so we should talk about it. I think it could erect technical problems for important amendments such as proposals of statutory alternatives. But both the supporters and the opponents should know that we should have debate on it.

We have had a number of people, conservative commentators such as George Will and Stewart Taylor, who have spoken out strongly against it. We have had liberal commentators who have spoken out against it.

We have editorials from the New York Times, the Washington Post, and others who have opposed it—people ranging from Chief Justice William Rehnquist to Bud Welch, the father of one of the victims of the Oklahoma City bombing.

I ask unanimous consent that a partial list of those opponents be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LIST OF OPPONENTS OF S.J. RES. 3

Bill Murphy, Past-President of the National District Attorney's Association, in his personal capacity;

The Judicial Conference of the United States;

The National Center for State Courts (State Chief Justices Association);

Cato Institute;

Bruce Fein, former U.S. Deputy A.G. under President Reagan;

Second Amendment Foundation;

Chief Justice William Rehnquist';

Chief Justice Robert Miller, South Dakota Supreme Court;

David Nelson, State's Attorney and Beck Hess, Victim Witness Assistant, Office of the Minnehaha County, South Dakota, State's Attorney;

County of Carbon Montana County Attorney;

Victim Services, the largest victim assistance agency in the country;

The Judicial Conference of the United States;

The National Center for State Courts (State Chief Justices Association);

Over 300 Law Professors;

NOW Legal Defense Fund;

National Association for the Advancement of Colored People;

National Clearinghouse for the Defense of Battered Women;

Murder Victim's Family Members for Reconciliation;

Louisiana Foundation Against Sexual Assault (Louisiana);

North Dakota Council on Abused Women's Services;

Arizona Coalition Against Domestic Violence;

Iowa Coalition Against Domestic Violence;

North Dakota Council on Abused Women's Services;

Hawaii State Coalition Against Domestic Violence;

New Mexico Coalition Against Domestic Violence;

Virginians Against Domestic Violence;

West Virginia Coalition Against Domestic Violence;

Pennsylvania Coalition Against Domestic Violence;

Wisconsin Coalition Against Domestic Violence;

Justice Policy Institute;

Center on Juvenile and Criminal Justice;

National Center on Institutions and Alternatives;

American Friends Service Committee;

Friends Committee on National Legislation;

National Association of Criminal Defense Lawyers;

American Civil Liberties Union;

Federal Public Defender, Western District of Washington;

Beth Wilkinson, Prosecutor Oklahoma City bombing;

Bud Welch, Father of victim of Oklahoma City bombing;

SAFES (Survivors Advocating for an Effective System).

Mr. LEAHY. Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER (Mr. ENZI). Who yields time?

Mr. KYL. Mr. President, let me take a few minutes to respond to the distinguished ranking member of the Judiciary Committee, Senator LEAHY.

He is absolutely correct that constitutional amendments should not be rushed. We have taken a long time to get to this point—4 years. As a matter of fact, in the Judiciary Committee alone we have heard from 34 witnesses and have had 802 pages of testimony and submissions. In the House, there have been hearings. They have had 32 witnesses and about 575 pages of testimony and submissions. In other words, there have been about 66 witnesses and nearly 1,400 pages of testimony.

I commend the report of the Judiciary Committee to anyone who would like a really good read on this entire subject and the reasons why we need a Federal constitutional amendment.

The bill passed out of the Judiciary Committee 12–5. We took our time getting it to the Senate floor to make sure everybody had their say. The distinguished ranking minority member needed additional time to file his comments to the report. That was granted. He did so.

We agree there should be adequate time for the debate of this constitutional amendment, but we disagree that there should be a filibuster to use unnecessary time of the Senate.

Senator LEAHY talked about a lot of things. He talked about abortion, gun control, a balanced budget amendment and Ronald Reagan, the juvenile crime bill, nursing home fraud, and term limits. I would suggest that we ought to stick to the subject.

We all know one good way to defeat a good idea is to talk it to death and threaten to delay other business of the Senate.

I would suggest we stick to the exact question before us, and that is whether there should be a constitutional amendment protecting victims of crime.

Senator FEINSTEIN and I have laid out the case for this.

As I heard Senator LEAHY, there was only one fleeting reference to an argument in opposition. That was that the Senate had acted with alacrity in dealing with the problems that the victims of the Oklahoma City bombing case were suffering because the judge there did not permit the victims to attend the trial. Basically, he gave them a choice, over a lunch hour one day, saying: You can either attend the trial or be present at the time of sentencing and speak to that issue, but you cannot do both. Take your pick. What a Hobson's choice. The prosecutor really could not help advise the victims.

Some of them chose not to attend the trial. Others chose to attend.

Senator LEAHY is correct about one thing. The Congress did act quickly to pass a law basically telling the Federal judge that they did have a right to attend the trial and the right to attend the sentencing and to speak at that time and that he should not deny them that right.

We passed that. The day after the Senate passed it, the President signed it into law. We were so concerned that these victims of that horrible tragedy have their rights protected that we passed a Federal statute—exactly what Senator LEAHY is suggesting as an alternative to the Federal constitutional amendment that Senator FEINSTEIN and I have presented.

What has happened? What has happened is that we are worse off than we were before we passed the statute. The judge did not apply the statute to protect the victims of crime. In effect, what happened was that the defendant's right to exclude them, based in the U.S. Constitution, trumped the Federal statute which, of course, is subservient to the Federal Constitution. If that was the basis on which the court ruled, it would have been a correct basis. If he really felt the defendant's rights required that the victims not be present in the courtroom, and that those rights are in the U.S. Constitution, then he would be correct that that would trump a Federal statute—the one that the Congress passed.

Clearly, the Oklahoma City bombing litigation leaves no doubt about the difficulties that victims face with mere statutory protection of their rights. For a number of the victims, the rights afforded in the act Congress passed in 1997 and the earlier victims' rights bill were not protected. They did not observe the trial of the defendant in that case, Timothy McVeigh, because of lingering doubts about the constitutional status of the statutes.

The interesting thing is that because that case was later taken up on appeal, the case of these victims, and the Tenth Circuit ruled in that case denying the victims the rights notwithstanding the Federal statute, you literally have a situation in which it would have been better if Congress had not acted by statute because there is now a precedent on the books. This was the first time victims sought Federal appellate review of their rights since the Victims Bill of Rights was passed in 1990, the underlying statute on which the 1997 statute was based.

Quoting now from Professor Paul Cassell:

> The undeniable, and unfortunate, result of that litigation has been to establish—as the only reported federal appellate ruling—a precedent that will make effective enforcement of the federal victims rights statutes quite difficult. It is now the law of the 10th circuit that victims lack ''standing'' to be heard on issues surrounding the Victims' Bill of Rights and, for good measure, that the Department of Justice may not take an appeal for the victims under either of those statutes. For all practical purposes, the treatment of crime victims' rights in federal court in Utah, Colorado, Kansas, New Mexico, Oklahoma and Wyoming have been remitted to the unreviewable discretion of individual federal district court judges.

Professor Paul Cassell of the University of Utah Law School concludes:

> The fate of the Oklahoma City victims does not inspire confidence that all victims rights will be fully enforced in the future.
>
> . . . the Oklahoma City case provides a compelling illustration of why a constitutional amendment is necessary to fully protect victims' rights in this country.

The sad truth is that Congress's efforts to protect the rights in a very specific case by Federal statute not only didn't protect their rights but made matters worse. The statutory alternative Senators KENNEDY and LEAHY have proposed is not the answer. There has been no refutation of the point I tried to make in my original 10-minute statement that authority after authority after authority—the Attorney General, the Governors, the attorneys general—have all said that despite their best efforts, the statutory and State constitutional remedies simply have not worked to provide protections to victims of violent crime. After 18 years of experimenting, of trying, of doing their best, it is obviously now necessary to move forward with the next step, which is to elevate these rights to the same Constitution that protects the rights of the defendants. Nothing less is going to work.

I submit the arguments that Senator FEINSTEIN and I made have not been refuted. If the only response is that we are going to have to take a long time talking about extraneous matters, then my suggestion is that there is no real argument by those who oppose this amendment. There is no real substance to the notion that we shouldn't move forward.

I reiterate, I am pleased that Senator LEAHY will encourage all of his colleagues, as I certainly will encourage mine, on both sides of the aisle to support the motion to proceed. We do need to proceed. When we proceed, we can have that debate. Senator FEINSTEIN and I will renew our offer to continue to meet with the Department of Justice to get more suggestions from them. We have, in fact, incorporated many of their suggestions into the current text of the amendment. But it is time to move on. We can't keep putting it off. That is why we filed the cloture motion. That is why we want to proceed.

I appreciate what Senator LEAHY said, but I suggest that we need to move on with the debate on this amendment. Senator FEINSTEIN and I are prepared to do so.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, if I may, I would like to have an opportunity to ask the Senator from Arizona a couple of questions. I thought he pointed out very ably the problem of a statute filling the void, the first problem being that the rights of the accused will always trump the rights of the victim. He pointed out very well and very ably and very specifically the situation that took place with respect to Oklahoma City.

Then we turned to the FBI to try to get the amount of coverage that could be achieved in the statute for victims across this great land. We were told that really the best we could do would be to protect by statute the 1 to 2 percent of victims who were victimized by violent crimes.

I think it is important that we discuss a little bit more why the Constitution will always trump a State law. I ask the Senator to lay that out once again.

Mr. KYL. I thank the Senator. I am pleased to do so.

I think she makes three very important points. One very important point she made is that if you have a Federal statute, you are only dealing with 1 to 2 percent of the victims of violent crime—those 8 million victims each year. Of course, that is the number of Federal crimes. There aren't very many serious Federal crimes that would carry the penalties necessary to invoke this constitutional provision. A Federal statute would be very small and of no comfort to the millions of victims of crime involved in State court proceedings.

Secondly, there are occasions when, as in the Oklahoma City bombing case, a defendant's rights are asserted based on an amendment to the Constitution. Sometimes, for example, the judge will say: Well, I am going to exclude witnesses. I will exclude victims from the courtroom because the defendant thinks it will create undue emotion, that it will jeopardize his right to a fair trial if the jury sees the victim or the family of the victim. That was the case in the Oklahoma City bombing case and in scores of others Senator FEINSTEIN has brought to the attention of the Senate.

Of course, the defendant and his family are permitted to sit there all dressed up and supportive of the defendant at the time of sentencing and to stand up and say what a fine fellow he is. The judge takes that into consideration. We are simply saying the victims ought to be able to stand before the judge and recount the horror, the tragedy, the weakness, the loss they have suffered for the judge to take into account as well at the time of sentencing. If the defendant's constitutional rights are deemed always to be superior because they are embodied in the U.S. Constitution and the victim's rights are always secondary, then the victim's rights will be honored in the breach rather than the observance, to quote one of the people I quoted earlier.

That is why the third point is so important. Even when there isn't a direct conflict—and there will rarely be a direct conflict—the primary situation will be presence in the courtroom at

the time of trial. But in most situations there won't be the direct conflict between the defendant's right and the victim's right. It simply is a matter of inertia.

Perhaps Senator FEINSTEIN can find the quotation she read before. I think it was Professor Tribe whom the Senator quoted, who talked about judicial indifference, inertia. Well-meaning judges and prosecutors don't mean to deny victims the notice of the proceedings and the right to be present, but it becomes a secondary matter. We give the Miranda warning to the defendant. We make sure the defendant has legal counsel that people hire on his behalf, and we make absolutely certain that none of the defendant's rights are intruded upon, because if they are, the case will be overturned on appeal. And that is as it should be. But because of that attention to the constitutional rights of the defendant, we forget the victim. It is in that sense that the victims' rights are simply not being honored, why 60 percent—even in the States with good provisions—of the victims do not even get notice. That is a horrible statistic. What if we said 60 percent of the defendants didn't get their court-appointed lawyer, that it was too inconvenient or too costly? Sixty percent is a pretty good percentage. Clearly, we would find that inadequate. Fundamental rights are fundamental rights and they need to be protected.

So I think the Senator from California is correct that even though we don't mean to deny these rights, either because of the attention paid to the defendants or simply because of the fact there are other things more important to do than make sure victims have notice of these proceedings, they are denied their rights and the ability to participate.

A final point. There has been the contention that somehow it is going to become very expensive if—as we do with defendants—society has to pay for their rights. We do that for defendants; we pay for their attorneys, for their transcripts, and everything they need for their appeals. What we did here was not guarantee that victims have the right to attend the trial. For example, as are most of the provisions of the Constitution, we have said that the Government may not deny them the right to participate. They have to get there. They have to get there on their own. It is just that the Government can't deny them the right to sit on the bench in the courtroom if they show up.

Mrs. FEINSTEIN. Let me stop the Senator on that point because I think he has very well expressed what we are trying to do. We have discussed this before. I think the whole body should hear this. We know that those who are accused have basic rights. We know that the prosecution usually wants to try to get the victim in the courtroom. The defense attorney wants to keep the victim out of the courtroom. Supposing a situation arises where you have an emboldened or abusive victim, or one who is overly emotional, under our amendment, how would this work? What rights would the judge have in this situation?

Mr. KYL. I thank the Senator for that question because people not familiar with the process inside a courtroom may wonder if this amendment would permit a victim to cause a big scene in court, thus disrupting the trial and working to the disadvantage of the defendant. Of course, as the Senator knows, a judge has total control of the courtroom and has the ability to set whatever rules are necessary to maintain decorum and dignity within the courtroom and certainly to ensure the protection of the fair trial rights of the defendant. That is why a judge can always say—and we have seen it on TV hundreds of times—''order in the court,'' in effect saying, if you can't sit there quietly and unemotionally watching what is occurring, then you have to leave. Because in the court we cannot have undue displays of emotion. So the judge has within his total authority the ability to control either the defendant from his or her outbursts or any emotional outbursts of anybody else in the courtroom, including victims.

Mrs. FEINSTEIN. I thank the Senator. The Senator and I worked extensively with both Laurence Tribe, a professor of constitutional law at Harvard University, and Paul Cassell, a professor of law at the University of Utah College of Law. Both are very skilled and knowledgeable in this area. I happened to find an article that they wrote together in a newspaper. I thought it might be interesting to hear their view. I would like to read it to you and ask for your response:

> We take it to be common ground that the Constitution should never be amended merely to achieve short-term, partisan, or purely policy objectives. Apart from a needed change in governmental structure, an amendment is appropriate only when the goal involves a basic human right that by consensus deserves permanent respect, is not and cannot adequately be protected through State or Federal legislation—

I think we have shown why that can't happen—

> would not distort basic principles of the separation of powers among the Federal branches or the division of powers between the national and state governments or the balance of powers between government and private citizens with respect to their basic rights.
>
> The proposed Victims Rights Amendment meets these demanding criteria. It would protect basic rights of crime victims, including their rights to be notified of and present at all proceedings in their case and to be heard at appropriate stages in the process. These are rights not to be victimized again through the process by which government officials prosecute, punish and release accused or convicted offenders.

Then it goes on to say:

> These are the very kinds of rights with which our Constitution is typically and particularly concerned—rights of individuals to participate in all those government processes that strongly affect their lives. ''Participation in all forms of government is the essence of democracy,'' President Clinton concluded in endorsing the amendment.

Now, what we come down to, essentially, is how do you express these things in a way that gives victims these certain basic rights? I think we have tried to do that. We put it up on a schedule here of crime victims' rights. I wish to quickly go over this. The rights of the accused are on the left. The rights we would afford victims are on the right. In a sense, we achieve a kind of balance. Now, the question comes when and if these rights come into conflict. The fact is, I think we both believe it will be rare that these rights come into conflict. As was said, with an emotional victim, there is in the law already the opportunity for a judge to handle this situation.

I have had a very hard time, because the Senator and I have had a number of critics on this; we have had a number of newspapers that have editorialized and said that what we are trying is trivial, not important. But let me tell you something. If you are a rape victim and you have reason to believe that individual may come back after you, it is not unimportant that you have notice when that individual is released from prison or from jail. It is not unimportant at all. I indicated earlier a case of an individual who has had to change her name and live in fear and anonymity because of this. The Constitution should protect that victim, and that is what we try to do. So I have had a very hard time seeing instances where there is actual conflict.

My question of the Senator is, Can the Senator expand on this more and indicate where there is conflict? People have said, ''You diminish the rights of the accused.'' I don't see us diminishing the rights of the accused. Their rights are very specific. We don't touch on these. There is the right to counsel, the right to due process, the right to a speedy trial. We want that, as well, because we know that the speed of the trial is an important deterrent to violence. We know that if a trial is not speedy, evidence grows cold, witnesses disappear. It is much more difficult to make a case if there is a long hiatus between arrest and trial. In fact, Federal law recognizes that by moving trials along in an expeditious way.

Double jeopardy. We certainly don't interfere with that. We certainly don't interfere with the prohibition against self-incrimination or against unreasonable search and seizure, probable cause, a jury of peers, the right to be informed, the right to confront witnesses, to subpoena witnesses, a prohibition against excessive bail, the right to a grand jury. There are a few other rights written into the Constitution. But our rights are so basic for a victim, such as the right to have notice when a trial takes place, the right to be present in the courtroom, the right to make a statement at an appropriate

place in the trial, the right to have notice if your assailant is released. These are certain basic, core rights that in no way, shape, or form, it seems to me, interfere with the constitutional rights granted to a defendant or to an accused to protect them from excessive government under the Constitution of the United States.

So I have been very perplexed as to why we see bubbling out there this argument that we are setting up some collision of rights. We are simply trying to provide a victim with certain basic rights that are spelled out and are specific.

Would the Senator care to elaborate on that?

Mr. KYL. I agree it is perplexing how one could conclude a defendant's rights would be trampled on in any way by our proposal. It does not do that.

The article in the Los Angeles Times, quoting Professors Tribe and Cassell, makes the point that ''a victims' rights amendment must, of course, be drafted so the rights of victims will not furnish excuses for roughshod treatment of the accused. The Senate Resolution is such a carefully crafted measure, adding victims' rights that can exist side by side with defendants'.''

Precisely the point. There is only one conceivable circumstance I know of in which there could actually be an assertion of two constitutional rights, one by the defendant and one by the victim, which could theoretically come in conflict, and that is the right to be present at the trial. Courts deal with that today. They would balance the interests tomorrow. We have the same thing existing with respect to the press. We have the right of free press. Say victims want to attend the trial. Sometimes, as we know, judges don't permit that, but it is in the Constitution. That is right. But the defendant has a right to a fair trial as well.

The courts will balance those two interests and generally come to an accommodation that enforces both rights.

Mrs. FEINSTEIN. Would the Senator finish reading that? I think the next points are very important to our cause. They should be heard.

Mr. KYL. I think the two distinguished law professors make a very important point. They point out the example of paralleling a defendant's constitutionally protected right to a speedy trial. Our amendment confers on victims the right to consideration of their interest in a trial, free from unreasonable delay.

By definition, the professors note, these rights could not collide since they are both designed to bring matters to a close within a reasonable time. If any conflict were to emerge, courts retain ultimate responsibility for harmonizing the rights at stake.

We have also gone one other step. That is, whereas the defendant had an absolute right to a speedy trial—and frequently, also, courts determine he has a right to delay things—we have provided for victims merely that the judge must ''consider'' their desire to bring the trial to a speedy conclusion.

In this case, we have created a right of victims which, indeed, is subservient to the right of the defendants. Theirs is absolute. The victims have a right to have their views considered. We have been very careful to ensure we don't trample on defendants' rights.

I make one more point because the Senator reminded me of something that is very important. In the statement by Professor Mosteller, he makes a relative point that relates to this. ''In theory, victims' rights could be safeguarded without a constitutional amendment. It would only be necessary for actors within the criminal justice system—judges, prosecutors, defense attorneys, and others—to suddenly begin fully respecting victims' rights. The real world question, however, is how to actually trigger such a shift in the Zeitgeist. For nearly two decades, victims have obtained a variety of measures to protect their rights. Yet, the prevailing view from those who work in the field is that these efforts have 'all too often been ineffective.' Rules to assist victims 'frequently fail to provide meaningful protection whenever they come into conflict with'''—and here I break the quotation—not the defendant's rights. They are not conflicting with defendant's rights. That is not why they are denied, but rather ''whenever they come into conflict with bureaucratic habit, traditional indifference, or sheer inertia.''

That is what is preventing these rights from being fully affected—not that they conflict with the defendant's rights.

Here is the conclusion: The view that State victims provisions have been and will continue to often be disregarded is widely shared, as some of the strongest opponents of the amendment seem to concede the point. For example, Ellen Greenlee, president of the National Legal Aid and Defenders Association, bluntly and revealingly told Congress that the State victims amendments, ''so far have been treated as mere statements of principle that victims ought to be included and consulted more by prosecutors and courts. A State constitution is far . . . easier to ignore than the Federal one.''

That is the bottom line point.

State constitutions, even Federal statutes, as we found in the Oklahoma City bombing case, are far easier to ignore than the U.S. Constitution. That is something no judge and no prosecutor can ignore. That is why we want to elevate these rights—not because they conflict with the defendant's rights, not because they take anything away from any accused in the courtroom, but rather because these elemental rights of fairness are not currently being enforced by the judges and prosecutors because they just don't have the stature of the U.S. Constitution.

Mrs. FEINSTEIN. I thank the Senator.

If the Senator recalls, in our earlier discussions with the Justice Department, we were very concerned that the rights of the accused not be violated, not be diminished, and we quite consciously left out any specific remedy in this situation so that if someone doesn't exercise their right either to be present or to make a statement, in effect, they have no remedy, or after they make their statement, if the facts in the trial are such and the jury comes in with a decision, they have no right of a remedy.

So the basic core rights we provide are, in a sense, certain procedural rights that give them a place in the process.

Let me read what these two law professors have said on this point:

> The framers of the Constitution undoubtedly assumed the rights of victims would receive decent protection, but experience has not vindicated this assumption. It is now necessary to add a corrective amendment. Doing so would neither extend the Constitution to an issue of mere policy, nor provide special benefits to a particular interest group, nor use the heavy artillery of constitutional amendment where a simpler solution is available, nor would it put the Constitution to a purely symbolic use or enlist it for some narrow partisan purpose. Rather, the proposed amendment would help bridge a distinct and significant gap in our legal system's existing arrangements for the protection of basic human rights against an important category of government abuse.

This, I think, goes right to the question of remedy. We don't provide for a remedy, we simply say you have these basic rights to participate in this manner.

Mr. KYL. If I could put an exclamation point on that.

The point Senator FEINSTEIN makes is this: During the pendency of the proceedings, the victim has the right to assert these rights. For example, if you have a week-long trial and the victim finds out about the trial after the second day, the victim can't go back and say you have to start the trial all over again. All the victim can do is say, hey, I have a right to be there for the rest of the trial.

That is unlike the defendant's rights. Here is the exact language we included: ''Nothing in this article shall provide grounds to stay or continue any trial, reopen any proceeding, or invalidate any ruling''—and there are only two exceptions—''except with respect to conditional release or restitution or to provide rights guaranteed by this article in future proceedings without staying or continuing a trial. Nothing in this article shall give rise to or authorize the creation of a claim for damages . . .''

There are only two exceptions. One is prospective, so long as it does not continue or delay the proceedings. In other words, you have the right to say: Judge, this trial is starting, and I have a right to be there. And the other one is with respect to a conditional release.

I close with this point: You need the right to enforce it with respect to a conditional release.

Here is a true story. Here is how it would work. Patricia Pollard of Flagstaff, AZ, was picked up one night by a man and his wife, ironically, and the man brutally raped her, sliced her up with an open beer can, and left her to die. She lived. He was eventually prosecuted. After the Arizona legislature passed the provision which enabled victims to be notified, the parole board held a hearing on his conditional release. They decided to conditionally release her assailant from the Arizona State Penitentiary, but they did not give her notice.

The Governor's office found out about this, located Patricia Pollard in California, brought her back, and arranged for another meeting of the parole board after they had already made their decision. They agreed to hear her. She spoke about what he had done to her and what she feared he would do to others. The parole board reversed its decision.

I asked Patricia Pollard whether she did that because she feared for her life, that he would come after her again. She said: Well, he might have tried to track me down. But in truth, his crime against me was a random kind of crime. I was available for him to victimize. I simply could not have lived with myself if I had not gone there and told these people what he could do to someone else because I know that had he gotten out, he would have done it to somebody else.

That is why we provide this limited exception, the only situation, really, where something can be done retroactively—where a person was not given notice to attend the parole or conditional release proceedings and the individual has not yet been released, you can go back in and tell your story and just maybe it will make a difference. That is what this amendment is all about, protecting the rights not only of the victims of crime but of the rest of society as well.

Mrs. FEINSTEIN. I thank my colleague, yield the floor, and reserve the remainder of our time.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. DORGAN. Mr. President, I have listened to the presentations on the floor. Let me say the passion with which the Senator from California, Mrs. FEINSTEIN, and the Senator from Arizona bring this issue to the floor is a passion I understand. I certainly respect their views.

I have studied this issue at some length. I must say the Senator from California visited with me, I guess, half a dozen times about this issue over the past year or so. But I have reached a different conclusion. It is a difficult trail to get to this point, but my view is the issue is not whether victims in this country have rights in court proceedings, but how we achieve those rights.

It is true that criminals are accorded a whole series of rights in this country. I do not quarrel with that. I do not want us to put innocent people behind bars. It is difficult to convict in this country, and our Constitution establishes certain rights. We try, as a country, to make certain we only put those guilty of crimes, behind bars.

It is also true—and I say this to the Senator from California and the Senator from Arizona—it has been a longer process and a more difficult track, to make certain that victims and victims' families have their rights protected in our court system. I have offered legislation on this issue previously. In fact, I authored language included in the 1994 crime bill, which is now law, that gives crime victims the right to testify at federal sentencing hearings. My provision gives crime victims and their families the right in Federal court to present testimony about ''What this crime meant to me or to my family'' and ensures that judges and parole boards formally consider the impact of a crime on its victims when making sentencing and parole decisions.

I sat in a court at the manslaughter trial of the man on trial for the death of my mother. I am very sensitive to this issue. I understand—being a family member, sitting in a court, watching the trial of the man who was responsible for the death of my mother—I understand the concern a family member has about the rights of the victim and the rights of the victim's family to be present in that court. I understand the desire to present testimony during the sentencing phase, to have an understanding about when someone is let out of prison. I understand all that, and I am very sensitive to it because I have been through it personally, as a result of the tragic death of my mother.

I come to the floor of the Senate today saying I strongly support victims' rights. We are moving in this country in a variety of ways to achieve those rights. Thirty-three States have now amended their state constitutions to specifically describe the rights of victims and their families. Some say that approach does not work very well and is not universal; that sometimes it does not achieve our goal. I understand that argument. I understand the argument that the perpetrator of a heinous and violent crime is brought into the court, now some months later after the crime was committed, and his or her hair is combed, they are in a new suit, they look as if they just finished singing in a church choir, and all their acquaintances testify to what a remarkable person this is. It happens all the time in trials.

This animal who committed the violent murder on a Saturday night, in court 1 month or 2 or 6, or a year later, looks completely different and has a whole set of rights. I understand all that.

My concern is about the Constitution of the United States, and whether we should address this by changing the U.S. Constitution, or whether we should address it by continuing to make the changes, both with respect to Federal law and also mandating changes with respect to State law and State constitutional changes that accomplish the same result.

I have in my hand three pages of constitutional amendments that have been introduced in this session of Congress. We have had several of them, frankly, on the floor of the Senate. These are very important issues. Amending or changing the Constitution of this country ought to be done rarely and then only in circumstances where it is the only opportunity to achieve the change we want as a society. These are three pages of constitutional amendments that are proposed by my colleagues now.

We have had over 11,000 proposals to change the Constitution since it was written; 11,000 proposals. One of them, for example, said let's have a constitutional amendment that provides the Presidency of our country should be rotated. One term it shall be held by someone who is a southerner, from the southern States, and the next term followed by someone who comes from a northern State. That was a proposed constitutional amendment. I could describe more, of course. 11,000 times, the Members of Congress have felt the need to change the U.S. Constitution—this document which begins:

> We the People of the United States, in Order to form a more perfect Union. . . .

We all understand the words. It was written by 55 white men just over two centuries ago in a room called the Assembly Room in Constitution Hall. My colleagues have heard me talk about it before, but I will say it again. In that room, George Washington's chair is still sitting at the front of the room where he presided over the Constitutional Convention. Go there today in Philadelphia and look at his chair. Ben Franklin sat over there; there James Madison. Thomas Jefferson was in Europe at the time so he didn't participate except through his writings, which then became, as we know it, the Bill of Rights.

But since those 55 men wrote the Constitution of the United States over two centuries ago, we have had so many proposals for change. I have mentioned to my colleagues on the 200th birthday of the writing of the Constitution, I was one of the 55 people who were authorized to go in for a ceremony, into this Assembly Room. This time, it was 55 men, women, minorities. I got chills sitting in this room because I had studied in a very small school the history about Ben Franklin, Madison, Mason, George Washington—the father of our country—and now I was sitting in the Assembly Room in Constitution Hall in Philadelphia where they wrote the Constitution of the United States.

Since that experience, I have had difficulty coming to the conclusion that we can improve upon the basic framework of the Constitution of the United States. Other countries try to replicate

this Constitution; we try to amend it. Some of my colleagues apparently think it is a rough draft available for amendment at the whim of someone's interest in the House or the Senate. It is much more important than that, and we ought to amend the Constitution, in my judgment, rarely, and then when it is the only solution.

As I mentioned, 33 States have amended their Constitution to provide for victims' rights. We can provide for the Federal portion, and the Senators from Arizona and California are absolutely right, that is a very small portion of crime in the criminal justice system. We can also mandate—and I am perfectly prepared to do that—that the States must do the same in exchange for a certain number of incentives which we in the Congress provide. I am perfectly prepared to do that.

I do want to clear up a couple of misconceptions that have been part of the discussion with respect to the victims' rights amendment. The proposal to change the Constitution, in some measure, rests on the discussion about, among other things, the folks who were convicted in the Oklahoma City bombing case.

I want to describe what happened in that case because like many others, I saw the initial ruling and comments of the judge in the Federal court in Denver, and was appalled. He essentially said that those who were victims or family members of victims who wanted to witness the trial would not necessarily then be granted the opportunity to testify during the sentencing phase of the trial. I was concerned about that. I felt that was an abrogation of victims' rights.

What happened as a result of that is Congress passed a piece of legislation called the Victim Rights Clarification Act of 1997. We did that almost immediately. It reversed a presumption against crime victims observing any part of the trial proceedings if they were likely to testify during the sentencing hearing.

This piece of legislation that was passed almost immediately after the judge's ruling prohibited courts from excluding victims from the trial on the grounds they might be called to provide a victim's impact statement at sentencing. The result of the legislation was that the victims in the Oklahoma City bombing trial were allowed to observe both the trial of Timothy McVeigh and Terry Nichols and to provide impact statements through testimony.

In this circumstance, the legislation we passed in Congress worked exactly as Congress intended it to work. The testimony by a former prosecutor at the Oklahoma City bombing trial, Ms. Wilkinson, is something I want to recount because it is important to understand what happened, inasmuch as this example has been used.

It is important to look at how the Victim Rights Clarification Act was actually applied in the Oklahoma City case.

On June 26, 1996, Judge Matsch held that potential witnesses at any penalty hearing were excluded from pretrial proceedings and the trial itself to avoid any influence from that experience on their testimony.

That is what I described earlier, and I felt the same revulsion about that judge's decision as I think my colleagues did, and the result was that we passed the Victim Rights Clarification Act almost immediately. The President signed it into law on March 19, 1997. One week later, Judge Matsch reversed his exclusionary order and permitted observation at the trial proceedings by potential penalty-phase impact witnesses. In other words, the judge changed his mind immediately after the President signed the legislation.

Beth Wilkinson, a member of the Government team that successfully prosecuted, said:

> What happened in [the McVeigh] case was once you all had passed the statute, the judge said that the victims could sit in, but they may have to undergo a voir dire process to determine whether rule 402. . .would have been impacted and could be more prejudicial.

This is what the prosecutor said. It is important to say this:

> I am proud to report to you that every single one of those witnesses who decided to sit through the trial survived the voir dire, and not only survived, but I think changed the judge's opinion on the idea that any victim impact testimony would be changed by sitting through the trial. [T]he witnesses underwent the voir dire and testified during the penalty phase for Mr. McVeigh.
>
> It worked in that case, but it worked even better in the next case. Just 3 months later when we tried the case against Terry Nichols, every single victim who wanted to watch the trial either in Denver or through closed-circuit television proceedings that were provided also by statute by this Congress, were permitted to sit and watch the trial and testify against Mr. Nichols in the penalty phase—all without having to undergo a voir dire process.

The point is, when the judge in the Oklahoma City bombing trial, which was conducted in Denver, made his initial ruling, there was a great amount of press about it, and all of us, including myself, was aghast at this ruling. Congress passed a piece of legislation almost immediately, the President signed it, and the judge reversed his ruling, and every single one of the victims or victims' families who wished to testify during the penalty phase was allowed to testify. That is critically important to be on the record.

The urge to amend the Constitution ought to be an urge based on all of the information available, and there is plenty of information available, it seems to me, based on this case and also based on the fact that 33 States have now changed their constitution and more will do so. In fact, all could do so if we decided to provide a mandate that would require them to do so. We are making significant progress in this area.

I understand, as I said when I started, the passions of the Senator from Arizona and the Senator from California. I have those same passions, and I want victims to have the same rights. I believe, however, that amending the Constitution should always be a last resort, not a first resort. I do not believe, despite all that has been said, that it serves this document very well to bring a piece of legislation to the floor of the Senate on a Tuesday and have a cloture vote on the motion to proceed. Presumably, we will have a cloture vote on the bill itself and probably have 8 hours, maybe 10 hours, maybe 14 hours, which would be a lengthy period of time for discussion in this Senate, and an attempt, I am sure, to stifle amendments, and then we would say: All right, now the Senate has considered changing the U.S. Constitution.

I do not think that is what Washington, Franklin, Madison, Mason, or others would have wanted us to do in consideration of changing this sacred document.

My hope is we will have an interesting and significant discussion about this and we will, from this debate, not only turn back the constitutional amendment but probably stimulate a great deal more activity on the part of the States. As I said before, I am willing to either offer an amendment or join others in offering an amendment that will require the States to make these changes. That would accomplish exactly the same thing without amending the U.S. Constitution. We can, in any event, make certain all this applies with respect to the Federal statute and Federal crimes.

My hope is, at the end of it, we will not only have denied the impulse to change the Constitution, but we will have created new energy and new incentives to make certain that victims' rights gain ground in State after State across this country. I will be happy to join others in the coming days, weeks, and months in an effort to accomplish that, because I have strong feelings about this issue. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Iowa.

ABORTION

Mr. HARKIN. Mr. President, I wish to depart from the debate on the issue before us, which is an important issue. I appreciate the remarks made by my colleague from North Dakota. I listened intently to what he had to say, and I can understand his deep feelings about this issue.

I want to talk about another issue because today, across the street from where we sit in the Halls of the Senate, the U.S. Supreme Court is hearing arguments on a case involving the so-called partial-birth abortion law of the State of Nebraska. That law, passed by the Nebraska Legislature, is quite similar to the version the Senate and the House have debated over the years. In fact, it is very similar to the one passed by the Senate last October.

However, the real issue in the case before the Supreme Court and in the legislation before Congress is not about banning late term abortions. The real issue is about a systematic effort to overturn Roe V. Wade and to criminalize all abortions. The real issue is about whether we trust women, in consultation with their faith and their family, to make this very difficult, personal decision or do we put that trust in politicians? That is what this is really all about.

Last October 21, during debate on the so-called partial-birth abortion bill in the Senate, I, along with Senator BOXER, offered a resolution to this so-called partial-birth abortion bill. Our resolution was very simple. It stated that it was the sense of the Senate that Roe v. Wade was an appropriate decision and should not be repealed.

Let me read for the record the entire text of that resolution because it was very simple and very straightforward.

(a) Findings: Congress finds that—

(1) reproductive rights are central to the ability of women to exercise their full rights under Federal and State law;

(2) abortion has been a legal and constitutionally protected medical procedure throughout the United States since the Supreme Court decision in Roe v. Wade (410 U.S. 113 (1973));

(3) the 1973 Supreme Court decision in Roe v. Wade established constitutionally based limits on the power of States to restrict the right of a woman to choose to terminate a pregnancy; and

(4) women should not be forced into illegal and dangerous abortions as they often were prior to the Roe v. Wade decision.

(b) Sense of Congress: It is the sense of Congress that—

(1) Roe v. Wade was an appropriate decision and secures an important constitutional right; and

(2) such decision should not be overturned.

That is the full text of the resolution that I and Senator BOXER offered last October 21.

By invalidating the laws that forced many women to seek unsafe, and often deadly back-alley abortions, Roe was directly responsible for saving women's lives. It is estimated that as many as 5,000 women a year died from illegal abortions before Roe.

Roe v. Wade is the moderate, mainstream policy on which American women have come to rely. It recognized the right of women to make their own decisions about their own reproductive health. And very importantly, it provides specific protections for the life and the health of women.

So the vote on the Harkin-Boxer amendment last October to finally put the Senate on record about its support for the mainstream Roe decision was very important. It was the first vote directly ever held here on whether the Senate wants to go back to the days of back-alley abortions.

Our amendment barely passed, 51–47. Fifty-one said yes, Roe v. Wade was a good decision, it should not be overturned. Forty-seven Senators voted against that resolution, basically saying they did not agree with Roe v. Wade and that it should be overturned.

Frankly, I was shocked at how close the vote on our amendment was. In fact, in offering the amendment, I thought: Here is a chance for an overwhelming vote of support by the Senate in confirming the Supreme Court decision on Roe v. Wade.

But after that close vote, I then realized that the vote really lifted the veil of moderation of antichoice Senators. For so many who were saying, that they support Roe v. Wade and a woman's right to choose, they just want to ban partial birth abortion, here was the chance to express that. With 47 votes against Roe v. Wade, the veil has been lifted. Now we know what is the real agenda. The agenda is to criminalize choice, criminalize freedom of choice for women.

While the Nation's attention is refocused on the issue of choice with today's Supreme Court case, I also want to shed some light on what has been going on behind the scenes in Congress since the Senate very closely approved our amendment.

What would normally happen is that after the Senate passed the bill with our amendment, the House would act on the Senate-passed bill and request a conference with the Senate to work out the differences between the two bodies. Instead, the House of Representatives avoided a vote on our amendment. They took up a clean bill and sent it over here in order to avoid a conference. So it is clear that the Republican leadership in the House does not want to have to take a vote on this issue. In fact, the House has never had a vote on the issue of support for Roe v. Wade.

Why else would the House majority take the unusual step of punting the bill back to the Senate for a unanimous consent instead of taking it to conference? It is clear the Republican leadership in the House did not want to have a vote, which would be allowed under the House rules to instruct the House conferees to support my amendment in conference, thus putting the House on record, once and for all, as to whether or not they support Roe v. Wade.

Again, the Republican leadership in the House wants to continue to hide their true agenda. They want to hide behind a false cloak of moderation on the issue of choice.

Senator BOXER and I have objected to this latest maneuver. Let me be clear. Every time the so-called partial-birth abortion bill, or any other antichoice legislation, comes to the Senate floor, I will offer my amendment, and there will be another vote on the Roe v. Wade resolution. People in the leadership know that. That is why they have not bothered to bring up any of their antichoice legislation since the last vote on October 21. They know I will offer my amendment every single time to lift their veil of moderation.

So today I am challenging the House Republican leadership to allow a vote on our amendment. Let's let people know where their representatives stand on the basic issue of choice, the basic issue of Roe v. Wade. Because Roe v. Wade is the moderate, mainstream policy on which American women have come to rely. The Roe v. Wade vote in the Senate should send a wakeup call to all Americans that this policy is in jeopardy. They need to act to maintain it.

In this most personal of decisions, we need to trust women, not politicians, to make the choice. That is what this is all about. Whether it is the case in front of the Supreme Court or whether it is the vote in the Senate, the issue is simply this: Do you trust politicians, whether they are in a State government or in the Federal Government, to make this decision for women or do you trust women?

People of strong faith and good conscience have very different views on the issue of abortion. I respect both sides on this often divisive issue. I have struggled with it personally myself.

Whether or not we agree, we should all work together to find commonsense, common ground steps to reduce the number of abortions and to protect the health and well-being of women and children. That means fully funding maternal and child health programs, fully funding the Women, Infants, and Children's feeding programs, fully funding contraceptive coverage, family planning services, and better adoption options, just to name a few of the policies we ought to be about.

But the bottom line is this: Roe v. Wade was an enlightened decision. It is moderate. It puts the basic decisions on reproductive health where it belongs, with the woman and not with the Government.

Today, as the Supreme Court, across the street, listens to the arguments on the Nebraska partial-birth abortion law, let us resolve that we are going to maintain a woman's basic right to choose, that we will not let the politicians take it over, that we will not return to the dark days of back-alley abortions and the criminalization of a woman's own right to choose her reproductive health. That is what this issue is about.

The women of this country are counting on us to make sure we uphold the decision in Roe v. Wade. We cannot afford to let them down.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I came to the floor of the Senate because I noted that my friend, Senator HARKIN from Iowa, was talking about a very important subject, a woman's right to choose. This right has been protected.

After the case Roe v. Wade in 1973, a woman has had that right.

Today we are looking at a different type of constitutional amendment. Senator HARKIN made the point that, in fact, we have a case being heard at the Supreme Court which is going to essentially look at a woman's right to choose. I think it is appropriate that he would come over to make a few points, and I would like to engage him in a colloquy, if he would be willing to do that.

First, I ask him to reiterate for me the basic point he made. We see in the Senate tens of votes we have to face on the issue of a woman's right to choose and the different aspects of it, whether a person who lives in the District of Columbia can use her insurance paid by the city to obtain a legal abortion, whether a Federal employee has that right, whether a woman in the military has the right to use a clean medical facility to exercise her rights, whether a woman in the late stage of a pregnancy that has turned desperately wrong has the right to have her health protected. We stand here on so many occasions casting these votes, having this debate ostensibly about a narrower issue surrounding a woman's right to choose.

I wonder if my friend believes that is the real goal of the people who continually bring up this matter or whether it is, in fact, something quite deep, which is trying to erode a woman's right to choose, that basic right that was given to her after the Roe v. Wade decision in 1973.

Mr. HARKIN. I thank the Senator from California for her long and strong support for the decision in Roe v. Wade. The Senator from California has been one of the most persistent and enlightened voices in the Senate—indeed, in the country—on protecting a woman's basic right to choose. I follow in her footsteps in many of these issues.

The Senator from California has really put her finger on it, the point I was trying to make today. This partial-birth abortion law that the Supreme Court is reviewing today, as well as the legislation before Congress—is just a smokescreen. Its a smokescreen which anti-choice Members and groups are hiding behind in order to get their eventual goal, which is the total repeal and overturn of Roe v. Wade, to take away the essential and basic fundamental rights about which the Senator just spoke.

Without Roe v. Wade and without that constitutionally protected right of women to have control over their own reproductive health, many of the things about which the Senator just spoke would be gone. There wouldn't be any right for women in the military, there wouldn't be any right for women in the District of Columbia or anywhere else, to have the kind of health coverage that would protect them in dire need when they need help, when perhaps a pregnancy has gone terribly wrong and they need immediate and very intensive medical help.

That was why I wanted to talk about it today. I don't want to interfere in the Supreme Court decision. That is for them to decide over there. What I wanted to point out was that in conjunction with that, here in the Halls of Congress there is a very dangerous game being played out where proponents of so-called partial-birth abortion really have want to overturn the basic right to choose for women. That is why the two of us joined together last fall to offer that amendment.

I say this because the Senator and I worked together on this amendment. We offered the amendment in good faith, thinking we were going to get an overwhelming vote of the Senate saying, yes, we support Roe v. Wade. I think both of us were shocked at how close we came.

Mrs. BOXER. I was stunned that Roe v. Wade is hanging by a thread in the Senate: 51–49; is that correct? It was very close.

Mr. HARKIN. Mr. President, 51–47; there were a couple of people who were not here.

Mrs. BOXER. There were a couple of Members who were not here. To think that a basic right won by women when we were very young, in 1973, all those years ago, would be hanging by a thread in the year 2000 is really amazing. I really do pray that the Supreme Court, as they independently decide these issues in this particular case of the Nebraska statute will recognize that what the Senator from Iowa says is absolutely true. It is so important.

We have a big debate over some made-up terminology that doesn't even exist in medical books. There is no such thing as partial-birth abortion. There is either a birth or an abortion. That is it. The description of the method used is really a method that is used in the early stages of a pregnancy as well. So if, in fact, that Nebraska case is upheld, women will be denied what is considered by many doctors to be the safest method. That undermines Roe because Roe was a very moderate decision. It basically said that before that fetus is viable, the woman has an unfettered right to choose. But at any stage in the pregnancy, one thing has to come first: the woman's life and the woman's health.

I say to my friend, when we get into a pattern of outlawing specific procedures and playing doctor—by the way, we do have one doctor in this Senate, but he is not an OB/GYN—when we start to play doctor in the Senate, we are going to endanger women's health.

If we start outlawing procedures we don't like—by the way, there is no medical procedure—something that is gruesome or you don't get upset by—if we start doing that, we will overturn Roe right here because we will be saying a woman's health really is subordinate, doesn't matter, and what does it matter if a woman can't have a particular procedural and as a result she is paralyzed or can never bear another child? It would be a disaster, and it would be overturning this basic right.

So I want to say to my friend that I appreciate his leadership. I enjoy working with him on this because we feel so deeply about it. Before he leaves, I will make one more comment. I trust my friend mentioned this, but I am not sure because I was on my way over here. The House of Representatives denied the House the opportunity to vote on the Harkin-Boxer amendment. The House of Representatives in this year has used a gag rule, if you will, to deny the Members of the House a chance to stand up for or against Roe v. Wade. I wonder what they are so afraid of. Are they afraid that some of their Members are so to the right on this issue and so against public opinion, it would hurt them in their reelection?

Now is the time to be heard, when Roe is hanging by a thread, and we need to have a vote over there. I hope my friend will continue to press this point, as we say together that it is wrong to deny the House a chance to vote up or down on Roe.

I ask my friend for his closing comment on that.

Mr. HARKIN. Again, I appreciate the Senator's very lucid and clear delineation of exactly what is going on here. It was a gag rule in the House. That is what they did. Under their rules, the Republican leadership would not allow a vote on our amendment. Again, I think it is because they don't want their veil of moderation lifted. They want to say this is only about partial birth. It is not, and we know it. It is about Roe v. Wade. Yet they don't want to have their people out there voting on it.

I think the American people have a right to know where we stand on this most fundamental right of women in this country.

Again, I thank my friend from California for her long and strong leadership on this issue. It is vitally important to all of us in this country that the basic, fundamental, constitutional rights that were enumerated in Roe v. Wade for the women of this country remain, and remain strong, and not be undermined in this body. So I thank the Senator for her strong leadership in this effort.

Mrs. BOXER. I thank my friend. I see the Senator from Arizona on the floor, so I will wrap up.

I think it is interesting and important, as we look at new amendments to the Constitution, that we think about the rights we already take for granted. The women in this country have counted on the Constitution to protect their right to choose. I only hope they will continue to have that right. It is, in fact, hanging by a thread here in the Senate with only 51 votes supporting that basic decision.

So I say it is a day to look at our rights, as we are looking at victims' rights, or their lack of rights, and what ways we want to make sure victims have rights, and that we also consider if a woman is denied a fundamental right to have control over her own

body, if she is denied that, she will be a victim—a victim of this Government thinking that, in fact, it knows better than she or the people who love her, and that the Government would think it would know better than her family, her God, and her conscience to make such a basic decision.

So it is a good day to talk about Roe v. Wade. As we look at new rights we are giving people, let's also make sure we don't take away any rights.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona.

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROTECT THE RIGHTS OF CRIME VICTIMS—MOTION TO PROCEED—Continued

Mr. KYL. Mr. President, the proponents of the crime victims' constitutional rights amendment, as I understand it, have about 6 minutes remaining. Senator FEINSTEIN has asked that I conclude our portion of this opening debate.

People who are viewing this might wonder what the last 35, 40 minutes have been about. This wasn't supposed to be about abortion. How did that get involved in the crime victims' rights amendment? Perhaps Senator LEAHY began this trend when he first spoke this morning about the possibility of gun control, abortion, and the balanced budget amendment.

I think the point is that people who are not motivated to adopt a constitutional set of rights for crime victims are willing to try to use our hard work, our efforts, and our energy to bring this proposed constitutional amendment to the Senate—which is very difficult to do—as a means of trying to tack on their favorite proposal, or to delay the Senate action on the crime victims' rights amendment to the point that we will have to move on to other pressing business. Either of those possibilities, I think, would be very sad.

Let me recount what has happened here. For almost 4 years, Senator FEINSTEIN and I have worked very patiently to bring forward a crime victims' constitutional rights amendment. It is very difficult to get a constitutional amendment to the floor of the Senate. We have had 66 witnesses appear at hearings, with I think something like 15 pages of testimony transcript. We have had hearing after hearing. We have gone through 63 different drafts to make this as perfect as we could. We have gotten it out of the Judiciary Committee on a strong, bipartisan vote. Then we got the majority leader to give us some floor time, which is very precious.

In other words, we put a lot of work into this in support of victims of violent crime in our society. Throughout this building, and in others, there are scores of victims and victims' rights organizations around television sets watching these proceedings, having finally gotten what they hope to be their ''day in court''—an argument about the crime victims' rights amendment and a vote on that.

What is beginning to emerge is a very disturbing tactic by those who oppose us, and that is either to try to delay this to the point that the majority leader will have to move on to something else, by offering all kinds of extraneous amendments, or by seeking to achieve what they have never been able to achieve through the normal legislative process, by using our proposal as a vehicle to attach their idea onto—in this case, perhaps, abortion. What better way to kill ours while getting some time to discuss their proposal.

Some of these same proponents are those who argue most vigorously against so-called riders to appropriations bills. They say, well, you should not have an extraneous amendment on an appropriation bill. If you are going to bring something to the floor, you should not debate something else. You should not amend it with something extraneous. We are willing to allow germane amendments to victims' rights in an effort to resolve how to best protect victims' rights. But what I fear I have seen here is a tactic either to defeat what we are trying to do or to use what we are trying to do to advance an entirely different agenda. That would be wrong.

The people watching this debate must be saying: There they go again. What are these Senators doing? They had a proposal to bring forth a crime victims' rights amendment to the floor, and, by procedural legerdemain, is that going to be prevented, overcome by an abortion amendment or something of that sort? We hope not. The bottom line is that there is a reason all of the people who support this amendment have said it is now time for a Federal constitutional rights amendment.

As we have seen this morning, States have been unable to protect the rights of crime victims with State statutes and their own State constitutional amendments. Attorneys general and prosecutors support this. Law enforcement supports it. The Attorney General of Wisconsin, Jim Doyle—a very respected Democratic attorney general—said this before the Judiciary Committee:

> I believe that most prosecutors strongly support victims' rights.

He notes some of the concerns of prosecutors. He said:

> I believe these concerns are more than adequately addressed in S.J. Res. 3.

The bottom line is that we have support from victims' rights groups, prosecutors, attorneys general, and Governors, and it is time now to decide whether we want to protect crime victims or not. We have an opportunity by bringing this matter to the floor. At 2:15, we will have a vote on what is called a cloture motion on a motion to proceed. If 60 colleagues agree, we will be able to go forward and debate the motion to proceed, which I assume will be adopted later today. Then we can proceed with debate on the constitutional amendment itself. We look forward to that. If people want to bring forward relevant amendments to that, so be it. That is what the process is about. But I fear what will happen if, instead, we get a series of nongermane amendments or attempts to delay this, to the point that we run out of time and, in effect, a filibuster has killed any hope these crime victims have of protecting their rights in our courts.

We have waited too long. Eighteen years ago President Reagan's Commission on Crime Victims recommended the constitutional amendment to address these rights. Eighteen years is long enough to wait. I hope when we finally have an opportunity on the Senate floor, that opportunity is not snatched away by people who want to pursue other agendas.

The PRESIDING OFFICER. The time of the proponents is expired; the opponents have 9 minutes.

Mr. KYL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Chair, in his capacity as a Senator from Wyoming, requests the quorum call be lifted, and without objection it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:16 p.m.

Thereupon, the Senate, at 12:23 p.m., recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. INHOFE].

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROTECT THE RIGHTS OF CRIME VICTIMS—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 299, S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims:

> Trent Lott, Jon Kyl, Judd Gregg, Wayne Allard, Robert Smith of New Hampshire, Richard Shelby, Gordon Smith of

Oregon, Bill Frist, Mike DeWine, Ben Nighthorse Campbell, Jim Bunning, Chuck Grassley, Rod Grams, Connie Mack, Craig Thomas, and Jesse Helms.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call under the rules has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims, shall be brought to a close?

The yeas and nays are required. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Delaware (Mr. ROTH), the Senator from Arizona (Mr. MCCAIN), and the Senator from Vermont (Mr. JEFFORDS) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Nebraska (Mr. KERREY), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 82, nays 12, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—82

Abraham	Fitzgerald	McConnell
Akaka	Frist	Murkowski
Allard	Gorton	Murray
Ashcroft	Graham	Nickles
Bayh	Gramm	Reed
Bennett	Grams	Reid
Bond	Grassley	Robb
Boxer	Gregg	Roberts
Breaux	Hagel	Rockefeller
Brownback	Hatch	Santorum
Bryan	Helms	Sarbanes
Bunning	Hutchinson	Sessions
Burns	Hutchison	Shelby
Campbell	Inhofe	Smith (NH)
Chafee, L.	Inouye	Smith (OR)
Cleland	Johnson	Snowe
Cochran	Kennedy	Specter
Collins	Kerry	Stevens
Conrad	Kohl	Thomas
Coverdell	Kyl	Thompson
Craig	Landrieu	Thurmond
Crapo	Leahy	Torricelli
Daschle	Levin	Voinovich
DeWine	Lieberman	Warner
Domenici	Lincoln	Wellstone
Edwards	Lott	Wyden
Enzi	Lugar	
Feinstein	Mack	

NAYS—12

Baucus	Dorgan	Hollings
Bingaman	Durbin	Lautenberg
Byrd	Feingold	Moynihan
Dodd	Harkin	Schumer

NOT VOTING—6

Biden	Kerrey	Mikulski
Jeffords	McCain	Roth

The PRESIDING OFFICER. On this vote the yeas are 82, the nays are 12. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. FEINGOLD. Mr. President, today I voted against a motion to close debate on the motion to proceed to S.J. Res. 3, a victims' rights constitutional amendment. Only twelve Senators voted no, although a far larger number oppose this resolution. I was prepared to vote yes on the motion, because the rights of victims are terribly important and a resolution like this ought to be thoroughly debated. But before the vote I learned that the language of this resolution to amend the Constitution is still being negotiated. This ought to be a solemn, soberly undertaken effort, for it presumes to revise the work of Madison and Hamilton and those great Americans who put to paper the ingenious design of the American republic in that hot Philadelphia room 224 years ago. But instead, we were asked today to begin that debate in earnest while the supporters of the resolution were still off in a room somewhere trying to agree on the language of the resolution.

So I said no. I said no to this casual, cavalier approach to amending the Constitution. It does not respect the seriousness of the process and has led to constitutional profligacy in the Congress—to hundreds of constitutional amendments being offered as if they were not gravely important, as if they were not an attempt to edit the organic law that has held our democracy together for two centuries. In the opening days of some recent Congresses, we have seen constitutional amendments introduced at a rate of more than one per day.

A few weeks ago, we considered a constitutional amendment to allow prohibition of flag desecration. I opposed that amendment, but I didn't oppose cloture on the motion to proceed. I voted for cloture because the backers of the flag amendment, wrong as I thought they were, at least showed some respect for the process. They believed there was a need for the amendment and they were able to point to particular events and precedents that they believed needed to be addressed. But no court has struck down the dozens of state constitution provisions and hundreds of statutes that protect victims' rights across America today, so why rush to amend the Constitution? The backers of the flag amendment argued, correctly, that their goal of allowing prohibition of some forms of speech could be realized only by a constitutional amendment. They offered a resolution that had been refined over time, whose supporters at least, had agreed upon. All of us were aware, long before the vote, what the resolution said. The vote on proceeding to the flag debate was not held in a fluid situation, where negotiations about language that might end up in our Constitution were still talking place. So we voted as Senators to proceed and we did proceed to a sober, deliberate and thoughtful debate and an informed vote about the flag amendment.

Today, on the victims rights amendment, the process was not respected. The Senate acquiesced in a casual exercise in constitutional improvisation, shunning the statutory alternatives that are readily available, to embrace the near immutability of constitutional language. So I voted no—to say we are not ready to have this debate, but we will have the debate and we may now add one more reason to the many reasons to oppose this resolution: its proponents have not respected the process and we are obliged to assume that their constitutional amendment, even if it were right in its general substance, must be flawed in its language and details.

Mr. LEAHY. Mr. President, what is the parliamentary situation now?

The PRESIDING OFFICER. The question is the motion to proceed to S.J. Res. 3.

Mr. LEAHY. Mr. President, there having been a cloture vote on that motion to proceed, what is the time situation?

The PRESIDING OFFICER. Each Senator would have up to 1 hour of debate, with a maximum of 30 hours total.

Mr. LEAHY. And within that 30 hours, am I correct, under the precedent of the Senate, Senators can yield part of their time to other Senators but not in such a way as to enlarge the 30 hours?

The PRESIDING OFFICER. As long as it does not extend beyond a total of 30 hours. The yielding of time must go to the managers.

Mr. LEAHY. The leaders or their designees?

The PRESIDING OFFICER. The leaders or their designees.

Mr. LEAHY. I thank the Chair. Mr. President, I will claim such part of my hour as I might consume.

It was less than a month ago, I recall, I stood on the floor of the Senate to defend the Bill of Rights against the proposed flag amendment to our Constitution. The Senate voted March 29 to preserve the Constitution and refused to limit the first amendment and the Bill of Rights by means of that proposed amendment. Apparently, preserving the Constitution in March does not mean the Constitution is safe in April. So here I am again as we begin to debate yet another proposed amendment to the Constitution. Yet, again, I am here to speak out in favor of the integrity of our national charter.

I support crime victims' assistance and rights, but I do not support this proposed amendment to the Constitution. Just as opposition to a flag desecration amendment does not mean a Senator is in favor of flag burning, opposition to a victims' rights amendment does not mean that a Senator opposes justice for victims of crime. In fact, during the course of this debate, we will have a statutory alternative to the proposed constitutional amendment that would serve to advance crime victims' rights.

I have been in the Senate for 25 years. I think it is safe to say that I have been a very strong advocate for victims' rights during that time. My initial involvement with victims' rights began more than three decades ago when I served as State's attorney for Chittenden County, Vermont. According to our population and under

our procedures at that time, by virtue of the office, at the age of 26, I became the chief law enforcement officer for the County. I saw firsthand the devastation of crime. I have worked ever since to ensure that the criminal justice system is one that respects the rights and the dignity of victims of crime and domestic violence, rather than one that presents additional ordeals for those already victimized.

I will continue to work for victims of crime and domestic violence in the course of this debate. I support crime victims and their rights, but I oppose this constitutional amendment. As a prosecutor, I was able to make sure victims were heard, that sentencing decisions were made with the rights of victims in mind, that plea bargains were not entered into without the rights of victims in mind. They were all heard. I also knew we could do that individually, or by State statute, or by State constitution. But we didn't have to amend the United States Constitution.

The proposed amendment, S.J. Res. 3, goes on for over 60 lines. I believe the most important part of our national charter, the Constitution, is the first amendment. This magnificent part of our document, in just five or six lines, says that we have the right of free speech, we have freedom of religion—that is, to practice any religion we want, or none if we want—we have the right to petition our Government, and we have the right of assembly. These rights, enunciated in just five or six lines in the Constitution, preserve the diversity—actually, they almost demand diversity in our country, and they protect diversity in our country. If you have diversity, especially diversity that is protected, you have democracy. Those five or six lines are the bedrock of our democracy and our freedom.

Contrast this with S.J. Res. 3. As I said earlier, I don't doubt the sincerity of my two friends, the chief sponsors of this; they are my friends and they are two people I respect. But this is over 60 lines. It is like a complicated statute, which will be made more complicated as the courts get a hold of it, as prosecutors have to figure out what is going on, and as defense attorneys look for loopholes. No place in it does it mention what we have always built our criminal justice system on—the protection of the rights of the accused.

James Madison, the great framer of the Constitution, instructed that a constitutional amendment should be limited to ''certain great and extraordinary occasions.'' Well, we have one thing that is great and extraordinary and that is our country and our democracy. It has made us the most powerful and influential nation on Earth today. But these are not great and extraordinary occasions that demand the amending of the United States Constitution.

I find it distressing that we so ignore James Madison's instructions and advice and that there are almost 60 proposed constitutional amendments pending before this Congress alone, including an amendment to make it easier to adopt other amendments in the future. Now, if we are going to do this, let's do it on everything. Let's have an amendment on gun control. Let's have an amendment on abortion. Let's have an amendment on reapplying from where Senators can serve. Let's do a number of other things. Some of the amendments that have been proposed look as if they were before a local board of select people. We should not be so eager to amend our Constitution. Look at Article V of the Constitution and read the first part of the first sentence. It says:

> The Congress, whenever two-thirds of both Houses shall deem it necessary. . . .

Does anyone think the American people would ''deem this necessary''?

At one time, after the President at the time sent up unbalanced budget after unbalanced budget, Congress said the only way to stop us from spending was to have a constitutional amendment to balance the budget. Fortunately, we do not have such a constitutional amendment today. Instead, we have a President who had the guts to send up a balanced budget, and we had a Congress who had the guts to back him up and pass it. That is how to do it—the old-fashioned way.

I believe this particular proposed constitutional amendment regarding crime victims' rights fails to set the standards set by our founders in Article V of the Constitution. It cannot be necessary. Let me state why: Over the last several years, we have been making great strides in protecting crime victims' rights. We have accomplished much in 20 years to advance the cause of crime victims' rights, through State law and Federal statutory improvements, through increased training or education, and through implementation efforts. There is no basis today for concluding that this constitutional amendment is necessary for providing crime victims' rights in the criminal justice process.

There is a growing fascination in the Congress with amending our Constitution first and legislating second. No Member knows how long he or she will be in the Senate. I have been privileged in the State of Vermont. My friends in the State of Vermont have sent me here for over 25 years. They do remind me that Vermont is the only State in the Union that has elected only one member from my party to the Senate, but I am thankful they do it by ever increasingly large margins. I don't know how long I will be here; no Member does.

As long as I am here, I will take upon myself the duty to say to the Senate: Slow down on this idea of amending the Constitution. Slow down.

Whatever short-term political gain Members may feel today, your children and your children's children will in all likelihood live by what you do. The temptation was there for the framers of the Constitution. I am sure they looked at the differences between the States and thought, if I amend the Constitution just this way, my State has an advantage or I have an advantage over this person. Instead, they resisted the temptation. Maybe that is why we are the oldest currently existing democracy in the world. Maybe that is why we have a First Amendment, something not duplicated in any other nation on Earth. Maybe that is why we protect ourselves and our rights as we do, because we know we have resisted over the years the 11,000 suggested amendments to the Constitution. Of those 11,000 amendments, one has to assume that somebody in every single instance thought their amendment was extremely important. Every one of those 11,000 times, somebody somewhere thought: This is the amendment to the Constitution that we really need; this is the amendment that falls under Article V which says it is necessary.

I was the 21st person in the history of this country to vote 10,000 times in the Senate. Those 10,000 votes were not all necessary for this country. Sometimes they were votes called by the Sergeant at Arms, and sometimes they were to adjourn. Sometimes they were votes to commend ourselves for doing something we were paid to do anyway. Of course, sometimes they were extraordinarily important votes.

I took pride in being the 21st person in our Nation's history to vote that many times. But I wouldn't have taken pride to think I voted almost the same number of times for a different constitutional amendment. Yet 11,000 constitutional amendments have been before the Senate. Imagine our Constitution if the 11,000 amendments had passed. Heck, take half of them. Imagine our Constitution if 5,500 passed. Impossible. Say 10 percent, 1,100, passed; 5 percent, 550; 1 percent, 110, passed. If we had taken a tiny fraction of these 11,000 that were so essential to this Nation, our Constitution would not be something that would be revered around the world, that other countries would try to emulate; it would be a laughingstock.

Until we do our job with statutes, until we find the ways within the State, until we explore other ways to help with victims' rights, until we follow through with the commitment of necessary resources, until we look at all those States that have passed their own victims' rights laws, until we accept the fact that not one single court has found those unconstitutional, thus saying we don't need a constitutional amendment, until we do that, why do we amend the Constitution again?

As I said, I don't know how much longer I have in the Senate. However, I will stand on this floor, constitutional amendment after constitutional amendment. This is a wonderful document. Don't change it. Don't change it

unless an amendment falls under Article V and really is necessary. This is not necessary.

It is ironic, at the height of the key dynamic changes in increased rights and protections for crime victims over the last decade, the efforts on behalf of this constitutional amendment have had the unfortunate, and I believe unintended, fact of slowing that process and dissipating those efforts.

Who suffered? The crime victims. Crime victims are among the most sympathetic figures. And they should be. They are also some of the most politically powerful groups in our society today. We are all supportive of crime victims. That probably takes political courage, to say we should ask some questions, because it takes little political courage to say you are in favor of crime victims; we all our. It is not whether we support crime victims, because we all do. Certainly, those of us like myself who have been prosecutors, who have seen firsthand the beaten victims, the stabbed victims—I even had a murder victim die in my arms while he was telling me who killed him—understand victims. But this debate is not about those victims. It is whether the Senate will endorse the amendment to the United States Constitution. I will do all in my power to make sure we do not amend the Constitution.

April is an especially sensitive time of year for crime victims and those who advocate for them. Frankly, I feel every day we should be advocating for them. Two weeks ago was the 20th anniversary of Crime Victims' Rights Week. During that time, I was one of the few Senators who came to the floor to try to make progress on crime victims' rights by proposing an improved version of the Crime Victims Assistance Act, S. 934.

Last week, we observed the fifth anniversary of the bombing of the Alfred P. Murrah Federal Building. Some of us have worked long and hard for the victims of crime and terrorism around the world. I was proud to be the author of the Victims of Terrorism Act amendment to the anti-terrorism bill that passed the Senate in the wake of that tragedy of June, 1995, which served as the basis for what became the victims provisions ultimately enacted in 1996.

I worked with Senator NICKLES and others to provide closed circuit television coverage of the Oklahoma City bombing trials. I supported special assistance for victims and their families to attend and participate in the trials, including enactment of the Victims Rights Clarification Act in 1997 to help ensure those who attended the early portion of the trial could also testify or attend during the sentencing phase.

I do not need to be told by anybody that I have to be sympathetic with victims of crime. I have done that throughout my professional career. I have done it in legislation. I did it for 8 years as a prosecutor.

But I also look at some of the things we are not doing here in Congress. Last Thursday, we observed the first anniversary of the tragic violence at Columbine High School in Colorado. That anniversary served as a reminder of the school violence we have witnessed too often over the past few years. Yet the Senate and House have not completed their work on the juvenile crime bill, a bill that passed the Senate last May by a margin of almost 3 to 1.

The Hatch-Leahy bill passed this body 73–25. Since then, the Republican leadership continues its refusal to convene the House-Senate conference necessary to complete action on this measure. Tell that to the families who were at the zoo here in Washington D.C. yesterday. Tell them the gun lobby will tell us when we can meet and when we cannot, in the United States Congress. Tell those families.

We, oftentimes, have emotional issues that come before us. This past weekend Elian Gonzalez was reunited with his father, Juan Miguel Gonzalez. You know what happened there. The great uncle had temporary custody, custody was revoked, he refused to do a voluntary transfer of the child, the Attorney General finally had to act to reunite them and say the United States would uphold its own laws. I think it was done in the right way. Everybody is running around: We'll have a special citizenship bill, special amnesty bill, special whatever else. I say, remember what the Senate is supposed to be. Remember that wonderful story about the cup and saucer. We are the saucer that allows the cooling of the passions, and we should approach debate of a proposed constitutional amendment with the seriousness and deliberation that it requires.

We could go, instead, back to some of the legislative things we could do right now, that could be signed into law right now, that might help victims of crime.

I see the distinguished senior Senator from New Jersey, a man who, throughout his career here in the Senate, has worked so hard, not just for victims of crime but for those laws that might ensure that at least we have a diminution of crime, especially gun crimes. I am perfectly willing to reserve my time and yield to the distinguished Senator if he would care to speak.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, first, I thank the distinguished Senator from Vermont, the ranking member of the Judiciary Committee. He has a homespun way of talking at times, but he always brings good sense and good judgment to the debate. I appreciate his comments about how we have to be so mindful of our responsibilities under the Constitution, and we ought not to trifle with amendments to the Constitution. The Constitution is the fundamental text of our democracy and we ought not to amend it if there are other ways to address the problem.

Some of those listening may have trouble following all of our twists of logic, but one thing should be clear—we all know we have too many victims in our society. We know we have families torn apart, even if they are not directly victims themselves. Look at Columbine High School. Who were the victims? Were they just the young people and the teacher who were killed and their families? Were they the only victims? Or was the whole high school population of Columbine a victim? Or was the whole community of Littleton, Colorado that was the victim? Was the whole country a victim? I think so.

All of us had images seared into our psyches that I think for most of us will last a lifetime. Were we victims of a sort? Were we victims of our lack of understanding of how we got to that point? Are we victimized by violence that does not touch us immediately? I think so because otherwise we would not see these magnetic detectors all over the place. We wouldn't have security guards all over the place, and we wouldn't be spending money building ever more prisons—money that could be used for education or health care or prescription drugs or to help young people in our society. So we are all victimized by crime.

That is the problem with the constitutional amendment that is proposed—defining who is the victim. Once again, is it the family whose house was broken into and the terrible deeds that followed? Or is it everybody in the neighborhood? Or is it young child who lost a friend who was 6 years old, who do not understand why the friend was murdered by another 6-year-old child? Who is the victim? Even the family of a perpetrator of a terrible crime is often a victim.

Given the difficulty of defining who is a victim, it might be better to address this statutorily. We ought to write a statute that very clearly says: Yes, victims' rights have to be protected. We have said it so many times over the years, writing laws as opposed to amending the Constitution. That is the question, really. No one is saying we should not take care of the victims. But the question is whether you try to address the problem by statute or if you take the much more drastic step of amending the Constitution.

And when we talk about victims we should remember all of the people who have suffered because of the proliferation of guns.

Look at what happened yesterday at the National Zoo. Seven young people were shot. I have my four children and their spouses and seven grandchildren, the oldest of whom is 6, coming to Washington in a few weeks commemorating, with the grandfather of the family, my career in the Senate. We are going to celebrate. Because they are all so young, to amuse them I said we would go to the zoo. I am not as enthusiastic about going to the zoo today as I was a couple of weeks ago when we thought about this.

I am worried about what might happen in public gatherings. The two oldest of my grandchildren—again, they are little kids—are in school. I call my daughters and say: How are the kids? When I see something that goes awry in a school and a 6-year-old child can kill another 6-year-old child because of someone's careless possession of a gun, their careless abandonment of normal safety protections, I worry about them. I worry not only for my family. I worry mostly, obviously, as we all do, about my family. But I also worry about all of the violence that permeates our society. There is enough of that on television—even in cartoons. And I think that some of the depictions of violence may encourage violent behavior. The seeds may be there, but the encouragement, the nurturing of those seeds often takes place in movies and television where the hero is the guy who comes in with a gun blazing. Who he is killing we are never quite sure, but he is killing people.

If we want to take care of the victims, then we ought to pass a law and be bold about it and not fall prey to public posturing and say amend the Constitution. How many other rights ought to be included as we talk about victims? Should parents' rights be protected? Should grandparents' rights be protected? Should workers' rights be protected? Should women be protected? We think so. They are very often victims of crimes that do not necessarily leave a mark that one can see but often does enormous damage to their psyche and to their mental well-being—harassment, sexual harassment. Are we amending the Constitution to deal with that? No, we are not.

And we need to stop the political posturing about many issues. For example, we need to stop all of the posturing on gun control and take action.

I wrote an amendment and presented it to the Senate when we were discussing the juvenile justice bill. The amendment is very simple—it would close the gun show loophole. We received 50 votes on each side. No, that is not fair to say. Fifty votes for and 50 votes against, including some of my Republican friends who agreed with us that we ought to close a loophole in gun shows that permits people to buy guns without identifying themselves. I call it buyers anonymous: Someone goes in, puts their money down, and walks out with as many guns as they can physically carry. They can even come back for another load. There is no identification required. Even though some in this Senate want to protect that practice, my amendment prevailed. With the Vice President casting the tie-breaking vote, the amendment passed 51–50.

It was a dramatic day. We all worked so hard. But since then, the juvenile justice bill has been stalled in a conference committee.

There is a game played around here—political football. If you are in the majority and do not like something, you have the ability to stop the legislation from moving. We established a Senate conference committee with a House conference committee, which is the normal process. They confer on differences that each of the Houses has on their legislation. We sent it to the House. The conferees took forever to be named. Finally, we got conferees.

What did they do to keep the public from knowing, to keep potential victims from understanding what might be happening? They did nothing. The distinguished Senator from Vermont, who always brings sense to our body when he discusses issues with which he is so familiar, mentioned it. April 20 was the 1-year—I do not even like to use the word ''anniversary''—but it was one year since that horrible day we all witnessed—kids running, young people in the prime of life killed.

There is nothing more satisfying to me, perhaps because of my white hair and age, than seeing young people in the full blush of youth enjoying themselves. Sometimes they do silly things. It is fun when I see young people, whether they are little young people or 16, 17, or 19 years old. I joined the Army when I was 18. I did not realize how young it was until I looked back.

Young people who were enjoying themselves were mowed down by two young killers at Columbine High School. Families were brought to the worst grief anyone can imagine. A young man was hanging out the window pleading for help. We do not know what he was saying. One can imagine what he was saying. His hand was outstretched trying to reach for safety wherever he could go get it, a refuge from the madness surrounding him. That was April 20, 1999. April 20, 2000—nothing has happened. Nothing. I say let's vote on it—you can vote for gun safety or against it. Let the public see how you voted. But no, they do not want to do that because they are all scared in their own way. They are scared the public is going to see that they will not take steps to end gun violence.

Here we are. We had promises recently that we would be voting on a conference bill, and we ought to do that pretty soon. All they have to do is say to the conferees, ''Get the job done,'' and the bill will be on the floor. But we cannot get them to do that.

The majority—and I talk with all due respect in friendship about the majority—is in charge. That is the way it is. I wish it was otherwise, frankly, but the Republicans are in charge, and the Republican leader has not brought it up, though he said he wants to bring it up. He said it publicly. On April 9, when asked, he said he would bring it up soon. On ''Face the Nation,'' a very well-known program, he said he would be amenable to bringing it up. He was asked by Bob Schieffer: ''Don't you have to get the conference committee to meet? Why don't you at least have a meeting?'' in reference to the conference committee on juvenile justice, one part of which is an attempt to control gun violence.

The majority leader said they were talking about it.

Schieffer came back and said: ''Let me pin you down. Do you think you're going to get that conference committee to meet to kind of get this started?''

The response by the majority leader was, ''I do.''

That was April 9. Today is April 25. April 9 to April 25, that does not seem as if it is rushing to do things.

It was promised. Well, the majority leader said, ''I do.''

Schieffer said, ''This week?''

The majority leader, again, with all due respect, said, ''I don't know if it will be this week, but we will get it done in the next few weeks.''

There have been a few weeks. Why don't we get this done? We are all concerned about victims of crime, but let's pass legislation that will prevent people from becoming victims of crime.

I continue to urge the Congress to move forward on gun safety. And what is the response of the Republican Party—the Republican Senate group. Well, here is what GOP aide John Czwartacki said in Roll Call:

> It is a shame but no surprise that they would exploit the tragedy of these children's deaths to promote a political agenda.

That is what he said. He said it in response to a commitment that I and several other Senators made that we would do whatever we could to get that juvenile justice bill moved along so we could discuss ways of reducing gun violence.

At times I wonder what it will take for people in this chamber to get the message. Despite what the American public says, despite what parents say, despite the fact that there will be a million moms marching on Mother's Day—some members of this body refuse to act.

Why? Why is it that the voice of the NRA, the National Rifle Association, can be heard so clearly in this place and so clearly influences legislation. Why is it that special interest voice sound so loudly in this place that the majority will not bring up legislation that says: Close the gun show loophole so unlicensed dealers cannot sell guns to unidentified buyers? Why is it?

Why is it that it drowns out millions of voices? Look at some of the polling data. In overwhelming majorities, up as high as 90 percent, people say: Shut down that gun show loophole. But those voices do not get through here.

It is quite an amazing process of physics that the sounds travel all the way here from the NRA office in Washington, but across this country where everybody is supposed to be represented in this body, those voices do not get through. They do not see the tears. They do not understand the grief. They do not hear the pleas of people who have become victims as a result of a loss of a child or a loss of a loved member of a family. Those voices

do not get through. But the voice of the NRA, with its control of some of the people that work here and in the other body—control, that is what happens—they set the agenda.

As we discuss victims of crime and constitutional amendments, it bears a note of hypocrisy because buried in there, in my view, is this overhanging question about what constitutes a victim, as I earlier discussed. What should the Constitution be open to? In the more than 200 years we have had the Constitution and the Bill of Rights, it has been amended 18 times. It is a deliberate violation of what constitutes good judgment very sparingly.

One of the dreaded thoughts that passes through so many of our minds is amending the Constitution for one thing after another. We have had several goes at that very recently when it was thought maybe we would amend the Constitution to do things that we ought to take care of by law.

I will close, but just with this reminder. Here is a picture of one terrible person. He is on the FBI's Ten Most Wanted List. Guess what. He can go up to an unlicensed dealer at a gun show and buy guns. He does not even have to worry about them calling the cops because they do not ask his identification when selling weapons.

There is enormous pressure to keep this gun show loophole in place. Imagine, those criminals on the FBI's Ten Most Wanted List, and any one of them could walk in to a gun show and approach an unlicensed dealer and say: Give me a dozen of these or two dozen of those, and here is the money, and the deal is done.

It is my hope we will resolve the dispute that is in front of us now in a statutory fashion; that is, to write law, not to amend the Constitution. Start there. Extend the debate so that all points of view are sufficiently heard. Let's let the public know what we are talking about when we do this.

But even as we contemplate the course of action on this constitutional amendment—I think it was with 80-some votes that we said we ought to move ahead. Some of those who voted for cloture, however, are just interested in opening up the debate and not really supporting the constitutional amendment.

I say to all my colleagues, I intend to continue to push for the conferees on the juvenile justice bill to sit down and talk and to come up with a conference report. Come up with their conclusion, whatever that happens to be, and let the American public know that they are not just sitting on their hands as a way of killing this legislation. And those who oppose it should have the courage to speak up and say: No, I don't want to control gun violence that way. Guns don't kill. People kill. Or they may say: The little boy who is 6 years old is a criminal that the police should have been watching, I suppose, before he went to school that day with that gun.

There are so many times when a person becomes a criminal for the first time when they pull that trigger. But the response is always the same—guns don not kill, people kill. Well, you do not have many drive-by knifings. It's a lot easier to kill people with a gun.

So we are going to do whatever we can. We are going to seize whatever opportunities we can. We are going to stand and shout this message until it is heard all the way across this country, so that people will call this place, call their Senator, call their Representative, and tell them they want to see something done about gun violence in this country, that they are sick and tired of losing thousands and thousands of people to gun violence.

There are 33,000 victims in a year, when a country such as Japan and the UK and others have less than 100. We sure do not have 300 times their population.

There are ways to control violence. One of them is to take these lethal instruments out of the hands of people who are not qualified to have them.

I wrote a law to take guns away from those who are domestic abusers, guys who like to beat up their wives or kids, or guys who like to beat up their girlfriends.

We had a heck of a fight here. Finally, with President Clinton's help, we got a bill signed one night that was attached to an appropriations bill.

The opponents said: It is not going to do any good; it is not going to matter. That was done in the fall of 1996. Since that time, we have stopped 33,000 requests to buy guns. 33,000 times that a spouse or a friend or a child in a household doesn't have to hear somebody say, ''If you don't do this, I'm going to blow your brains out''; 33,000 times in just over 3 years.

The gun lobby fought me and said that is junk, you don't need that, that is silly, that is not where we ought to be going, we ought to be locking people up, and so forth. Of course, we do lock them up. They deserve to be locked up, if they are criminals. We lock up and enforce the law in more cases now than at any time in the past. Convictions are way up. Housing criminals has become a problem. We don't have a sufficient number of jails to accommodate them.

I go with this promise: We will be back again. Not just on this bill, but as we consider other pieces of legislation. We are going to fight on this floor. Whether it is kids pulling out guns to resolve fights, or someone using a gun when they want to rob someone, we have to stop the gun violence. I am sure the public will agree.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, as I understand it, to debate this amendment, S.J. Res. 3, I am entitled to 1 hour.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHUMER. I yield myself that hour.

The PRESIDING OFFICER. The Senator is recognized.

Mr. SCHUMER. Mr. President, I thank my colleague from New Jersey for his eloquent words, his passion and leadership on this issue. I join with him, helping in any way I can to see that we get to finally pass the Lautenberg amendment which the country so much wants. I thank him for his doggedness. We will prevail, I do believe. I thank the Senator from New Jersey.

I am here to address S.J. Res. 3, the constitutional amendment for victims' rights. As I guess my history in the Congress shows, I have been very concerned about crime issues. If one would have to say they had a signature issue, for me, that has been it. I came to the view when I came to Congress—and am still of that view—that particularly in the 1980s and early 1990s, the pendulum had swung too far in the direction of individual rights and not enough in the direction of societal rights. I spent a good portion of my time in the Congress trying to bring that pendulum to the middle, joined by Democrats and Republicans. I am very proud of that work.

I come to the floor because nothing in my time in the Senate has troubled me more, has bothered me more, than the amendment we are beginning to debate. I greatly respect the Senator from Arizona, Mr. KYL, and the Senator from California, Mrs. FEINSTEIN, for the work they have done on this issue. Frankly, my views are not dissimilar to theirs on the issue of victims' rights. I helped write the law for right of allocution, for the victim to stand up at sentencing and say his or her piece. I have been extremely supportive of victims' rights.

Then why would I find this amendment so troubling, more troubling than any other bill we have debated? Because I revere the Constitution. I consider America to this day the noble experiment the Founding Fathers called it when they had written the Constitution. I believe the Constitution is a sacred document. The more I am in Government, the more I almost tremble beside the wisdom of the Founding Fathers. Someone called them the greatest group of geniuses. There may have been other individual geniuses who were greater than any single member who wrote the Constitution, but their collective genius was the greatest group assemblage of genius the world has known, a person wrote. I tend to share that.

Amending the document they put together is an awesome responsibility, something that should not be taken lightly, something that should be done with the utmost care and forethought. One should only debate constitutional amendments when there is no other way to go. We should not mess with the Constitution. We should not tamper with the Constitution.

Yet here we are today debating a victims' bill of rights, a constitutional amendment on victims' rights, when not a single State supreme court, and certainly not the U.S. Supreme Court, has declared any victims' rights statute unconstitutional. I repeat that amazing fact for my colleagues. For the first time we are here debating a constitutional amendment with the other 19 amendments and with, of course, the 10 amendments in the Bill of Rights being different, where not a single State supreme court and not the U.S. Supreme Court has ruled any part of victims' rights unconstitutional.

What is called for here is a statute. I would support making a statute, a law, almost the exact amendment, perhaps even the exact amendment, the Senator from Arizona and the Senator from California are proffering. But a constitutional amendment? Why? Why? Why amend the Constitution when no law has been declared unconstitutional? We have never done that in the over-200-year history of this Republic. We have never taken something we believe in and said, let's immediately make it a constitutional amendment.

We have debated constitutional amendments here because statutes were thrown out. We just did it on the flag burning amendment. People believe strongly that the flag should not be burned. The U.S. Supreme Court said it was under the aegis, the penumbra, of the first amendment. So we did our duty on this floor and debated whether we should amend the Bill of Rights. For the first time ever, we would do it to say that flag burning was prohibited. It was what the Founding Fathers thought the constitutional process should be. It was an amendment that had been thought about. It was an amendment that had been debated. It was an amendment that went to the core of great constitutional issues.

My guess is if a Washington or a Jefferson or a Madison were looking on the floor during that debate, they would have smiled, they would have said that was the Senate they hoped to have.

If a Washington or a Jefferson or a Madison were looking on the floor as we debate this, I believe they would recoil, not because of the issue of victims' rights but because of the thought of passing a constitutional amendment, only the 20th since the Bill of Rights, when no law had been declared unconstitutional, when no aspect of the Constitution itself needed to be clarified.

I ask my colleagues—and I will ask them when they are here because this debate will go on for some time, as it should—why not a statute? I have heard my colleague from California say: Because we have to show how important victims' rights are. With all due respect, we can show that importance with a statute.

I believe in the rights of working people. I have worked for laws such as minimum wage and protecting rights in the workplace. I would not put in the Constitution that we must protect the rights of working people, unless, of course, there were a series of statutes about working people that had been thrown out by the courts. Even in the early 1900s, when the wage laws and child labor laws were thrown out as unconstitutional, we didn't amend the Constitution—when there might have been reason to. But here? Now? As the lawyers say, no stare decisis, no final opinion. It doesn't make sense.

I have to tell my colleagues, if we were to pass this amendment, we would be fundamentally changing constitutional history, the way the laws of this country are made, because we would say that the new Constitution is open to things we believe in and feel strongly about, even where a statute might have solved the problem.

My colleague from California and I—I regret that she is not here—had this conversation after our caucus. She said to me, well, there have been two Federal courts that ignored victims' rights even though we passed statutes. Well, that means the statute was poorly drafted. A judge cannot ignore statutory law. I asked her, ''Well, why wouldn't that be appealed if it wasn't well drafted?'' It wasn't appealed. But to rush to a constitutional amendment?

This amendment has been below the radar screen. It has crept up upon us stealthily. It hasn't gotten the airing and debate it needs, and already we are rushing to judgment, attempting to pass a constitutional amendment. Again, it was said that the constitutional amendment is still being negotiated by one of the chief sponsors. What is this? We are negotiating a constitutional amendment at the same time we are debating it—something that if it becomes part of the Constitution cannot be changed without huge movement? You don't do that. The Constitution is a sacred document. The greatest group of practical geniuses in the world put it together. It is not something willy-nilly, if somebody feels strongly about it—and I respect the energy and passion—that we just go ahead and amend the Constitution. This is a dispiriting day in a certain way, in my judgment, because we are debating whether to take that great document, the Constitution of the United States, and cheapen it by saying when we feel passionately about something, we skip the statutory process, the judicial process, and we go right to amending the Constitution.

I am not debating the merits of the provisions. As I said, I believe in almost every one of them. But every one of these could be accomplished by statute, by law. And then, if we found out one was poorly drafted, we could change it; then, if we found out there was something people didn't take into account—and that happens when we write laws—we can change it. Not so with a constitutional amendment.

If you look at the amendment that has been drafted, it is longer than the entire Bill of Rights. If you look at the language, it is not the language of the Constitution of the United States, which talks about great concepts. Victims' rights is a fine concept, but the language, which I have here, is the language of a statute.

Again, I have not received an answer—a good answer—from my colleague from Arizona and my colleague from California as to why not a statute. You can pass it more quickly and more easily. It fits the amendment. It fits what you are trying to do. No court, no supreme court, no final authority has thrown it out. And to say there were two Federal cases where the judge ignored a statute, and we immediately go to a lower court judge, and we immediately go to a constitutional amendment, again, cheapens the Constitution.

I intend to debate this amendment at some length. I know some of my colleagues will, too. As I said, this has not gotten airing. In fact, a month ago, if you talked to most people, they shrugged their shoulders and said, ''Don't worry, this won't come up.'' Well, it is here and it is being debated. We are on the precipice of changing what an amendment to the Constitution of this great country means. We ought not to do it lightly. We ought not to do it simply because we feel a need, as I do, to say that victims have rights in the courtroom. We ought to do it because there is no other alternative. And here there is. We ought to do it because the judicial and legislative processes have been exhausted and the Constitution hasn't anticipated a new change. This clearly is not that case. We ought to do it because this issue has reached its fulsomeness.

My colleagues, I believe if this body were to pass this amendment, we would regret it shortly thereafter. We would experience, as we never have, debate about what specific little clauses in the Constitution mean—not the interpretation of what is freedom of speech, but how do you define a victim. How do you deal with certain phrases and clauses? It is a troubling day. It is a troubling day because almost without debate, almost without national focus, we are thinking of changing what an amendment to the Constitution means. It is not simply supposed to make us feel good. It is not simply to make a political statement to the people back home. It is to fundamentally change the rights, privileges, and obligations of the Government and the citizenry.

Again, to my colleagues, why can't we try to pass this very same language as a statute? I am going to introduce that as an amendment if we are allowed to—the exact language they have but make it a statute. I have not heard a good argument and, until I do, I urge every one of my colleagues, Democrat and Republican, to refrain from the understandable desire to do something quickly and instead do something correctly.

Mr. President, I reserve the remainder of the hour that has been ceded to me to debate this amendment.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I don't understand the procedure at this moment. I don't know if I seek recognition through the Senator from New York or the Chair.

The PRESIDING OFFICER. The Senator can seek recognition in his own right for up to 1 hour.

Mr. DURBIN. I ask to be recognized on S.J. Res. 3.

The PRESIDING OFFICER. The Senator is recognized.

Mr. DURBIN. Mr. President, I commend my colleague from New York on the statement he has made on the floor of the Senate. It is interesting that when Members of the Senate are brought into this Chamber and asked to become official Members of this body, we are asked to take an oath. It is an oath which in one part—and perhaps the most important part—is to preserve and defend the Constitution of the United States. When you consider all of the great documents that have been produced in the history of this great country, it is clear that when it comes to our service in the Senate, the one document that we are asked to hold above all others, to preserve and defend, is the Constitution of the United States.

Of course, it is understandable because those who created the Senate and its counterpart, the House of Representatives, did it in this document, this Constitution, a copy of which I carry. They believed that future Senates and future Members of the House of Representatives, if they preserved this document, would preserve this union.

The job of preserving this Constitution of the United States is not often easy nor popular. Some say 11,000 different times in the last 100 years Members of the Senate have come to the floor in an attempt to change this document. It is interesting that in the course of the history of this Nation, after the adoption of the first ten amendments to the Constitution, the so-called Bill of Rights, we have only amended this Constitution 17 times—the Bill of Rights and 17 additional amendments. Today, we are being asked to amend the Constitution for the 18th time since the adoption of the Bill of Rights.

It is curious that in the history of our politics, the Republican Party, which so often claims to be the conservative party—and to take that literally, I assume that means to conserve the values and principles of this country—has so often been in the leadership not to conserve but to overturn and change the most basic document, the Constitution of the United States.

I am told in the last 4 weeks there have been four proposals—one in the House and three in the Senate; this is the third in the Senate—to change the Constitution of the United States. This document has endured for over 200 years. It appears many of our colleagues want to change it as quickly as possible in a variety of ways. Some want to change it when it comes to balancing the budget. Others want to change it when it comes to flag burning. Now today there is a suggestion that we want to change it when it comes to the rights of the victims of crime.

With all due respect to the wisdom and intelligence of all of my colleagues in the Senate, frankly, I think they are anxious to take a roller to a Rembrandt. They want to make their mark on the Constitution believing that what they suggest matches up to the stature of the words of Thomas Jefferson, Madison, and the Founding Fathers of this country.

With all due respect to my colleagues, Senate Joint Resolution No. 3 before the Senate now pales in comparison. This resolution has been around a while. It is shop worn. One of the sponsors of the resolution, Senator KYL, came to the floor today and said with some pride that this was the 63rd draft of this constitutional amendment, and as we stand today and debate, the 64th draft is being written in a back room. At some point it will pop out of that room and on to the Senate floor and we will be told: Here it is; this is the next amendment to the Constitution of the United States.

Forgive me if I am skeptical, but I believe on reflection we would regret passing this proposed constitutional amendment. If the authors of this amendment who have been working on it for years—and I give them credit for all of their effort, but they still haven't gotten it right. As the matter comes to the floor of the Senate, do we honestly believe the words in this document will endure as our Constitution has endured for over 200 years? No, I think we are in haste producing a product which we will come to regret.

Now to the merits of the issue. It is one which, frankly, cannot help but touch your heart. Far too many people are victims of violent crime. These victims are frightened, they are fed up, and they are determined. They are rightfully frightened because they and others have far too great a chance of falling victim to a violent crime. These victims have endured needless and unjustified physical and emotional suffering. Just last night at 6 p.m., in the Nation's Capital, at the National Zoo, one of the real attractions in this city for visitors from across this region, around the Nation, and even around the world, seven children were shot while visiting the zoo. One of the seven, an 11-year-old boy, was shot in the back of the head and is in grave condition.

The statistics on violent crime and gun violence are staggering in the United States of America. Twelve children die every day in America as a result of gun violence.

Many crime victims are justifiably fed up. They feel as if the criminal justice system has wronged them. These people were innocent victims, but they feel deprived of the fundamental need to participate in the process of bringing the accused to justice. Victims of crime are understandably determined to ensure that other victims of violent crime have the right to an active and meaningful involvement in the criminal justice system. I believe every effort to ensure that crime victims are not victimized a second time by the criminal justice system should be taken. Today, we are here to begin the hard task of determining how best we can achieve this shared goal.

I don't think many will ever be able to appreciate fully the impact of crime on a person. In my family's history, we have had a home burglarized and felt violated, as most people would when they come home to find someone has been through your belongings and taken something away. This is an eerie feeling as one walks through the house.

I have had one of my children assaulted. Thank goodness she wasn't hurt seriously. As a parent, I felt rage at the thought that somebody would do this to my daughter. Thank God she survived it. They never caught the person responsible for it. I felt in a way that she was not the only victim. All of us who loved her were also victims of this violence.

A violent crime irreparably alters the texture of life for the victim, that victim's family, and many of their friends. The awareness and memory of that crime pervades and alters the victim's very being. I don't think a victim ever totally gets over it.

We know a criminal justice system at its best cannot undo a crime. We surely also realize the way to fully address the effect of crime is not just through the criminal justice system. If we are serious about dealing with the impact of crime upon an individual victim, a family, or a community, we must act systematically and consciously—not just with symbolism and political effort. I believe one of the worst things we can do is to pass a constitutional amendment that contains illusory or unenforceable promises regarding crime victims. In order to genuinely address this issue, we must understand the way crime rewrites a victim's life. Then we must do what we can to ensure that the rewrite is not inevitably tragic.

I support crime victims' rights. I confess to concerns about amending this Constitution. I view the Constitution, and in particular the Bill of Rights, as one of the most enlightened, intelligent, and necessary documents ever created. I believe any efforts to amend it must be reserved for the most serious circumstances.

I cannot help but remember as I stand on this floor, as I often do, debating constitutional amendments which seem to be the order of the day, how many leaders of newly emerged democracies come to the United States of

America as one of their first stops. These men and women who have seen their countries liberated from totalitarian rule, Communist rule, come to the United States and make their stop right here on this Hill, in this city, in this building.

They believe, as I do, that the validation of democracy lies right here within the corners of the walls of this great building, because this generation of leadership in the Senate and in the House tries to carry on a tradition, a tradition of freedom and democracy, a tradition that is not embodied in a flag but is embodied in a book—the Constitution of the United States.

When you look at the political atmosphere surrounding this debate on this constitutional amendment, you will see that it is different from any other debate we have had on an amendment to this Constitution. A constitutional amendment is really only necessary when there is a concern that the rights of the minority may not be respected by the majority. When there was first a suggestion of a Bill of Rights, it was opposed by James Madison. He said: It is not necessary. The original Constitution, as written, defines what the Federal Government can do, and therefore all of our rights as individuals, as State governments, and as local governments, are certainly ours and preserved. We do not need to add any language preserving them, it is assumed that they will be preserved.

But as the Constitution was submitted to the various States for ratification, more and more delegates came back and said: We disagree. We want explicit protection. We want the Bill of Rights to explicitly protect the rights of American citizens, and we want to spell it out.

One of the primary arguments used for the validity of the Bill of Rights is that the first amendment, so often quoted for freedom of speech and press and assembly and religion, is often heralded as the first amendment because it was so important. A little reading of history shows us it was not the first amendment in the Bill of Rights. The first two amendments submitted to the States in the Bill of Rights were rejected. The third amendment, which is now our first amendment, moved up. The first two that were rejected related to the question of reapportionment of the Congress and the ability to be compensated or receive additional compensation during the course of a congressional term.

That little footnote in history notwithstanding, we value these 10 amendments in the Bill of Rights as special.

Then, beyond that Bill of Rights, concerns about the rights of the minority rose again in the 13th and 14th amendments, when we repealed slavery, or in regard to the 19th amendment and the provision of suffrage to women.

This amendment, however, does not fit in that description. All but a very small number of American politicians and organizations emphatically support victims rights. Every State in the Union has at least statutory protection of victims of crime when it comes to the procedure of criminal prosecution. Some 33 States have amended their State constitutions to provide similar protection, including my own home State of Illinois in 1992. I fully support that. I think the State was right to pass a crime victims protection in our State constitution.

Second, any amendment to the Constitution should be more than just a symbolic gesture. I want to grant crime victims real and concrete rights. The proposed amendment, however, has certain provisions which are illusory and unenforceable. Indeed, the amendment lacks definable language and does not address its implementation. What is the most important single word in a crime victims protection amendment? Let me suggest it is ''victim,'' the word ''victim.'' That is the group they seek to protect and honor and empower. Yet search, if you will, S.J. Res. 3, you will not find a definition of the word ''victim.''

For those who are listening to the debate, who say, ''How can that be a problem? We know who the victim of the crime is''—are you sure? My daughter was assaulted. She was certainly the victim of a crime. As her father, was I victimized?

Some say: That is a stretch, we just mean the person who was actually assaulted.

Let's try this from a different angle. Let's assume someone is a victim of a crime and is murdered. Are they the only victim of the crime? Is the spouse of the murdered victim also a victim? I could certainly argue that. I could argue a lot of other members of the family could be victims.

Let's consider this possibility. If you are going to empower victims to change the prosecution and the procedure in a criminal case, think about a battered wife. A battered wife, who has been the victim of domestic violence for a long period of time and who finally strikes back and assaults the spouse who has battered her, she is then brought in on criminal charges of assault and battery, and the abusing spouse becomes a victim, too. According to this amendment, the abusing spouse now has crime victim's rights, even though he was the one who battered his wife, giving rise to her response and retribution. It gets a little complicated, doesn't it?

We know who a crime victim was—someone who was hurt. When you start playing this thing out, you understand why the authors of this proposed constitutional amendment, despite 63 different drafts of this amendment, have never defined the word ''victim.'' Because if you empower that victim to slow down court proceedings or speed them up, to be notified, to be part of the process, you had better take care to understand who is going to receive these rights and how these rights will be exercised, because if you are not careful, you can have a lot of unfortunate consequences.

The amendment lacks this definable language. It does not direct the law enforcement court personnel, who are supposed to enforce the newly created victims' rights, on how to do so.

Finally, the important goal of establishing victims' rights can be achieved through legislation. A constitutional amendment is simply not necessary. Due to the respect I have for the Constitution, I am extremely reluctant to amend it unless there is no other means by which the victims of crime can be protected. Every state in the United States have a state statute to protect the rights of victims. Thirty-three States have constitutional amendments to protect the rights of victims. Frankly, there appears to be across the United States, in every State of the Nation, a protection of crime victims.

The obvious question of those who bring this amendment to the floor, then, is, why is this necessary? Why do we need to amend the Constitution of the United States if existing State law and State constitutional provisions already protect the victims of crime? There may be flaws in these State amendments, State constitutional amendments, State laws, but these flaws can be corrected on a State basis, as needed.

In addition, a statutory alternative to this constitutional amendment can reach all of the goals it seeks to achieve. Indeed, there is legislation that has been proposed by the Senator from Vermont, Mr. LEAHY, which I enthusiastically support, which would put in statute these crime victim protections. I think this is the best way, the most effective way, to deal with this.

Let me give a few illustrations of how complicated this situation can become. Some of them are real-life stories that give evidence of problems prosecutors have run into in States where individuals have the right to come forward and to assert their rights as victims of crime. Let me give you two of them.

In Florida, a Miami defense lawyer tells of representing a murder defendant who accepted a plea from the prosecution. Of course, the acceptance of a plea is a decision that you will plead guilty under certain circumstances and waive the right to a trial. The judge refused to accept the offer after the victim's mother spoke out against it. The victim's mother insisted that the criminal defendant go to trial, despite the agreement by the Government and the defense that he would accept a plea. The client went to trial, was acquitted, and released.

In the second case, in California, relatives of a homicide victim complained to a judge that a plea bargain between the prosecution and the defense was too lenient. They got what they wanted, withdrawal of the plea and prosecution of the man on murder charges. At

the close of the trial, the defendant was acquitted and went free.

In each of these instances, in each State, the victim or victim's family asserted their rights to overturn a decision by the prosecutor based on that prosecutor's evaluation of the evidence and the likely outcome of a trial, and the net result of it was that the wrongdoer ended up walking out of the courthouse door without a penalty.

The suggestion that the victim's involvement or intervention is always going to lead to a stiffer penalty is, frankly, shown in these two cases not to apply.

I also make note of the fact that, during the course of this debate, those who support the constitutional amendment, the Senator from Arizona, Mr. KYL, and the Senator from California, Mrs. FEINSTEIN, have said on occasion that this would in no way jeopardize the rights of the accused; in other words, that empowering and giving new rights to crime victims will not be at the expense of the accused defendant. Our Constitution is very clear when it comes to criminal defendants, that there are certain rights which shall be protected. We, of course, know the right to trial by jury, the right to confront your accuser, and all of the rights which have been cataloged over the years.

When this constitutional amendment came before the Senate Judiciary Committee 2 years ago, I was a member of that committee. I offered an amendment to this legislation in committee which said nothing in this proposed constitutional amendment shall diminish or deny the rights of the accused as guaranteed under the Constitution. It was said over and over that is the case of this language and this proposal. Yet my attempt to put it into the amendment was refused. I understand Senator FEINGOLD of Wisconsin offered the same amendment in committee this time when it was being considered, and it, again, was refused.

As I stand here today, I suggest to my colleagues that we are considering a constitutional amendment which, though it is important, is not necessary. Before we amend the Bill of Rights in the United States of America, it should be something that we all believe, or at least the vast majority believes, is necessary. The existing State constitutional protections of crime victims, the existing State statutes all provide protection to the victims of crime. The suggestion that we can pass a Federal statute which can be modified if we find it is not perfect gives us an option to do something responsible without invading the sanctity and province of the Constitution of the United States.

In addition, I suggest that protecting the rights of victims, as important as it is, must be taken into consideration with base constitutional rights and protections for the accused as well in this free society, recalling the premise of criminal justice in America: innocence until guilt is proven. That is something which is painful to stand by at times, but it is as American as the Constitution which guarantees it.

I suggest to my colleagues in the Senate and to my friend, the Senator from New York, who I see is on the floor, that we should think twice before proceeding with this amendment to the Constitution. I will join my colleagues during the course of this debate in further discussion of the merits of this proposal. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I congratulate the distinguished Senator from Illinois for saying, but taking one exception, we ought to think twice about this matter. Dare I hope we might think once. It comes wholly unexpected to us, a massive departure from two centuries of constitutional practice, a measure—one amendment which was longer than the whole of the Bill of Rights, and there is not a single Member on the other side of the aisle listening, wishing to speak, present. There are three of us on the Senate floor with the Constitution in our hands in a matter of 27 hours—the casualness.

George Will said on Sunday that we were cluttering the Constitution. We do things palpably ill advised. In the House, they put us on a 1-year balanced budget back into an agricultural cycle, long since gone. There was no mention whatever of the rights of the accused, about which we were very concerned. A people should be concerned when Government accuses someone, and that is why we have the Fourth, Fifth, Sixth, and Fourteenth amendments. Then to have this endless, tedious, complex amendment about victims' rights and, as the Senator says, no definition whatever of what a victim is.

I say to those not present on the opposite side—and there are, of course, supporters on this side—the capacity of American culture in this stage to think of new forms of victimhood is unprecedented. It has been a characteristic of the culture for a generation now to find victims and to declare oneself a victim and demand compensation and consideration therefore. It may become a permanent feature of American culture. I do not know. I doubt it. But it is at high moment now and would this amendment—oh, my goodness. And for the law schools, yes, and for those who design and build courthouses, oh, sure, and judges—there will be no more judges held up in this Senate. We will need double the Federal judiciary in no time at all.

How could we have come to the point where we have so little sense of our history, as the Senator from Illinois so rightly said. James Madison did not think a bill of rights was necessary since the Constitution only gave powers, specifically enumerated powers, to the Federal Government. What it was not given, it could not do. Still, George Mason and others persuaded him and prudence—a hugely important aspect of good government—prudence said: Well, why not have a bill of rights? And we have learned to be glad that we did.

Do my colleagues recall the impeachment trial we went through a year ago? I was struck by the managers—fine persons all—but how little reference they gave to the Constitution which provides for impeachment. I may be mistaken—I hope I am—but I did not hear one reference to Madison's notes which he kept during the Convention in Philadelphia, or the notes of the one day in which the impeachment clause was settled.

On that day, it was stated, for example, the most important impeachment of the age then was the impeachment of Warren Hastings going on in London. Edmund Burke, well known here as a supporter of the colony's rights, managed the case by the House of Commons in the House of Lords. The point was made by Mason that Hastings was not accused of a crime. That was not why he was being impeached. It was abuse of office. Hence, we have the term ''high crimes and misdemeanors.'' High crimes.

Now. Do my colleagues know what the references were in that debate? They were to Hollywood movies. And do my colleagues remember Marlene Dietrich in ''Witness for the Prosecution''? Are we trivializing our oath to uphold and defend the Constitution of the United States against all enemies foreign and domestic? It is scarcely to be believed.

Why are the seats empty on the other side? I cannot be certain, but I offer a thought, and I would be happy to hear differently. The administration is negotiating with the sponsors because the administration has indicated a willingness to support this atrocity, this abomination, this violation of all we have treasured in two centuries and more.

That the administration should do this is something I could not imagine I would ever see. Yet we have it in writing that they are prepared to do it. I only hope the negotiations break down.

I shall have more to say at another time. But I just wanted to make this comment. Now I leave the floor. Our revered senior Senator from Vermont will be the only one remaining. I do not doubt he will have thoughts to disclose. But even he will eventually find himself somewhat distracted by the fact that no one is listening. The distinguished Presiding Officer is here. But there will not be another soul present with such attention and energy as we take up a matter of the greatest possible importance, which is amending the Constitution of the United States.

Mr. LEAHY. Mr. President, if the distinguished senior Senator from New York would yield to me before leaving?

Mr. MOYNIHAN. I am happy to yield.

Mr. LEAHY. I hope all Senators get a chance to read what the distinguished Senator said. He is recognized as one of

the foremost historians of this country and certainly of the Senate. He is so right: We are talking about amending the Constitution, and nobody is here to talk about it.

I say to my friend from New York, there have been 11,000 proposed amendments to the Constitution that have been brought before the Congress. Article V speaks of amending the Constitution when necessary.

The Senator from New York is a far greater student of history than I, but does he think that by any stretch of the imagination—we have had civil wars; we have fought in world wars; we have gone through Presidential assassinations; we have done all these things—we have ever come close to 11,000 times in the history of this great Nation where it has been necessary to amend the Constitution?

Mr. MOYNIHAN. We have not, sir, as is evidenced by the fact that I believe we have done it 18 times including the Bill of Rights, which was basically part of the Constitution.

Mr. LEAHY. I say to my friend from New York, it is the Senate that is the saucer that cools the passions. That should make us slow up and look at these things.

I wonder what would have happened if, say, during all those times, 10 percent of those amendments had gone through. That would be 1,100 amendments. If 1 percent went through, there would be over 100 amendments. What a different country this would be with much less democracy, if we would be a democracy at all.

The first amendment in our little pocketbooks of the Constitution is only four or five lines. The first amendment really protects the diversity of this country to make sure we remain a democracy, that we have the right to practice any religion we want, or none if we want—both thoughts are protected—that we can say what we want, that we can assemble and petition our Government. All of that is protected. Yet we have something that, when we print out this proposed amendment, goes on for something like 60 lines.

I am a lawyer. I loved doing appellate work. The distinguished Presiding Officer is a distinguished former attorney general. I am sure he would love to do appellate work. I can tell you right now, this is a lawyer's dream. We might as well quadruple the number of courts, the number of judges. They would not keep up with the appeals that would come just from this one amendment alone.

It is hard for me to emphasize enough, and I hate to hold up the Senator from New York on this, but there is nobody else here to express my frustration to.

Mr. MOYNIHAN. Please.

Mr. LEAHY. He and I are on the same side of this. I have the privilege, as I said earlier, of being the 21st Member of the Senate, in all its history, to cast 10,000 votes. Some votes were important; a lot were not important. But I thought it was pretty impressive—10,000 votes. Even with all the unimportant ones, even after all of them, I did not vote enough to have voted on all the proposed constitutional amendments. There have been 11,000.

Our highly respected and beloved two most senior Members of this body, Senator THURMOND and Senator BYRD, have cast 15,000 votes. They are about the only ones who might have cast enough votes. But those votes encompassed all kinds of things.

Here we are talking about changing the Constitution at the drop of a hat. Some of us—Republicans and Democrats alike, conservatives and liberals—ought to stand up and say: We will pass statutes; we will experiment. If we are wrong, we will change the statutes; we will change the law. But we will not amend the Constitution. No matter that the proposal comes from the left or the right, no matter what it is, we should not pass it unless it is, as the Constitution says, necessary.

This resolution is not necessary for the security and for the continuation of the world's greatest democracy.

Mr. MOYNIHAN. May I just make a closing remark.

Not meaning to be disrespectful, but there is a joke, a witticism, if you like, that says libraries file the French Constitution under the heading of periodicals: It comes; it goes; it comes; it goes.

We have a treasure here, the oldest written Constitution on Earth. It has preserved a republic which is without equal. There are two nations, the United States and Britain, that both existed in 1800 and have not had their form of government changed by violence since then. We live in a world where a century ago there were approximately, as I count, 8 nations on Earth that both existed then and have not had their form of government changed by violence since.

If we are to trivialize the Constitution because of passing enthusiasms about this economic theory, that economic theory, we risk the stability of this institution.

I make just one reference to the fact that several years ago we passed a law providing for a Presidential line item veto on legislation. It was elementally unconstitutional. The Senate passed it. The House passed it. The President signed it.

Three of us—our revered senior Democratic Member, Senator BYRD, Senator LEVIN, and I—brought suit in the U.S. District Court for the District of Columbia, which in good time held that the line item veto was indeed unconstitutional. The government appealed to the Supreme Court that as members of Congress we did not have the requisite standing.

Then in the following term, the veto had been exercised. We clearly did have standing. We went there as amici. And, bang, the Court said: This is unconstitutional.

Does the President not have lawyers? Are there no counsel on the Judiciary Committee here and in the House? It is something that elemental.

Sir, we are approaching a dangerous moment in the history of the Republic. As I leave the floor, as I am required elsewhere, I leave the Senator from Vermont who is alone defending the Constitution of the United States. He is alone on the Senate floor. There is not a single person here who supports this monstrosity, this abomination, willing to come forward and say why.

Does that not say something?

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I greatly appreciate the comments of the distinguished Senator from New York. He and I have been friends for over a generation. I for one have learned from him and have been inspired by him. He is so right on this. This debate is treated as a matter of such passing moment that nobody is here. I want them to have a chance to come back.

I suggest the absence of a quorum and ask unanimous consent that the time for the quorum be charged not against any individual Senator but against the overall 30 hours.

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

The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. 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. REID. Mr. President, I yield my time under the pending measure to the Senator from Vermont, Mr. LEAHY, 1 hour. I suggest the absence of a quorum and ask unanimous consent that the time during the quorum not be charged to either side at this time.

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

The clerk will call the roll.

The senior assistant bill clerk 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. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I rise to oppose S.J. Res. 3, the victims' rights constitutional amendment. I agree with the goals of the proponents of the amendment. We have to do more to protect and enhance the rights of victims of crime. But I disagree with the particular means they have chosen to bring about that end. We do not need to amend the Constitution to protect victims. We can protect the rights of victims by enforcing current State and Federal laws. We can protect the rights of victims by providing the needed resources to prosecutors and courts to allow them to enforce and comply with existing laws. We can protect the rights of victims by enacting additional statutes, if needed, to deal with remaining concerns or any issues that

might arise in this regard in the future.

The framers of the Constitution made the process of amending the Constitution very difficult. Those who propose to change that long-lived and successful charter bear a heavy burden. I have thus opposed proposals to amend the Constitution, and especially the Bill of Rights, even when the subject of the amendment was very close to my heart, as it was with the recent proposal to amend the Constitution to allow for mandatory campaign spending limits. Similarly, I believe deeply in the need to ensure that our criminal justice system treats victims fairly, but I do not believe we have to amend the Constitution to do so.

Throughout history, Members of Congress have thought of more than 11,000 different ways to amend the Constitution—as of this last recess, 11,045, by one count. Luckily, only 27 have become part of our national charter. Ten of those, the Bill of Rights, were part of the package of ratification, and two, the ones on prohibition, canceled each other. Three others followed the enormous upheaval of the Civil War and addressed the wrongs of slavery and inequality that spawned that conflict. But the pace at which Members have introduced and proposed amendments has picked up in modern times. More than half of the constitutional amendments proposed in the entire lifetime of our Nation have come in the last 40 years. Fewer were proposed in the first 173 years of our Nation. This Senate has now considered three so far in this session alone—and the year is still young.

In a sense, there is a certain lack of humility about proposing so quickly to amend the Constitution. To propose to change the Constitution now is to say we have come up with an idea that the framers of that great charter did not, or that we have come to a conclusion on how our Government should work fundamentally different from the one they had and fundamentally different from the one all the Congresses since have had. We should come hesitantly, if we do, to the conclusion that we know better than they did. Yes, there will come occasions where times have changed, as with women's right to vote, and we need to bring the Constitution up to date; but it is hard to consider the basic calculus of prosecutor, defendant, and victim to have changed this much since the foundation of the Republic.

I have to admit that of the constitutional amendments I have seen proposed in recent Congresses, this is less objectionable in some respects than most. But I still have significant concerns about the prospect of amending the Constitution, even for this very worthy purpose. We must use the constitutional amendment process sparingly. Before taking the grave step of amending our country's founding charter, we have to make sure we have exhausted all statutory alternatives. When it comes to victims' rights, we are far from exhausting those statutory alternatives. We currently have Federal and State laws protecting victims. Indeed, many States have passed their own constitutional amendments to protect victims, including my own State of Wisconsin—a proposal that I voted for when I was in the Wisconsin State Senate.

According to the proponents of this constitutional amendment, these existing laws are not being fully enforced. I would say we should therefore see to it that the existing laws are enforced. Let us enact legislation to improve the existing law, and let us provide the needed resources to prosecutors and courts to comply with existing laws. That is where the real struggle lies. Only when we have exhausted these legislative avenues should we possibly consider a constitutional amendment.

Let's address this important issue one step at a time. Statutes protecting victims are on the books in each and every State. Amendments to State constitutions have been adopted by at least 31 States. At the Federal level, prudent legislation has already been enacted and additional legislation proposed. Let us work with the current law and proposals to improve our Federal laws. In fact, additional statutory protections for victims have been introduced during this Congress by Chairman HATCH and by the ranking member and Senator KENNEDY. I believe these represent the right direction in which to go.

Chairman HATCH has introduced the Victims' Rights Act of 1999. Senators LEAHY and KENNEDY have introduced the Crime Victims Assistance Act. Senator LEAHY announced an improved version of that bill, taking into account many suggestions made by the chairman of the Judiciary Committee. I understand Senator LEAHY will offer his bill as a substitute to this constitutional amendment, if the majority leader allows Senators to exercise their traditional rights to offer amendments.

Enforcing and enacting comprehensive Federal statutes is the best way to protect victims. The Leahy-Kennedy bill will accomplish the same goals the proponents of this amendment want, but it will do it faster and also protect the integrity of the Constitution. The Leahy-Kennedy bill includes the right for a victim to be heard at the detention and sentencing stages, the right to be notified of escaped or released prisoners, and the right to be heard during consideration of a plea agreement. These are sensible protections that victims can see take effect in only a matter of weeks—the time it takes for consideration and passage of a statute—not years from now when maybe two-thirds of the Congress approves and three-fourths of the States ratify a constitutional amendment.

Another reason I oppose this measure is that a constitutional amendment, as you well know, is far less flexible than a statute when provisions must be improved over time. A constitutional amendment cannot easily be modified. Changing it at all—even one letter of it—would again require the approval of two-thirds of the Congress and ratification by three-fourths of the State legislatures. This is a real problem in this case because there are numerous uncertainties about the effect of this amendment. Even the sponsors are finding things they want to change. Each time this amendment has been brought before the Judiciary Committee, it has been different. In fact, the amendment was modified as recently as last spring when we marked it up in the Constitution Subcommittee. At that time, my good friend, Senator ASHCROFT, successfully offered an amendment to include the rights of victims to be involved in the pardon process. Such a change has inspired a good deal of criticism from the executive branch, which is concerned with its impact on the exclusive power of the President to grant pardons.

Whatever one thinks of the change to the amendment, it is the sort of thing that ought to give us pause when we are dealing not with a statute but with what is likely to be a permanent constitutional amendment. What if Senator ASHCROFT had not realized that this change was needed until after the pending proposed constitutional amendment was already adopted? What if, instead, we had approved the victims' rights amendment in the last Congress, as I am sure its sponsors would have preferred? Then, to change the amendment, Senator ASHCROFT would have been required to get two-thirds of the Congress and three-fourths of the State legislatures to agree to the change.

The pardon issue isn't the end of the matter. Other Senators have raised concerns about the specifics of this amendment; for example, its focus on the victims of violent crimes rather than all victims of crime. If any further changes are needed, we will have to, again, go through the lengthy and difficult process of amending the constitution. I have no doubt that further changes will be necessary. I have heard the main authors of this constitutional amendment saying with some pride that there have been 63 versions of this amendment. They offer that as a sign that this is a very well-honed, carefully drafted piece of legislation or amendment. What I suggest it means is that it is highly volatile, likely to change, and likely to be inappropriate for the Constitution, even after it is ratified, given all the changes that have been made and the problems with it. This constitutional amendment really reads as a statute. It is almost as long as the entire Bill of Rights. It is full of terms and concepts that will undoubtedly provoke years of litigation and years of attempts to overturn a court decision that one group or another doesn't like.

It even contains an extraordinary clause that might be called the ''emergency eject button.'' The Government

can ignore the amendment. Remember, this language will be in the Constitution. The Government can ignore the amendment to achieve a ''compelling interest.''

What if the prosecutors in a high-profile case sought to avoid the impact of the amendment and the courts determined the justification they gave did not rise to the level of a compelling interest? If we, as a Congress, agreed with the prosecutors, we would not be able to pass a statute to override that judicial ruling because it would have to actually pass a constitutional amendment to deal with the problem.

It is clear that despite years of effort that have gone into this amendment, it will have to be fine-tuned in the future. We fine-tune statutes all the time, but we all know constitutional amendments can't really be fine-tuned. That is a big problem the Senate needs to face up to.

This amendment also poses major federalism problems. I am troubled this amendment could well result in extensive oversight of State criminal justice systems by the Federal courts. Victims who believe their rights have not been recognized in State court proceedings will undoubtedly file lawsuits in Federal district courts. Federal courts will end up second-guessing the decisions of State prosecutors or judges about how long a case took to get to trial or what victim should be notified of a bail hearing. That is why the Conference of Chief Justices, representing the chief justices of the supreme courts of all of our States, oppose this amendment and strongly prefer that we deal with this problem statutorily.

The State chief justices have also expressed concern that this year's version of the amendment, as opposed to previous versions, allows Congress, but not the States, to pass legislation implementing the amendment. They appropriately note that the States can better determine what laws are needed to implement the amendment, as it is the operation of their own criminal justice system that is really at issue. But that would again lead to precisely the patchwork of laws and protections varying from State to State that the sponsors of this amendment wish to avoid and claim is the reason they need a constitutional amendment.

I cannot emphasize enough that I am deeply committed to protecting the victims of crime. As a State senator in the Wisconsin State Senate in 1991, I voted in favor of amending the Wisconsin State Constitution to include protections for victims. As I have noted, most States have a State constitutional protection for victims, and every State in the country has at least a statute to protect victims.

I draw my colleagues' attention to the example of Wisconsin because the Wisconsin State Constitution repeatedly clarifies that the rights granted to the victim in the Wisconsin Constitution are not intended to diminish the rights of the accused. The Wisconsin amendment contains language that explicitly forbids victims' rights from impairing the rights of the accused that are otherwise guaranteed by law. Unfortunately, the victims' rights amendment before this body does not contain a similar provision.

For that reason, I offered an amendment during the Judiciary Committee markup that would have included a clarification similar to the Wisconsin language. It is troubling and puzzling to me that the majority of the Judiciary Committee did not agree with that amendment because they stated over and over again in defense of this amendment that it would in no way derogate the rights of the defense. If that is so, why did they oppose such a simple clarification that we found so useful when passing a similar provision in Wisconsin?

When, in the wake of the Boston massacre, John Adams defended the British soldiers accused of committing the killings there, he said:

[I]t [is] more beneficial that many guilty persons should go unpunished than one innocent person should suffer.

Surely, if there is a central pillar of the American system of justice, this is it: Above all, we must protect the rights of the innocent.

That is why our Constitution enshrines limitations on the State and protections of the individual whose liberties the State would seek to curtail.

Sadly, even with our manifold protections for the rights of the accused, history has demonstrated that time and again America has on occasion brought innocence itself to the bar and condemned it to jail or even to die.

Many proponents of the amendment before the Senate today state categorically that the rights of victims and the rights of the accused can comfortably coexist. They claim the amendment would not reduce the rights of the accused. They may be right, although I fear that cases may arise where judges will believe that to give the amendment force will require a lessening of protections for the accused. Be that as it may, the proponents of this amendment have refused to make this protection of the rights of the accused crystal clear by writing that intent into the amendment itself. Until they do, it is not unreasonable for Senators to fear that this constitutional amendment in some cases would actually end up curtailing the legitimate rights and liberties of defendants in courts of law.

For those who believe in individual freedom and civil liberties, this should be troubling, indeed.

The Constitution should be modified sparingly, where no other alternative provides an adequate solution. That showing has not been made. The laws on the books now should be fully enforced. Courts and prosecutors should be given the resources they need to protect victims under current law. Congress and State legislatures should enact additional legislation where needed to give additional protection.

I urge my colleagues to join me in supporting prudent, statutory safeguards for victims. But I urge my colleagues to vote against this victims' rights amendment to the Constitution.

(The remarks of Mr. FEINGOLD pertaining to the introduction of S. 2458 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FEINGOLD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. THOMPSON. 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. THOMPSON. Mr. President, I want to address the pending so-called victims' rights constitutional amendment.

There is no question but that there are instances when victims of crimes in this country are not heard as they should be heard. Our criminal justice system does not work perfectly. But these duties are given to local judges and local district attorneys. They are elected officials. In most cases, they are responsible to the people in their jurisdictions. It is in their interest to make sure victims are treated appropriately.

Certainly, in most cases, the defendants are not the ones who have the public support on their side. It is certainly the victims. In most cases, it is in the interest of those charged with the responsibility of notifying victims of proceedings in court and treating them as they should be treated in carrying out those responsibilities.

Having said that, we must acknowledge that some things slip through the cracks. We have a constitutional amendment that is proposed basically to cover those instances when these local officials let things slip through the cracks and victims are not notified of court dates or sentencing or parole hearings. The sentiment is understandable, but if we look a bit closer, we have to conclude that a constitutional amendment to address this problem is not the way to go. It is constitutional overkill, to say the least.

All 50 States have recognized we can do better in terms of victims, we can notify them when important things happen with regard to the trial of a defendant, and all 50 States have passed legislation, constitutional amendments, or both, to address this problem.

Even still, we in Washington, DC, say we are going to pass a constitutional amendment, in effect mandating—an unfunded mandate at that—mandating these States behave in certain ways to take care of this problem.

People say: State laws and State constitutions still do not always work. There are still some cases where people are not notified, even though the State constitution and the State statute require it. A constitutional amendment will, in some way, solve that problem.

I suggest there is no reason to believe whatsoever that in individual cases where this problem still persists, a Federal constitutional amendment will do any better than a State constitutional amendment will do in ensuring those rights.

I believe this amendment will interject complexity into the judicial process, will cause increased litigation, and will actually have the effect of harming victims more than helping victims. The primary interest of a victim of a crime is to make sure a guilty defendant is, in fact, found guilty and properly punished. This constitutional amendment will make the procedure by which the DA's around the country are trying to prosecute these defendants more complex, more costly, more time consuming in many respects, and ultimately will harm the very end in which the victim is most interested, and that is seeing justice done and a guilty defendant found guilty by our court system.

This constitutional amendment gives nine new rights to a new category of people. The Constitution sets out our form of government. The Bill of Rights basically is restrictions on the power of that Government. It tells the Government things they cannot do because we have been mindful of the down sides of an all-powerful federal government. We have set forth specific things the Government may not do toward individuals. That has usually been the purpose of amendments to our Constitution; that is, again, limiting the Government in what they can do with regard to the individual. This constitutional amendment creates nine new rights on behalf of a new category of people; that is, so-called victims.

It has taken, in some cases, 200 years, or thereabouts, to have our courts pass on the issues that have come about because of the wording of our Constitution and the wording of the Bill of Rights—what is a reasonable and unreasonable search and seizure, for example.

This will, in language that is more lengthy than most of the amendments in the Bill of Rights, create additional complexity and raise additional questions that can only be resolved by courts of law. It will be many years before issues as to how this works are resolved. Who is a victim, how do you define a victim? For example, suppose we have a battered woman who is on trial for stabbing her husband. What if she is the defendant? What if the husband was, in fact, attacking her? Who is the victim in that case? The reasonable notice victims are supposed to get to court proceedings, it sounds good on its face, but what is reasonable notice? We have hundreds and hundreds of cases of trying to decide what is reasonable.

In another context, what if a victim is not notified of a court proceeding on time? Or what if they say they are not but perhaps they have been? They may come in and say: This proceeding you have just finished, I did not get notice of it.

The district attorney may say: Yes, we did give you notice.

They may say: No, you did not.

The district attorney may say: Yes, we did.

They may say: It was not reasonable notice.

The prosecutor may say: We gave you so many days.

All of these issues ultimately will have to be decided by a court that should be devoting its attention to the proceedings in the case, along with the district attorneys devoting their attention to prosecuting the defendant and not having these collateral issues making their job that much more difficult.

To understand the potential mischief of this constitutional amendment, I think you have to really understand our system and the way it is set up under the Constitution.

The Constitution was mindful of the inherent problems with a centralized government. Our founding forefathers' experience with a powerful government, with a king, led them to decide we would have a federal system whereby the States would have certain rights. They decided against a national police state. We have certain defined Federal responsibilities with regard to law enforcement. But there is no inherent police authority in the Constitution for the Federal Government. The basic police authority is out in the States. We do not want a national police force in this country or a centralized policing authority for every kind of crime that might occur. Murder, robbery, rape, burglary—those are crimes that are handled at the State level.

Mr. President, 95 percent of the offenses in this country are prosecuted at the State level, not the Federal level. That is not the Federal Government's business. Absent the relatively few truly Federal criminal cases that we have, these State offenses are prosecuted at the State level. They are prosecuted by district attorneys and assistant district attorneys all over the country. They are given a good deal of discretion as to how they handle these cases.

Mind you, in most cases these people are elected officials in their local communities. They have every reason to want to do the right thing. They take an oath to uphold the law. They have an interest in making sure everybody is treated fairly. It does not always happen, but it is a system we are dealing with here. We cannot address every particular instance that might come along. It is a system with which we are concerned.

This is our system. District attorneys decide when to plea bargain. District attorneys have to decide how strong their case is. Only they will know how strong their case is, in making a decision whether to accept a plea bargain.

Sometimes, when you have multiple defendants, district attorneys have to make a decision to make a deal with one defendant for more lenience in exchange for testimony against another defendant. All of these are discretionary things that in our system we give local district attorneys the right to do.

It is basically a system involving two parties; that is, the State, or the people, on the one hand, and the criminal defendants on the other.

What this constitutional amendment would do is change that whole system in many material respects. Instead of having a two-party system, where you have a prosecutor, or the State, or the people, and a criminal defendant, you would now have three parties. You would have the prosecutor, the defendant, and the victim.

At every meaningful stage of the criminal trial, you would have all of these three parties vying for the court's attention to have their interests expressed. It is complicated enough, as anybody who has ever been a prosecutor, an assistant U.S. attorney at the Federal level or assistant district attorney, can tell you.

It is complicated enough when you just have two parties. You are trying to do the right thing. You are trying to prosecute the case. For the person who you believe is guilty, who has been indicted, you are going to bring them to trial. The defendant has not been convicted yet, but you believe they are guilty or you would not be prosecuting them. But you also know the limitations of your case.

You also know how many other defendants there are out there. You also know whether or not this guy you have before you is a small fry or a big fish. You also know there might be a chance of getting to someone bigger.

All those kinds of things you know are very complicated, very difficult. The defendants file motions for continuances. The defendants file motions to suppress evidence, if there is a search warrant involved. There are motions to dismiss and all those kinds of things.

Here we come along with this constitutional amendment and inject a third party into the process, third parties who certainly have an interest in the outcome, third parties who are allowed to attend, third parties who want to see that justice is done. But a constitutional amendment would not just say, let's give these third parties these rights, let's try to do them right, let's try to make sure they have their voices heard; we would, by amendment, put this in the Constitution of the United States, just like the first amendment on free speech or the fifth amendment on due process or the sixth amendment on the right to counsel.

We would elevate the rights of a victim, with whom we are all sympathetic, up there with the prosecutor and the defense in trying to juggle all of this business of giving notice and having a right to be in the courtroom at every stage of the game. The judge is going to have to decide whether or

not notice has been given correctly at all the right times, whether or not the right people are in the courtroom. All this new complexity injected in an already complex system.

As well meaning as it is, I think the result of it is going to be, as I said, more complexity, more litigation for people who believe the Constitution has not been followed, that they have not been given the right kind of notice, or they were late for court and they did not get to sit in the courtroom, or something of that nature. It is going to wind up hurting the ultimate interest of victims more than helping.

Under the constitutional amendment, the victim, as we would ultimately define a victim—as I said, it is not going to be that easy in many cases—would have a right to come in and object to a deal the district attorney might want to make.

Only the district attorney may know certain information. For example, let's say there is a gang involved and you have one cooperative witness. When the victims come in and object to the deal, the district attorney cannot stand up and say, this is the reason we are doing this, because everybody else would hear it. It would compromise possibly another case.

Or if the victim comes in and objects to a plea bargain with a particular defendant, the district attorney cannot get up and say, the reason we did this, Your Honor, is we really do not have much of a chance, and we are lucky to get this. He cannot do that because he may have to, in fact, go to trial. As happens sometimes, the judge is sympathetic and says: We agree with the victim. We are not going to accept this deal.

The district attorney is sitting there, unable to explain it fully on the one hand and then, on the other, having to go to trial, and in some cases, when in States that have such rules, has gone to trial and actually lost the case. So the attorney, instead of getting some punishment for a guilty defendant, has actually had to go to trial and at the trial, you have to prove guilt beyond a reasonable doubt—a high standard of proof—and the defendant walks because they were unable to make the deal that they were trying to make.

Under this amendment, there is a provision that is extremely troublesome; that is, that it becomes a constitutional right for a victim to be in court at all times during the proceeding. In most cases, in just about all States at one time, it was the rule. In fact, they just call it the rule. Every lawyer knows when you are trying a case, you say: Your Honor, I would like to impose the rule. When that happens, all of the other witnesses leave the courtroom because you don't want your witnesses to be hearing other witnesses testify. It might tailor their testimony. If somebody on your side of the case is testifying a certain way about how something happened, it makes sense that it is not in the interest of justice to have the other witnesses sitting there listening to that so when they get on the witness stand, they are not tempted to tailor their testimony and avoid any contradictions that the other side might take advantage of. It is kind of a horn book procedure.

What this amendment would do would say that the victim could sit in the courtroom and listen to all of the other witnesses testify. If the prosecutor decided to put the victim on last, they could listen to every one of the witnesses testify before the victim in the courtroom took the stand. That goes against experience and common sense and common practice for about 200 years in this country. We have to keep in mind that at this stage of the game, this defendant has not been convicted of anything. As angry as we might be at the defendant or as much as we think he might be guilty, we have to remember he hasn't been convicted of anything. In this country, everybody gets a fair trial.

If one of our loved ones was accused of something and we thought the accuser had their own reasons for accusing our loved one and we saw them sitting in the courtroom listening to all the witnesses talk about exactly how this happened and exactly how that happened and then they took the stand and kind of melded all the testimony together to make it all consistent and wrap it up in one big bow, I think we would be concerned about that. The trial judge at least ought to have the discretion of making a determination as to who sits in the courtroom and who does not. The Federal Government does not have any business micromanaging the trial of these lawsuits in every general sessions court in every little town in the country. That is what this constitutional amendment would do.

It would upset the balance we have always had in this country of a prosecutor, a defendant, tried in a State court with local rules. There have always been constitutional provisions the States have to abide by—there is no question about that—free speech, search and seizure, all of that, but we don't have a unitary government, we have a system of federalism whereby States decide these local cases and State judges make those decisions. We come along with a constitutional amendment that creates nine new rights, about 2½ pages of new Constitution, and goes totally away from the concept that we have had for 200 years in this country, the concept of federalism.

I think this proposal is another step down the road toward a Federal takeover of our criminal justice system. For most of America's history, Federal involvement in criminal law was limited to national issues. Yet in this age of mass media and saturation coverage, Congress and the White House are ever eager to pass Federal criminal laws. Chief Justice Rehnquist has said this. To appear responsive to every highly publicized societal ill or sensational crime, the Congress acts in these areas and creates more and more Federal crimes out of what should be State and local offenses.

We have reached the point where nobody really knows how many Federal crimes now exist. Nobody can really calculate them, but we keep piling them on, more and more. We have undoubtedly surpassed an old estimate that we had awhile back of 3,000. A hearing I chaired last year reviewed an American Bar Association task force report from leaders in the criminal justice system who counseled restraint in federalizing crime control.

Justice Brandeis once said:

> Denial of the right to experiment may be fraught with serious consequences to the Nation. It is one of the happy incidents of the federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country.

That is the system we have. States address these issues in different ways. Why should we, as the Federal Government, impose one size fits all on a populace that is not in agreement on exactly what that should be? Why should the States not have the leeway to do what States have always done in our system?

Last but not least, this is a solution looking for a problem for the most part. Every State in the Union has addressed this issue. We have become more mindful that in some cases victims are not getting the attention they need. So every State in the Union has taken a look at this. We think the system works out pretty well. For the most part, our public officials are doing what they are supposed to do.

Some States have gone so far as to change their constitutions. Some States in the middle have passed legislation. But every State, one way or another, has addressed this, doing what States are supposed to be doing, responding to the demands of their local citizens. My State of Tennessee changed its constitution with regard to this. There is absolutely no need for us to federalize this particular area of criminal law.

Finally, my primary concern, besides the ones of upsetting our constitutional framework and system that we have enjoyed in this country for so long, is that—because of the complexity, because of the increased litigation and problems that we can't even anticipate now with a three-party procedure instead of a two-party procedure, questions that will have to be resolved by courts not knowing what kind of delays all this is going to produce and messing up our system and so forth—we will wind up in many cases hurting a victim's interests more than we will help them. As I said from the outset, the victim's primary interest is to make sure that a defendant who is guilty in fact be found guilty in

a fair, efficient way that is uncomplicated, uncluttered, and that does not go on forever.

Therefore, I urge that we reject this constitutional amendment. I thank the Chair.

Mr. LEAHY. Mr. President, I compliment the Senator from Tennessee for what he said. He is a very thoughtful Senator with great respect for what the Senate's role is in our whole Federal system. We miss him on the Senate Judiciary Committee. I think that can be fairly said by Senators on both sides of the aisle because of his thoughtful involvement and debate. I note that when he was there, he raised similar issues. His voice was one that helped shape the debate. I thank him for it. I compliment him for it.

Mr. KOHL. Mr. President, I understand that under the cloture rules, I am afforded 1 hour of debate time. I designate Senator DASCHLE to control my hour.

Mr. GRAMS. Mr. President, I rise today in support of S. J. Res. 3, the proposed constitutional amendment to establish certain rights for victims of violent crime. I am proud to be a cosponsor of this important legislative proposal introduced by Senators KYL and FEINSTEIN.

I have always cherished the basic freedoms established by the United States Constitution. This precious document provides important rights to every American—rights which have encouraged their active participation in the functions of our Republic. For example, the First Amendment encourages free speech and association, while the 19th and 26th Amendments were ratified to protect the voting rights of women and eighteen-year-old citizens.

As we debate the merits of the proposed Crime Victims Constitutional Amendment, I am reminded of the constitutional rights guaranteed to persons accused of crime. These include the right: to a speedy and public trial by jury; to know the nature of the accusation; to confront witnesses; to counsel; and rights against excessive bail, fines, or cruel or unusual punishment. These rights promote the involvement of the accused in court and should not be diminished by Congressional action.

In recent years, Congress has enacted legislation that seeks to establish certain rights for victims of crime, including the 1990 Victims Rights and Restitution Act, which required federal law enforcement agencies to make their best efforts to ensure that crime victims are treated with fairness and respect. Most recently, we enacted the Mandatory Victims Restitution Act of 1996 and the Victims Rights Clarification Act of 1997, which sought to allow crime victims to observe court proceedings even if they were expected to testify during the sentencing hearing. Additionally, all fifty states now have either constitutional amendments or statutes that seek to protect the rights of crime victims.

Despite these efforts by Congress and the States, I am very concerned that the United States Constitution does not protect the rights of victims and promote their involvement in the criminal justice process. In my view, the Crime Victims' Rights Amendment is the most effective way to address the current imbalance between the rights of defendants and victims within the Constitution. As a constituent from St. Paul recently wrote, the proposed amendment will, ''Prevent victims from being victimized twice. First, by the crime, then by the judicial system when they learn that those accused have all the rights.'' These concerns are shared by the Department of Justice, constitutional scholars, and various victim advocates such as the National Center for Missing and Exploited Children.

The proposed constitutional amendment to protect the rights of crime victims is not a new concept. As my colleagues may know, it was first recommended in 1982 by President Reagan's Task Force on Victims of Crime. Since its initial introduction during the 104th Congress, Senators KYL and FEINSTEIN have worked tirelessly to improve this proposal and preserve the rights of defendants and the authority of prosecutors. Importantly, the Crime Victims' Rights Constitutional Amendment received strong, bipartisan support upon its passage by the Senate Judiciary Committee earlier this month.

I would not support a proposal to change the fundamental character of the Constitution or eliminate the basic freedoms that it provides to Americans. However, I also believe that the rights of crime victims are not trivial to the needs of our nation and are worthy of protection under the Constitution. Passing additional laws or state constitutional amendments that may be ignored by federal and state court comes at the expense of those who have fallen victim to violent crime and who expect equal justice from the criminal justice system.

In addition, we must not forget that many crime victims are afraid of being victimized again and face retaliation by criminal offenders. We must ensure that victims feel respected throughout the criminal justice process. I believe establishing certain constitutional rights for crime victims will help to encourage greater reporting of crimes and cooperation with law enforcement. The Crime Victims' Constitutional Amendment would allow for greater participation in the criminal justice system in a manner completely consistent with constitutional amendments that have established a citizen's right to participate in other government processes.

I respectfully disagree with those who suggest that the Crime Victims' Constitutional Amendment conflicts with the principle of federalism. As someone who has worked to maintain the distinction between federal and state responsibility, I am pleased that this amendment provides an appropriate level of flexibility to the States. Specifically, this amendment would allow the States to pass legislation to define ''victims of crime'' and ''crimes of violence.'' It would also allow States to determine the degree of ''reasonable'' notice to public proceedings or the release or escape of a criminal offender that will be provided to crime victims.

Ultimately, it will be three-quarters of the States that must decide whether to consider and ratify this amendment. Passage of this amendment will not impose any rights upon the States without careful and lengthy consideration by the State legislatures. In fact, this amendment has been endorsed by 49 of our nation's Governors, the elected officials who are most concerned about unnecessary federal mandates being imposed upon the States. Additionally, the Congressional Budget Office (CBO) has indicated that this amendment will not impose additional costs upon the States.

I also understand the concerns of those who suggest that the Crime Victims' Rights Amendment will disadvantage defendants during court proceedings. However, the amendment does not deprive the accused of any of their constitutional rights. It would ensure respect and basic fairness for crime victims through a constitutional right to be notified of court proceedings; to attend all public proceedings; to be heard at crucial stages in the process; to be notified of the offender's release or escape; to consideration for a trial free from unreasonable delay; to an order of restitution; to have the safety of the victim considered in determining a release from custody; and to be notified of these basic rights.

In proclaiming the first ''Victims Rights Week'' in 1981, President Reagan stated, ''For too long, the victims of crime have been the forgotten persons of our criminal justice system. Rarely do we give victims the help they need or the attention they deserve. Yet the protection of our citizens—to guard them from becoming victims—is the primary purpose of our penal laws. Thus, each new victim personally represents an instance in which our system has failed to prevent crime. Lack of concern for victims compounds that failure.''

Mr. President, I firmly believe that the Crime Victims' Rights Amendment will help to restore public confidence in the criminal justice system and give crime victims the protection they deserve. The high number of crime victims in our society underscores the need to pass this amendment and send it to the States for their careful consideration. I urge my colleagues to support passage of this important public safety initiative.

Mr. MOYNIHAN. Mr. President, as the Senate once again considers an amendment to the United States Constitution, this time to protect the

rights of crime victims, I ask that George Will's column from Sunday's Washington Post be printed in the RECORD in its entirety. He offers a well-reasoned analysis of the concerns the proposed amendment raises.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Washington Post, April 23, 2000]

(By George F. Will)

TINKERING AGAIN

Congress's constitutional fidgets continue. For the fourth time in 29 days there will be a vote on a constitutional amendment. The House failed to constitutionalize fiscal policy with an amendment to require a balanced budget. The Senate failed to eviscerate the First Amendment by empowering Congress to set ''reasonable limits'' on the funding of political speech. The Senate failed to stop the epidemic of flag burning by an amendment empowering Congress to ban flag desecration. And this week the Senate will vote on an amendment to protect the rights of crime victims.

Because many conservatives consider the amendment a corrective for a justice system too tilted toward the rights of the accused, because liberals relish minting new rights and federalizing things, and because no one enjoys voting against victims, the vote is expected to be close. But the amendment is imprudent.

The amendment would give victims of violent crimes rights to ''reasonable'' notice of and access to public proceedings pertaining to the crime; to be heard at, or to submit a statement to, proceedings to determine conditional release from custody, plea bargaining, sentencing or hearings pertaining to parole, pardon or commutation of sentence; reasonable notice of, and consideration of victim safety regarding, a release or escape from custody relating to the crime; a trial free from unreasonable delay; restitution from convicted offenders.

Were this amendment added to the Constitution, America would need more—a lot more—appellate judges to handle avalanches of litigation, starting with the definition of ''victim.'' For example, how many relatives or loved ones of a murder victim will have victims' rights? Then there are all the requirements of ''reasonableness.'' The Supreme Court—never mind lower courts—has heard more than 100 cases since 1961 just about the meaning of the Fourth Amendment's prohibition of ''unreasonable'' searches.

What is the meaning of the right to ''consideration'' regarding release of a prisoner? And if victims acquire this amendment's panoply of participatory rights, what becomes of, for example, a victim who is also a witness testifying in the trial, and therefore, not entitled to unlimited attendance? What is the right of the victim to object to a plea bargain that a prosecutor might strike with a criminal in order to reach other criminals who are more dangerous to society but are of no interest to the victim?

Federalism considerations also argue against this amendment, and not only because it is an unfunded mandate of unknowable cost. States have general police powers. As the Supreme Court has recently reaffirmed, the federal government—never mind its promiscuous federalizing of crimes in recent decades—does not. Thus Roger Pilon, director of the Center for Constitutional Studies at the Cato Institute, says the Victims' Rights Amendment is discordant with ''the very structure and purpose of the Constitution.''

Pilon says the Framers' ''guarded'' approach to constitutionalism was to limit government to certain ends and certain ways of pursuing them. Government, they thought, existed to secure natural rights—rights that do not derive from government. Thus the Bill of Rights consists of grand negatives, saying what government may not do. But the Victims' Rights Amendment has, Pilon says, the flavor of certain European constitutions that treat rights not as liberties government must respect but as entitlements government must provide.

There should be a powerful predisposition against unnecessary tinkering with the nation's constituting document, reverence for which is diminished by treating it as malleable. And all of the Victims' Rights Amendment's aims can be, and in many cases are being, more appropriately and expeditiously addressed by states, which can fine-tune their experiments with victims' rights more easily than can the federal government after it constitutionalizes those rights.

The fact that all 50 states have addressed victims' rights with constitutional amendments or statutes, or both, strengthens the suspicion that the proposed amendment is (as the Equal Rights Amendment would have been) an exercise in using—misusing, actually—the Constitution for the expressive purpose of affirming a sentiment or aspiration. The Constitution would be diminished by treating it as a bulletin board for admirable sentiments and a place to give special dignity to certain social policies. (Remember the jest that libraries used to file the French constitution under periodicals.)

The Constitution has been amended just 18 times (counting ratification of the first 10 amendments as a single act) in 211 years. The 19th time should not be for the Victims' Rights Amendment. It would be constitutional clutter, unnecessary and, because it would require constant judicial exegesis, a source of vast uncertainty in the administration of justice.

MORNING BUSINESS

Mr. THOMPSON. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business with Senators permitted to speak for up to 10 minutes each.

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

85TH ANNIVERSARY OF THE 1915 GENOCIDE OF THE ARMENIAN PEOPLE BY THE TURKISH GOVERNMENT

Mr. ABRAHAM. Mr. President, I rise today to commemorate the 85th anniversary of the 1915 Genocide of the Armenians by the Turkish Government. As so many of you are aware, between 1915 and 1923 more than one and a half million Armenians perished from atrocities committed against them. Yet the brave Armenian people persevered.

As the grandson of Lebanese immigrants, I am, of course, very familiar with the historic ties that have bound Armenians to the Lebanese. We have sheltered and strengthened one another in time of need. As peoples we have become close because the experience of being forced from one's home and homeland is not new to either of us.

Through mass deportations, starvation, disease, and outright massacres, Armenians have carried their heads high, as they carried on their way of life or carried their culture to new lands. The strength and pride in Armenian heritage have kept alive the memory of those who perished in the genocide. I rise today to pay tribute to that strong, proud heritage.

As a constant symbol of the strength and perseverance through which oppressed peoples survive, the Armenian genocide must serve as a reminder that we must never forget the atrocities of the past, lest they be repeated.

The Senate Immigration Subcommittee, which I chair, recently held hearings on the status of Albanian refugees in Kosovo. I must say that I was impressed with the strength and faith of these people in the face of the great hardships visited on their people. And I was reminded of another people ''cleansed'' from its homeland by brutal invaders.

But too few Americans are in a position to make that comparison. In the 85 years since the massacre of Armenians began, another great crime has been committed—the crime of keeping the truth from the world.

This was a crime against all people, because it denied them the lessons to be learned from that tragic tale. But most of all it was a crime against all Armenians, alive and dead. For even the dead have at least one right—that of having their story told.

The 1.5 million Armenians who died deserve to have the truth of their suffering known. Only when we know the horror that they went through can we comprehend the gravity of the crime. Only then will the rights of the dead be fulfilled. This is why we must make sure younger generations understand what happened and ensure that it never happens again.

Eighty-four years ago the world had the opportunity to prevent the Armenian holocaust. But the world did not act. While there was much talk, there was no real help for the Armenians. If only we had known then that tyranny must be opposed early and steadfastly, perhaps this and future acts of genocide could have been prevented.

But the world does not learn easily. Even today, massacres take place around the world, with people murdered not for what they have done but for whom they are.

And we must wonder about the final goals of those who continue the blockade of Armenia and Nagorno Karabagh. We must make known to the world our opposition to such policies. We must fight to defend Section 907, cutting off American aid to those enforcing the embargo. And we must not allow the lure of cheap oil from the Caspian, an illusion, really, lead us away from the path of truth and justice.

To do justice to the memory of those who died we must see to it that justice is done to the living, to those who survived them. That means doing justice to Armenia, as well as to Armenians and other refugees.

Today, I would like to join the Armenian-American community in remembering the horrors of the Armenian Genocide. We all would profit by reflecting on the strength of the Armenian people to persevere through this awful period in history.

But today is not only a day to mourn those lost in this genocide but also a day to celebrate the resilience of the people of Armenia as they build a new democracy. Finally freed from communist imperialism, Armenia has quickly become one of the most democratic of the former Soviet Republics and has made great strides to adopt a market economy. I am gratified at the many cultural exchanges taking place between our two nations.

As chairman of the Immigration Subcommittee I also am gratified at all the wonderful examples of success through hard work that have been provided by Armenian immigrants. Such stories make the argument for a kind and open policy toward refugees, victims of latter-day massacres, much stronger.

I salute all Armenians today, I salute their predecessors who suffered so grievously, and I salute their struggle to let the truth be known.

Mrs. FEINSTEIN. Mr. President, yesterday, April 24, marked the 85th anniversary of the beginning of the Armenian genocide. I rise today to acknowledge and commemorate this terrible crime and to help ensure that it will never be forgotten.

On April 24, 1915, the Ottoman Empire launched a brutal and unconscionable policy of mass murder. Over an eight year period, 1.5 million Armenians were killed, and another 500,000 were driven from their homes, their property and land confiscated.

As Americans, we are blessed with freedom and security, but that blessing brings with it an important responsibility. We must never allow oppression and persecution to pass without condemnation. By commemorating the Armenian genocide, we renew our commitment always to fight for human dignity and freedom, and we send out a message that the world can never allow genocide to be perpetrated again.

Even as we remember the tragedy and honor the dead, we also honor the living. Out of the ashes of their history Armenians all across the world have clung to their identity and have prospered in new communities. My State of California is fortunate to be home to a community of Armenian-Americans a half a million strong. They are a strong and vibrant community whose members participate in every aspect of civic life, and California is richer for their presence.

Let us never forget the victims of the Armenian genocide; let their deaths not be in vain. We must remember their tragedy to ensure that such crimes can never be repeated. And as we remember Armenia's dark past, we can take some consolation in the knowledge that its future is bright with possibility.

Mr. LEVIN. Mr. President, I rise today to commemorate the 85th Anniversary of the Armenian Genocide. Each year we need to remember and honor the victims, and pay respect to the survivors we are blessed to have with us today.

During the 8-year period from 1915 to 1923, approximately 1.5 million Armenians were killed and hundreds of thousands were driven from their homes. April 24, 1915 serves as a marking point for the government-orchestrated carnage that took place under the Turkish Ottoman Empire. On this date, over 5,000 Armenians were systematically hunted down and killed in Constantinople. This number includes some 600 Armenian political and intellectual leaders who were taken to the interior of Turkey and systematically murdered.

A Polish law professor named Raphael Lemkin was the first to call the atrocities committed upon the Armenian people during period of 1915 to 1923 the ''Armenian Genocide.'' Lemkin is also credited with coining the word ''genocide'' and making genocide a crime under international law. In 1939, Professor Lemkin escaped Poland during the Nazi invasion. Lemkin would ultimately lose 49 members of his family during the Holocaust. Until his death in 1959, Lemkin worked for the adoption of the U.N. Convention on the Prevention and Punishment of the crime of Genocide, which was ratified by the United States in 1988. Through this individual, these dark periods of Jewish and Armenian history have been joined in the important cause of remembrance.

Each year we vow that the incalculable horrors suffered by the Armenian people will not be in vain. That is surely the highest tribute we can pay to the Armenian victims and a way in which the horror and brutality of their deaths can be given redeeming meaning. I ask my colleagues to join me in remembering the Armenian Genocide.

FAIR PAY FOR LOW INCOME WORKERS

Mr. KENNEDY. Mr. President, as we continue to wage our ongoing battle in Congress for a fair increase in the minimum wage for millions of workers across America, it is important to understand that low-income workers in all parts of the country are doing all they can themselves to obtain fair increases in pay from their employers.

One of the most important examples in recent weeks has been the strike by janitors in Los Angeles, who were seeking a long overdue reasonable increase in wages during this time of remarkable prosperity for most Americans.

At the beginning of last week, an excellent column by respected journalist David S. Broder appeared in The Washington Post and many other newspapers across the country, calling national attention to the strike, and emphasizing the issues of fundamental fairness at the heart of this dispute. Mr. Broder noted recent reports of the lavish salary and bonus packages totaling millions or even tens of millions of dollars a year available to the top executives of major firms across the country, and he compared these extraordinary benefits with the low salaries of the janitors in this dispute, whose lives ''are lived on the ragged edge of poverty.''

I had the opportunity to meet with many of the striking workers and their union leaders on a visit to Los Angeles during the recess, and to express my support for them in their battle and to commend them for their courage.

Fortunately, a tentative agreement on the issues in the strike was reached over the weekend, and a settlement granting a significant pay increase and other benefits was overwhelmingly approved by a vote of the workers yesterday. The President of the local union called the agreement ''the beginning of a new era for organized labor.''

Justice for these janitors means progress toward justice for all working men and women across America. Their cause was just, and because of timely and important articles like David Broder's, more and more people across America are becoming aware of these fundamental issues and their extraordinary importance for our society.

I commend Mr. Broder for his eloquent analysis and insight, and I ask unanimous consent that his column in The Washington Post on April 16, entitled ''Of Janitors and Billionaires,'' be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Washington Post, April 16, 2000]

OF JANITORS AND BILLIONAIRES

(By David S. Broder)

LOS ANGELES—The janitors on strike at the office buildings near the downtown hotel where I stayed for a couple days last week were the most polite picketers I have ever seen. The largely Latino groups of men and women standing on the plaza from which several of the city's highest office towers rise greeted visitors with elaborate courtesy and seemed genuinely grateful when anyone accepted one of their handouts explaining why they had stopped using their brushes and brooms.

It was about money, they said, about struggling to support their families and themselves at a pay scale ranging from $7 to $8 an hour—about $300 a week before taxes.

The Service Employees International Union, representing about 8,500 janitors, called the strike to back up its demand for raises of $1 an hour each year for the next three years. If granted, that would allow members of these overnight crews to make the magnificent sum of about $21,000 a year in 2003.

The janitorial service companies that have contracts with these towering buildings, filled with banks, law firms and corporate offices, were counter-offering raises of about one-third that size, also spread over three years.

This is part of the overlooked reality of this era of record prosperity—a story that receives far less attention in the press and on television than the gyrations of the

Nasdaq. Understandably so, for the Nasdaq determines the value of the stock options held by the high-tech millionaires who are the ''masters of the universe'' in the new economy, the stars whose spectacular success draws envious glances from those Americans who cannot imagine enjoying such riches, unless they hit the lottery or have a spectacular run of luck on one of the TV game shows.

As Shawn Hubler, a Los Angeles Times columnist, noted last week, ''the janitors' strike . . . has brought to the surface something deeply resonant about the lives, now, of all 1.3 million of the region's working poor.'' Hubler described how the janitors arrive to begin their tedious, wearying chores just after most of the tenants have left the building, and how she watched one late-working executive push open the door to a freshly cleaned bathroom, with nary a nod of acknowledgment to the woman janitor who had her equipment cart just a few feet away. ''There is a dimension now,'' Hubler wrote, ''in which whole human beings can be rendered invisible, just erased.''

Ralph Ellison described the phenomenon as experienced by black folks in his novel of the last generation, ''Invisible Man.'' But we imagine we have become more sensitive, more aware in our time. Not so. There are millions of people whose work makes our life easier, from busboys in the restaurants we patronize to orderlies in the hospitals we visit, but whose own lives are lived on the ragged edge of poverty. Most of us never exchange a sentence with these workers.

Meanwhile, the rich get steadily richer. The wall Street Journal, not exactly a radical publication, printed its annual survey of executive pay on April 6. Reporter Joann S. Lublin cited a study of 350 major firms, conducted by William M. Mercer Inc., a New York compensation consulting firm. It found that the median salary and bonus package for the top executives of those firms in 1999 was $1,688,088. That's about $120,000 higher than it was in 1998 and just about what 80 of the striking janitors combined would make three years from now—if they got what they are asking. But it's only one-hundredth as much as the $170 million in salary, bonuses and stock options the highest-paid executive in the survey, L. Dennis Kozlowski of Tyco International, made in 1999.

How do you justify those extremes? the Journal quotes Jeffrey D. Christian, head of a Cleveland executive recruiting firm, as explaining that the business heads he meets ''all want the same opportunity for extreme wealth creation and legacy creation as their dot-com counter-parts. It's billionaire envy.''

Another article in the special section—and remember this is the Wall Street Journal, not Mother Jones—reported about the increasing use of bonus guarantees to recruit or retain executives. One boss named Thomas Evans ''will collect as much as $10 million if his vested stock options would yield a profit of less than that by August 2002,'' the Journal said. And then there are the sweetheart deals, in which outside directors on a firm's compensation committee grant lavish salary increases or stock options to the CEO, who in turn arranges lucrative consulting contracts for those same directors.

It's doubtful many of the striking janitors have read the Journal's special section. If they did, they wouldn't be quite so polite.

NATIONAL READING PANEL

Mr. COCHRAN. Mr. President, on April 13, 2000, the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education received the report of the National Reading Panel. The subcommittee also heard testimony from Dr. Duane Alexander, Director of the National Institute of Child Health and Human Development; Dr. Kent McGuire, Assistant Secretary of Education, Office of Educational Research and Improvement; and Dr. Donald N. Langenberg, Chairman of the National Reading Panel and Chancellor of the University System of Maryland.

The National Reading Panel was created as a result of legislation I introduced in 1997, titled the ''Successful Reading Research and Instruction Act.'' Subsequently, the report accompanying the Fiscal Year 1998 Labor, Health and Human Services, Education and Related Agencies Appropriations Act called on the National Institute of Child Health and Human Development and the Department of Education to form a panel to evaluate existing research on the teaching of reading to children, identify proven methodologies, and suggest ways for dissemination of this information to teachers, parents, universities and others.

I was convinced at the time that there was an absence of consensus on a national strategy for teaching children to read. Meanwhile, we had statistics which showed that 40 to 60 percent of elementary students were not reading proficiently and there seemed to be no plan to help remedy the situation.

The Health Research Extension Act of 1985 had mandated research on why children have difficulties learning to read. The National Institute of Child Health and Human Development had conducted this research and in 1997, they had some answers. However, Congress hadn't asked for the results and the information was literally trapped in the academic and research world.

Since 1997, we've made some progress. Today more people know that reading research exists, but very few of us are able to decipher what it means, or how to translate it into meaningful practice.

Mr. President, what most parents want to know is simple, ''How can I make sure my child will learn to read?'' Until now, the response to that question was often vague, and the so-called ''expert'' or ''research based'' methods were conflicting. Consequently, there is a great deal of confusion among parents, teachers and school administrators about improving reading skills of children. Meanwhile, the Federal government has spent nearly $100 million on programs which one researcher described as, ''at best, it shouldn't hurt.''

The National Reading Panel identified over 100,000 studies on a variety of topics related to reading instruction. It held regional hearings to receive testimony from teachers, parents, students, university faculty, educational policy experts and scientists who represented the population that would ultimately be the users of its findings. The panel used the information from these hearings and their preliminary research to identify five topics for intensive study: alphabetics; fluency; comprehension; teacher education and reading instruction; and computer technology and reading instruction.

The panel then narrowed its review to materials which met a defined set of rigorous research methodological standards. It is the development of these standards which the panel describes as ''what may be its most important action.'' By finding successful techniques that meet the same kind of scientific review that are used to test medical treatments, the panel presents its recommendations with a confidence that has never before been applied to the teaching of reading.

One of the National Reading Panel's objectives was to ensure that good research results were readily available. On April 13, the report was sent to every Senator and Member of Congress. Within the next few weeks, the report and supporting documentation will be delivered to state education officials, colleges and universities, and public libraries. A long-term strategic plan that will address wider dissemination and classroom implementation will be ready by next fall. It is my hope that the report of the National Reading Panel will guide us in making informed decisions on reading issues.

I commend the efforts of the National Reading Panel and I hope educators will implement their recommendations and use the new teaching methods and programs outlined in the report.

ROLE OF INTERNATIONAL ATOMIC ENERGY AGENCY IN COUNTERING PROLIFERATION OF NUCLEAR WEAPONS

Mr. AKAKA. Mr. President, this week the sixth Nonproliferation Treaty Review Conference opened in New York.

At the last conference five years ago countries agreed to extend indefinitely the treaty. I recently introduced, along with Senators BAUCUS, KERRY, ROTH, BINGAMAN, KERREY, KOHL, and SCHUMER, Senate Concurrent Resolution 107, expressing support for another successful review conference. A similar bipartisan resolution will be introduced in the House. I hope my colleagues on the Foreign Relations Committee will consider this resolution as quickly as possible.

Some delegates to the conference have suggested that the United States is not as strongly committed as it once was to arms control, citing as examples the Senate failure to ratify the Comprehensive Test Ban Treaty (CTBT) and Administration negotiations with the Russians to modify the Anti-Ballistic Missile Treaty. I wish, as do many of my distinguished colleagues, that the CTBT had been ratified. I hope that it will be. Nevertheless, I believe all my colleagues, regardless of their position on this issue, share a strong and abiding interest in pursuing arms control agreements and making the

world more secure from threats from weapons of mass destruction.

As Secretary of State Madeleine Albright observed in here address to the delegations to the conference ''the United States is part of the international consensus on nuclear disarmament.'' We have taken considerable steps with our allies to reduce our nuclear weapons arsenal and have made a commitment to further reductions with the Russians.

I share the United Nations Secretary General Kofi Annan's concern—expressed at the Review Conference—that ''nuclear conflict remains a very real and very terrifying possibility at the beginning of the 21st century.'' The nuclear weapons testing by India and Pakistan in 1998 are added reasons to be worried.

Equally disturbing are reports that Iran is still pursuing secretly a nuclear weapon and long range missile program. While we develop a national missile defense program to protect us against limited attacks, we must strengthen those arms control regimes which help to contain the spread of weapons systems to states who may wish to harm us.

One of the steps that the United States and other states can take is to strengthen the International Atomic Energy Agency (IAEA). The Nonproliferation Treaty (NPT) made the IAEA safeguards system the verification arm of the NPT. While the IAEA does provide some technical assistance to countries for the peaceful use of nuclear technology, it also inspects the nuclear inventories of nonnuclear weapon members of the NPT to ensure there are no diversions to weapons use.

The Gulf War disclosed for the first time an Iraq nuclear weapons program which was being carried out despite IAEA inspections. This disclosure provided new impetus to strengthening the IAEA inspection system. The IAEA has developed a strengthened safeguards program which consists of more intrusive and aggressive inspections. The agency also proposes a new inspection protocol giving its inspectors more authority to collect information. Some 46 countries have signed the protocol which the United States helped develop.

But the increase in membership in the IAEA and the strengthened inspection system has meant more demands on IAEA inspectors and facilities. I asked the Congressional Research Service to prepare a brief on the IAEA to explain its new functions. Zachary Davis, CRS's Specialist in International Nuclear Policy, is to be commended for his work on this subject. I urge my colleagues to read his analysis—''Nuclear Weapons: Strengthening International Atomic Energy Agency Inspections.'' I ask unanimous consent that it be printed in the RECORD in full, following my remarks. The IAEA deserves our full support and the NPT Review Conference deserves our full attention. Again, I urge my colleagues to express their support by co-sponsoring S. Con. Res. 107.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NUCLEAR WEAPONS: STRENGTHENING INTERNATIONAL ATOMIC ENERGY AGENCY INSPECTIONS

(By Zachary S. Davis, Specialist, International Nuclear Policy Resources, Science and Industry Division)

SUMMARY

The International Atomic Energy Agency (IAEA) is an international organization established to achieve two goals. First, it operates an international inspection system to provide assurances that nuclear materials and technology in use for civilian purposes are not diverted to make nuclear weapons. Second, the IAEA provides assistance in civilian applications of nuclear technology for energy, agriculture, medicine and science. The IAEA is strengthening its inspection system to cope with countries such as Iraq and North Korea that established covert nuclear weapons programs and refused to cooperate with inspections, despite their membership in the Nonproliferation Treaty.

The strengthened safeguards system provides IAEA inspectors with greater access to a wider range of nuclear activities. New technologies will improve inspectors' ability to detect undeclared nuclear activities. A new protocol to the standard IAEA inspection agreement gives inspectors more information and access. However, these improvements will require additional resources from member states. This report outlines the IAEA mission and describes efforts to improve it. It will be updated as events merit.

BACKGROUND: IAEA INSPECTIONS AND THE ''NUCLEAR BARGAIN''

The IAEA was established in 1957 as part of President Eisenhower's Atoms for Peace program to provide independent assurances that the spread of civilian nuclear technology did not also promote the spread of nuclear weapons. Exporters of nuclear technology such as the United States asked the IAEA to apply safeguards on nuclear technologies, such as reactors, and materials, such as nuclear fuel, to make sure that the purchasers did not use them to make nuclear weapons. The IAEA gained new responsibilities in 1970 when the Nonproliferation Treaty (NPT) designated the IAEA safeguards system as the global verification mechanism for the NPT. The Agency also provides technical assistance for countries to use nuclear technology for energy, medicine, agriculture, and scientific research. The balance between technical assistance and nuclear safeguards is often referred to as the ''nuclear bargain:'' in return for receiving civilian nuclear technology, recipient nations agreed to international safeguards.

Organization. The Director General of the IAEA is Mohomed ElBaradei, a U.S.-trained, Egyptian diplomat who served many years as head of the IAEA legal department. The main policy-making body is the Board of Governors, which has 35 members, including states with advanced nuclear programs. The General Conference of all 131 members meets annually to debate Agency positions, programs and priorities.

Inspections Based on Inventories, Not Risk of Diversion. All non-nuclear weapon members of the Nonproliferation Treaty agree to allow the IAEA to inspect their nuclear inventories. Each country provides an initial declaration and regular reports on its inventory, which the IAEA then inspects on a regular basis. The amount of inspection efforts is determined by how much nuclear material a country has. Under this formula, countries with large civil nuclear programs such as Japan, Germany, South Korea, and Canada receive the most attention, while countries possessing much smaller amounts of nuclear material such as Iran and Iraq receive much less attention.

The Agency's members and its founding statutes do not allow it to shift inspection resources from currently trusted countries that possess large amounts of nuclear material, such as Japan, to focus on countries with small but growing nuclear programs that are considered to be proliferation risks, such as Iran. One way to address this problem is through across-the-board increases in the Agency's global inspection system, although IAEA members have insisted for many years on maintaining a zero-growth budget.

Weapons States and Non-NPT Members. The five legally recognized nuclear weapon states (Britain, France, China Russia, United States) are not obligated to accept inspections, but in practice do allow some access to some facilities on a voluntary basis. Nearly all non-weapon states that possess nuclear capabilities accept comprehensive safeguards. Only a few countries (India, Israel, Pakistan, Cuba) have not joined the NPT, but even these are members of the IAEA and accept safeguards at selected facilities.

Numbers of inspections. The IAEA conducts thousands of inspections annually. In 1998 the Agency performed 2,507 safeguards inspections at 897 facilities and other locations worldwide. At the end of 1998, 222 safeguards agreements were in force in 138 states (and Taiwan). This includes safeguards agreements with 126 states pursuant to the NPT. (The NPT has 187 member states, but many of these are developing countries that do not posses nuclear material or facilities that need to be inspected.) The quantities of nuclear materials and numbers of facilities under IAEA safeguards are growing steadily. As a result of growing stocks of nuclear materials, IAEA resources are being stretched thinner and may not keep pace with this growing demand.

SUCCESSES AND FAILURES

A few NPT member states have violated their obligations and diverted civilian nuclear technology and materials to covert weapons programs.

Iraq. Iraq was a party to the NPT for many years, but used its civil nuclear program to disguise an extensive nuclear weapons program. IAEA inspectors did not learn the full nature and extent of Iraq's nuclear weapons program until the Gulf War, when Allied forces attacked many undeclared nuclear installations. After the war, the United Nations Security Council created the Special Commission on Iraq (UNSCOM) to account for and eliminate Iraq's nuclear, chemical, and biological weapons and missiles. The IAEA headed the nuclear inspections. Iraq quit cooperating with UNSCOM in 1999; efforts to reestablish inspections in Iraq have been blocked by Russia and France in the Security Council, although IAEA inspectors were allowed to inspect nuclear material remaining in Iraq in January 2000.

North Korea. North Korea acceded to the NPT in 1985, but refused to accept safeguards until 1992. When North Korea finally allowed safeguards inspections, it provided incomplete and contradictory information and then blocked IAEA access to key sites. The IAEA quickly discovered the discrepancies and reported Pyongyang's noncompliance to the United Nations Security Council, which urged North Korea to comply, but took no further action. North Korea refused access and threatened to quit the NPT. Nevertheless, North Korea remains obligated under

the NPT to allow IAEA inspections, despite its noncompliance. The IAEA has repeatedly called upon North Korea to comply with its NPT safeguards obligations. Under the 1994 Agreed Framework between the United States and North Korea, the IAEA monitors the shut-down of North Korea's declared nuclear facilities, but is not able to apply full safeguards. However, North Korea must fully comply and allow the IAEA to resolve all outstanding inspection questions before the Agreed Framework can be fully implemented.

Inspections in Iraq and North Korea provide many lessons for strengthening the IAEA safeguards system. Inspections in South Africa after that country declared in 1991 that it had dismantled its 6 nuclear weapons and joined the NPT also helped the Agency learn how to improve its ability to detect hidden nuclear activities and account for undeclared activities such as those possessed by South Africa. Many analysts expect the IAEA to be tested next in Iran, which has a growing nuclear program but denies any interest in acquiring nuclear weapons.

HOW SAFEGUARDS WORK

Each non-weapons member of the NPT signs an agreement with the IAEA authorizing the Agency to keep track of the nuclear materials in the country and provides the IAEA with an inventory of its nuclear materials. IAEA inspectors verify the declared inventories and make periodic visits to make sure all the material can be accounted for. Agency inspectors check records and take samples at reactors, fuel storage facilities, and other nuclear installations to verify the accuracy and completeness of each country's declared inventory. Inspectors take a variety of measurements of nuclear materials to verify their content (see below). The Agency has a laboratory near its headquarters in Vienna, Austria, where samples are analyzed. It also sends samples to approved laboratories in several countries, including the United States, for expert analysis. Inspectors attach seals and tags to critical equipment to detect unauthorized access. The Agency also installs video cameras to monitor activities at nuclear facilities throughout the world.

When questions arise about a country's nuclear inventory, the Agency can request additional information and/or more access to facilities. Normally, additional information can resolve questions. However, in the past, inspectors have not always pressed member states to resolve outstanding issues, and states like Iraq and North Korea have attempted to take advantage of the Agency's disinclination to confront member states about incomplete or incorrect information. Recent improvements in IAEA safeguards, however, are intended to fill gaps and correct past deficiencies.

STRENGTHENED SAFEGUARDS

Since the early 1990s, the IAEA has been upgrading its safeguards system to prevent a repeat of problems encountered in Iraq and elsewhere. Most importantly, the Agency is taking steps to detect undeclared nuclear activities such as found in Iraq. Strengthened Safeguards, formerly referred to as the 93+2 Program, consists of legal, technical, and political measures which are outlined below.

Information. Inspectors rely on information provided by the states themselves, on information collected by the Agency from the states and from open source information, and information provided to the Agency by member states. Prior to the Gulf War, member states had not provided intelligence information to the IAEA. However, the Agency has increasingly received and used intelligence provided by member states, as well as expanding its use of open source information from a variety of sources. Those types of information were critical in detecting discrepancies in North Korea's initial declaration of its inventory of nuclear material and in uncovering the full extent of Iraq's nuclear program. Recently the Agency has begun to use commercial satellite imagery to augment its information data bases.

Access. One problem highlighted by the Agency's failure to detect Iraq's extensive covert nuclear weapon program was the limitations that member states put on its access to facilities. In the past, the IAEA focused almost exclusively on accounting for nuclear material, and did not pay much attention to related equipment and installations. The IAEA has reasserted its authority to gain access to all facilities housing nuclear activities. However, additional authority is needed and would be authorized by the new protocol inspection agreement (see below).

Technology. The Agency is upgrading its inspection equipment with the help of the United States and other member states. Upgrades include new cameras and remote monitoring equipment, more accurate measuring tools, and new methods of detecting minute quantities of nuclear material in soil, water, plants and air that can be collected from numerous locations. The IAEA is also beginning to use commercial satellite imagery to monitor developments at nuclear installations.

Political and Financial Support. The IAEA depends on support from member states to be effective. Contributions to the regular budget are apportioned on the United Nations scale of assessments. Most of the technology and equipment it uses is contributed by members. Its budget is limited and divided among several missions that are popular with certain members, such as nuclear safety and technical assistance. Given its budget constraints, the Agency depends on special voluntary contributions to support programs of particular interest to certain members, including advanced safeguards and arms control.

Enforcement. Even when the IAEA discovers noncompliance, it can only report to the United Nations Security Council. Enforcement is a political decision of the Security Council and its members.

ADDITIONAL SAFEGUARDS PROTOCOL

An important part of the Strengthened Safeguards effort is a new inspection protocol that gives Agency inspectors more authority to collect more information about a wider range of nuclear activities (uranium mining, imports, exports, etc.), to use more intrusive inspection methods, and to expand their access to undeclared activities. The additional information and access is required to reduce the risk of undeclared nuclear activities going undetected, as they did in Iraq.

The United States, which played a primary role in formulating the new inspection protocol, agreed to accept some of the new measures on selected U.S. activities to persuade others to sign it. The four other nuclear weapon states also agreed to sign the protocol and implement it. The United States, as a nuclear weapons state under the NPT, is not obligated to open its facilities for inspection and can exclude any sites it chooses from IAEA inspection. By early 2000, 46 countries had signed the Additional Protocol. The U.S. version of the Protocol will be submitted to the Senate for its consent to ratification before taking effect in the United States.

NEW INSPECTION MISSIONS: EXCESS WEAPONS MATERIALS AND FISSILE MATERIAL CUTOFF TREATY

In addition to the growing number of civil nuclear facilities and growing stockpiles of materials under IAEA safeguards, the IAEA is being assigned new missions to support arms control agreements.

Excess Weapon Materials: The Trilateral Initiative. The United States and Russia each have many tons of excess nuclear weapons materials—highly enriched uranium and plutonium. The stockpiles of excess materials are growing as more nuclear weapons are dismantled under the terms of arms control agreements. The United States and Russia each declared hundreds of tons of weapons materials as excess and asked the IAEA to verify that this material is not reused to make nuclear weapons. The IAEA agreed to work with Russian and U.S. experts to develop a special verification arrangement to allow the Agency to verify the materials without revealing sensitive weapons-related information. The arrangement, called the Trilateral Initiative, is funded by the Departments of Energy and State. The Trilateral Initiative can support arms control agreements such as START II and a proposed START III by providing independent verification that weapons materials are removed from military stockpiles and are not reused for nuclear explosives.

Fissile Material Cutoff Treaty (FMCT). The Clinton Administration proposed negotiating a multilateral treaty to stop further production of highly enriched uranium or plutonium for use in nuclear explosives. Such a treaty would cap the amount of weapons materials, and therefore limit the number of weapons that could be made from existing stocks. The IAEA is widely viewed as the most likely inspection agency for such a treaty. Although an FMCT has broad international support, negotiations are stalled at the Conference on Disarmament, a branch of the United Nations located in Geneva, Switzerland. New funding would be required.

IAEA BUDGET AND BUDGET PROBLEMS

The IAEA annual budget is about $226 million. The budget is divided among several major programs including safeguards, safety, and technical assistance. Member states' contributions are determined by the United Nations scale of contributions and are combined in the Agency's annual budget. The Agency also receives voluntary contributions from member states targeted to support specific programs or projects.

U.S. Contribution. The United States provides about 25% of the IAEA regular budget. In 1999 the U.S. assessed contribution was $49 million. The United States also provided a voluntary contribution of $40 million, mainly to support activities related to the Strengthened Safeguards System. The United States also provided less than $1 million from the Nonproliferation and Disarmament Fund to upgrade IAEA inspection equipment. U.S. contributions to the IAEA are funded through the State Department's 050 account.

Stretching the Resources. While the members of the IAEA are tasking it with additional responsibilities, many resist providing additional funds to pay for Strengthened Safeguards, expanding inspections, improving nuclear safety, and for new arms control missions such as the Trilateral Initiative. The U.S. practice of paying its dues at the end of the U.S. fiscal year (instead of by calendar year, as requested by the IAEA) puts further strain on the Agency. With stocks of nuclear material growing in many countries, some of which pose proliferation concerns, at some point the IAEA's resources may be stretched so far that the Agency can not fulfill all of its functions. Declining credibility of IAEA safeguards could weaken their deterrent and detection functions and possibly undermine nuclear nonproliferation efforts.

LEGISLATION

Congress has consistently supported the IAEA and has authorized and appropriated funds for the Agency since its inception in 1956. In recent years Congress has continued support for strengthening the safeguards system and through voluntary contributions. However, legislation has also been proposed to withhold portions of the voluntary U.S. contribution to the IAEA to signal displeasure with IAEA programs that benefit particular member states such as Iran and Cuba.

FOR ADDITIONAL READING

IAEA documents are available on their web site: *http://www.iaea.org/worldatom*.

International Atomic Energy Agency, ''Safeguards and Nonproliferation,'' IAEA Bulletin, volume 41, number 4, 1999.

Zachary Davis, International Atomic Energy Agency: Strengthen Verification Authority? CRS Report 97–571, May 1997.

PROTESTS AT IMF-WORLD BANK MEETINGS

Mr. BAUCUS. Mr. President, I rise today to comment on some important events that took place here in Washington last week while many of us were back home meeting with our constituents.

For the past 25 years, we've had an annual Spring ritual in Washington. I'm not referring to the cherry blossoms. Every April, the International Monetary Fund (IMF) and the World Bank hold their joint meeting. Bankers and finance ministers from around the world travel to Washington to talk about the global economy, exchange rates, poverty reduction, and the so-called ''international financial architecture.''

These are tremendously important subjects. But the talks are highly technical, and the results are shrouded in the vague language of diplomatic communiques. The meetings don't produce startling breakthroughs. For most people they are hard to understand. So the annual IMF-World Bank meetings in Washington have rarely generated much news, and the participants liked it that way.

This year was different. A coalition of activists vowed to descend on Washington to disrupt the meetings. More than 1,700 journalists registered to cover the event. Few of those journalists came to report on IMF discussions of extended funds facilities or economic stabilization criteria. They were hoping for the kind of news that protesters made at last year's WTO meetings in Seattle when they closed the city down.

But those who came to Washington hoping for Seattle-style violence were disappointed. Both the police and the demonstrators are to be commended for that. Those who came here hoping to throw the meetings off track were also disappointed. Unlike the WTO ministerial in Seattle, the IMF meetings did not attract a big crowd of protestors. The labor unions stayed home. The big environmental groups were absent. So the meeting took place pretty much as scheduled, albeit with some inconvenience and no dramatic events. Business as usual.

There was one underlying theme among those who did come: a feeling that international economic institutions undermine the interests of ordinary citizens. I heard that on the streets of Seattle last December, when protestors took aim at the world's main trade body. And I heard it again last week when they focused on the IMF and the World Bank. The demonstrators had no confidence that those institutions are moving in the right direction.

This lack of confidence concerns me greatly. It exists not only here at home, but also in many other countries. I believe that America must lead an effort to restore faith in the economic institutions we have worked so hard to build over the past fifty years, economic institutions that have served our country and our people. The World Trade Organization. The IMF. The World Bank. And we in the Congress should lead that effort.

Look at the evidence here at home. In the trade arena, I've seen a rapid decline in the domestic consensus in favor of open markets. One result is that we've been unable to renew the President's fast track trade negotiating authority. Morever, the lack of a domestic consensus has undermined our ability to lead in the WTO. It has weakened our bargaining power. Other members, especially the EU and Japan, take advantage of our weakened position and resist opening up their markets to the production of American workers and farmers.

In the financial arena, last week's demonstrations showed that Americans are losing faith. They don't think that the IMF and the World Bank serve the needs of the people, especially the most vulnerable here and in other countries. Instead, they believe that the institutions serve the needs of the big and the rich. The IMF and the World Bank stand accused of mismanaging the Asian financial crisis through misguided policies which needlessly lowered the living standards of millions of people, throwing many of them back into poverty. They stand accused of mismanaging the Russian economy.

Are these criticisms justified? It's difficult for Americans to judge. These institutions do not operate in the daylight of public scrutiny. Although they exist on taxpayer funds, they do not hold themselves accountable to taxpayer concerns. America is the biggest shareholder in both the IMF and the World Bank. And the lack of transparency has seriously undermined American public confidence in both the IMF and the World Bank.

Over the past week I've read and heard a number of condescending remarks about the protestors. They've been called naive, poorly informed, misguided. But the concerns they express are real and are shared by many Americans who did not march down Pennsylvania Avenue. We need to take these concerns seriously, because they express a strong undercurrent in American thinking.

In my talks with representatives from the business, environmental and labor communities, I find that strong centrist elements seek practical solutions. We in the Congress can supply the political leadership to firm up this middle ground on the issues of trade and finance, trade and labor, trade and the environment, and restore confidence in the international trade and financial system. It is an important undertaking. America's ability to lead the world into an era of global prosperity benefitting rich and poor alike requires us to firm up and expand the middle ground to reforge our domestic consensus.

U.S. POLICY TOWARD LIBYA

Mr. MACK. Mr. President, I rise today to speak on behalf of Senate Resolution 287, expressing the sense of the Senate regarding U.S. policy toward Libya. It is of grave concern to me that the United States is currently considering a change in its ''Travel Ban'' policy with Libya, prior to the resolution of the Pan-Am 103 Bombing trial.

Libya is a state sponsor of terrorism and a global agent of instability. Two Libyan intelligence operatives, with prior terrorist activity convictions, are now on trial for the explosion of Pan Am flight 103 in 1988 and the loss of 270 lives, 180 of them Americans. Libya is engaged in one the most advanced Bio-Chemical efforts in the third world, including the acquisition of delivery vehicles. It has repeatedly engaged U.S. military forces, including an attempted missile attack on U.S. military installations in Italy in 1986.

Taking into account its past behavior, we all agree that Libya has a long way to go to become a member of the family of law-abiding nations. Libya must take concrete actions to provide its sincerity. It must show complete adherence to the Pan Am 103 Judicial Authorities in Hague. If a conviction is reached, Libya must accept responsibility for any court judgement and make full payment to all judgement creditors. It is my sense that Libya must prove its vigilant and sincere cooperation in anti-terrorism efforts.

U.S. policy towards Libya must remain balanced. The ''Travel Ban'' is an important tool and should not be abandoned without clear justification. A verdict is not yet at hand; I urge you to await the conclusion of the Pan Am 103 trial, and calculate our steps from there.

FLAG DESECRATION AMENDMENT

Mr. REED. Mr. President, I stand in opposition to this amendment. As a graduate of the United States Military Academy and a former officer in the Army, I view the American flag with a special reverence borne by experience. I am deeply offended when people burn or otherwise abuse this precious national symbol, and I believe that we should teach young people to respect the flag.

I also feel, however, that the values and beliefs that the American flag represents are more important than the cloth from which the symbol is made. Prominent among these beliefs are the right to voice views that are unpopular and the right to protest. It is these fundamental values, reflected in our Constitution, that have distinguished our Nation for more than 200 years. It is these beliefs that give our flag its great symbolic power.

Flag burning is despicable. However, the issue before us is whether our great charter document, the Constitution, should be amended so that the Federal Government can prosecute the handful of Americans who show contempt for the flag. To quote James Madison, is this a ''great and extraordinary occasion'' justifying the use of a constitutional amendment?

I would argue no, this is not such an occasion. This is an answer in search of a problem. According to Professor Robert Justin Goldstein, a noted author on this topic, there have been only 200 reported incidents of flag burning during the entire history of our country—that is less than one a year. There is no epidemic of flag burnings plaguing our nation.

Others have said that flag burning is representative of a general decay of American values and patriotism, and something needs to be done about it before it is too late. I would argue the way to encourage patriotism is through encouraging civic involvement, not constitutional amendments. It almost goes without saying that people who are proud of their country will be proud of their flag.

I am still moved by the statement made by James Warner, a decorated Marine flyer who was a prisoner of the North Vietnamese from 1967 to 1973, about flag burning:

I remember one interrogation where I was shown a photograph of some Americans protesting the war by burning a flag. ''There'' the officer said. ''People in your country protest against your cause. That proves that you are wrong.''

''No,'' I said, ''that proves that I am right. In my country we are not afraid of freedom, even if it means that people disagree with us.''

And I think that is the essence of this debate for me. We live in a democracy, not a dictatorship. The flag symbolizes a political system that allows its people, through their actions and words, to express what they think and feel, even when the government or a vast majority of others disagree with them. I oppose this amendment because I believe that while attempting to preserve the symbol of the freedoms we enjoy in this country, it actually would harm the substance of these freedoms.

Finally, this amendment to the Constitution is technically problematic. The language of the amendment is vague and fails to offer a clear statement of just what conduct the supporters of the amendment propose to prohibit, or to advise the American people of the actions for which they may be imprisoned. There is no definition of what a ''flag'' is for purposes of this amendment, or any consensus regarding the meaning of ''desecration.'' This leaves the Supreme Court to clarify these meanings, the same court that supporters believe erred in protecting flag burning as freedom of speech in the first place.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, April 24, 2000, the Federal debt stood at $5,711,905,996,688.11 (Five trillion, seven hundred eleven billion, nine hundred five million, nine hundred ninety-six thousand, six hundred eighty-eight dollars and eleven cents).

Five years ago, April 24, 1995, the Federal debt stood at $4,839,548,000,000 (Four trillion, eight hundred thirty-nine billion, five hundred forty-eight million).

Ten years ago, April 24, 1990, the Federal debt stood at $3,066,631,000,000 (Three trillion, sixty-six billion, six hundred thirty-one million).

Fifteen years ago, April 24, 1985, the Federal debt stood at $1,731,710,000,000 (One trillion, seven hundred thirty-one billion, seven hundred ten million).

Twenty-five years ago, April 24, 1975, the Federal debt stood at $514,446,000,000 (Five hundred fourteen billion, four hundred forty-six million) which reflects a debt increase of more than $5 trillion—$5,197,459,996,688.11 (Five trillion, one hundred ninety-seven billion, four hundred fifty-nine million, nine hundred ninety-six thousand, six hundred eighty-eight dollars and eleven cents) during the past 25 years.

ADDITIONAL STATEMENTS

TUFTS UNIVERSITY COLLEGE OF CITIZENSHIP AND PUBLIC SERVICE

• Mr. KERRY. Mr. President, today I applaud Tufts University for furthering the values of leadership, citizenship, and public service, by founding a University College of Citizenship and Public Service. By creating this new college, Tufts' President, Dr. John DiBiaggio, is fostering an attitude of ''giving back'' to supplement the University's vision that 'active citizen participation' is essential to freedom and democracy.

Tufts has a history of commitment to civic education, having founded the Lincoln Filene Center for Citizenship and Public Affairs over 50 years ago. The largest student organization on the Medford campus is the Leonard Carmichael Society, a community service group, which boasts about 1,000 members. Recently, Tufts has hatched the ''United Leaders for a Better Tomorrow,'' a new student organization that aims to encourage young people to pursue careers in public service. With chapters starting across the country, this group of young leaders seeks to reenlist those Americans interested in public service in using public office as a vehicle for change.

Tufts University is now renewing its commitment to public service with an entrepreneurial spirit. Tufts is not adding a stand-alone college, composed of its own buildings and faculty. Instead, the university is creating a 'virtual college,' one ''without walls;'' challenging itself to infuse all classroom instruction with the ideas of citizenship and public service.

According to Tufts' President Dr. John DiBiaggio, the tangible impact will mean that a major in child development who is mentoring kindergarten kids in a poor community could also participate in legislative advocacy to improve conditions in that community or, a Tufts student who wants to be a chemist will have an opportunity to measure pollution in nearby waterways, determine the sources of this pollution and then create a local team to clean them up.

The need for a college of public service has never been greater. While Tufts students, Massachusetts residents, and citizens nationwide are volunteering at record rates, voter participation rates continue to fall. Just two stops away on the T's red line, the ''Vanishing Voter Project'' at Harvard's John F. Kennedy School of Government measures the depth of the public's cynicism and apathy towards public service. Last week, according to the Vanishing Voter Project's Voter Involvement Index, only 19% of the American public paid any attention to the Presidential race. In fact, at no time during the Presidential Primaries—one of the most hotly contested races in years—did the number of Americans paying attention to the race rise above 46%. In the world's leading democracy, in an age where limitless information is available at our fingertips, we can do better.

More than ever, it is critical that we restore and maintain civil society. We need voters that are educated and engaged. Tapping the cutting edge of the New Economy's budding e-commerce, Tufts is partnering with eBay founder, Pierre Omidyar. eBay, is now the world's leading person-to-person online trading community. Omidyar's ten million dollar investment in the College of Public Service includes financial aid packages for 24 undergraduates every year, enhanced public and private sector internship opportunities, citizenship-based career workshops, and a senior honors program in civic activism. Mr. President, Tufts University's College of Citizenship and Public Service and its partnership with eBay's Pierre Omidyar illustrates the possibilities provided by technological innovation. The promise of a technology based digital democracy is that billions of people will engage in business, receive their news, and even vote, directly and

instantly. Our challenge for this new age is to continue to foster values of public service, community, and citizenship, in order to constantly renew and re-engage our citizenry and our democracy.●

RETIREMENT OF THE CHANCELLOR OF VANDERBILT UNIVERSITY, JOE B. WYATT

● Mr. FRIST. Mr. President, on April 29 the Vanderbilt University community will honor Joe B. Wyatt, who will retire this summer after a long and distinguished career as Chancellor of that prestigious university. I rise today to pay tribute to Chancellor Wyatt. His significant contributions have not only benefitted the Nashville campus, but also have had a very positive impact on the State of Tennessee and, indeed, our entire nation.

Joe Wyatt's tenure as head of Vanderbilt, which extends back to 1982, has been marked by substantial growth at the University: new construction and renovation on campus; tremendous expansion of the renowned Medical Center; major increases in the levels of research grants; and a quantum leap in the university's endowment.

Today, Vanderbilt University and Medical Center is the largest private employer in Middle Tennessee and the second largest in the state. It generates an estimated annual economic impact of more that $2.2 billion to the area. Among the 19,000 Vanderbilt alumni who live in Middle Tennessee are numerous leaders in business, government, law, education and medicine. And many of these young men and women were handed their diplomas by Joe Wyatt before moving on to make a mark in their chosen fields.

Equally important, Mr. Wyatt's stewardship has been marked by the academic and intellectual growth of the University. He has helped attract a world-class faculty that is consistently recognized nationally and internationally for its research and teaching excellence. In addition, he recognized, earlier than most, the potential impact of new technology on our society and education, and he facilitated the development of research programs that cut across various academic disciplines, reflecting changes in the real world and maximizing the University's academic resources.

Personally, in making my own decision of whether to come to Vanderbilt to join the staff at Vanderbilt University Medical Center as Assistant Professor in cardiothoracic surgery, it was Joe Wyatt's support of a vision of establishing a multi-organ, multi-disciplinary transplant center at Vanderbilt that encouraged me to come back to Nashville. His commitment to seeing that vision become a reality led to the establishment of the Vanderbilt Transplant Center which since that time has served thousands of patients throughout the Southeast.

During Joe Wyatt's 18 years of service at Vanderbilt, the university has evolved steadily from a highly regarded regional institution to a truly national institution, widely known for its excellence in a wide array of undergraduate and graduate fields. Today, it is among the top ranks of research universities in the United States, with a student body that represents all 50 states and more than 90 foreign countries.

Chancellor Wyatt is widely regarded today as a senior statesman of the research university community. His deep commitment to higher education issues is exemplified by his participation in, and leadership of, many national advisory groups and policymaking organizations. For example, he has served the last two years as chairman of the Government-University-Industry Research Roundtable of the National Academy of Sciences. He also is the current chairman of the Universities Research Association and chairs a blue ribbon panel on quality standards for the non-profit organization, New American Schools. In addition, he serves on the Business Higher Education Forum, the Council on Competitiveness and the Advisory Committee of the Public Agenda Foundation.

Mr. President, Joe B. Wyatt has made contributions in many areas, but I think his greatest legacies will be in the following three areas:

First, he has fostered greater communication and cooperation among the three sectors most involved in our nation's unique research enterprise—universities, the federal government and industry.

Chancellor Wyatt is the Chairman of a group at NSF devoted to bringing government, universities and businesses together in a collaborative effort to improve our nation's research effort.

Second, he has promoted increased awareness of the great responsibility of our schools of education to ''teach the teachers'' who prepare America's youth for the challenges of tomorrow.

Chancellor Wyatt supported a controversial provision in the Higher Education Act of 1998 to hold colleges of education accountable for their students' performance as teachers. This provision, and Chancellor Wyatt's deep commitment to improving our nation's colleges of education, will have a lasting impact not just on higher education, but on our entire elementary and secondary school system.

Third, he has generated, through personal example, renewed commitment to volunteer community service by all members of the university community.

Today, Vanderbilt undergraduates are engaged in volunteer programs in unprecedented numbers. It was no accident that, when they recently came to say farewell to Vanderbilt alumni in the Washington, DC, area, Joe and Faye Wyatt spent the day at an inner-city elementary school, working alongside 75 alumni in a reading and storytelling program with local third-graders.

I include for the RECORD an article from the Vanderbilt Register On-Line. The article further details Joe B. Wyatt's many accomplishments over a span of nearly two decades as Chancellor of the University. Throughout this period, he has maintained a sharp focus on two things that really matter . . . two things that are enduring in our society: quality education of our nation's youth and service to the broader community. And he has done so with honor, decency and credibility.

We wish Joe and Faye Wyatt the very best, and give them heartfelt thanks for their service to Vanderbilt University.

The article follows:

JOE B. WYATT, VANDERBILT UNIVERSITY CHANCELLOR, 1982–2000

When Alexander Heard retired in 1982, the board named Joe B. Wyatt to succeed him. As Chancellor, Wyatt sought to place Vanderbilt in the very top tier of American universities.

Wyatt, a Texan, holds degrees in mathematics from Texas Christian University and the University of Texas. He was vice president for administration at Harvard University—and father of a Vanderbilt sophomore—when he was selected as Vanderbilt's sixth Chancellor. As a computer scientist and executive, he brought to the University his concept that information technology is a strategic resource of accelerating global importance in education, research and patient care.

In addition to his influence in technology, Wyatt pushed the University community to unprecedented levels of involvement in volunteer community service. Alternative Spring Break was founded in 1987 by a handful of students with Wyatt's support. In spring 1999, more than 300 undergraduates participated in the program's 22 domestic and three international sites. With funding from the Chancellor's discretionary fund, the non-profit Break Away: The Alternative Break Connection was founded in 1991 by Vanderbilt graduates to help colleges across the country start alternative spring breaks. Today, half of all Vanderbilt undergraduates are engaged in volunteer programs, and the number of service organizations has exploded.

The term ''national university'' has taken on an expanded meaning under Wyatt. He has led a national effort to improve elementary and secondary education in the nation's public and private schools, and at home he has made the Vanderbilt student body the most diverse in history. Students hail from all 50 states and 91 foreign countries. Minority enrollment in Vanderbilt's four undergraduate schools has nearly tripled in the past 10 years. In the fall of 1999, minority students accounted for almost 20 percent of the undergraduate population, as compared to slightly less than 7 percent in 1987, while the overall enrollment has remained fairly constant. Over the same period, the number of minority students in the graduate and professional schools continued to increase.

In 1989, for the first time, Vanderbilt's undergraduate programs were ranked among the top 25 national universities overall in the U.S. News & World Report survey, placing 24th. Vanderbilt continues to be ranked in the top 25, placing 20th in 1999. In U.S. News' 1999 graduate school rankings, Peabody College was ranked sixth among schools of education; the Owen Graduate School of Management was ranked 25th among business schools; the law school was ranked 16th; and the School of Medicine was ranked 16th.

During Wyatt's term as Chancellor, the Medical Center expanded most dramatically, now accounting for more than 70 percent of the University's income and expenses and employing almost half of the full-time faculty, more than half of the part-time faculty, and the majority of staff.

Since 1982, Vanderbilt has acquired or built one-third of the campus—more than four million square feet of mostly new construction. This does not include the one million additional square feet of renovations to existing facilities, and major projects on the drawing board.

Wyatt spent much of the early '90s working with trustees and staff in The Campaign for Vanderbilt, the most ambitious fund-raising effort in the institution's history. This latest campaign, which ended in 1995, raised $560 million. Now, because of the work of Wyatt and others, Vanderbilt has an endowment of $1.8 billion. Its operating budget has grown to $1.3 billion. Sponsored research has more than quadrupled since 1981, from $42 million to $214 million, placing Vanderbilt 33rd among U.S. colleges and universities in federal research and development funding, according to the National Science Foundation.

One of Wyatt's most significant accomplishments as Chancellor has been the improvement in the quality of Vanderbilt's faculty. The criteria for faculty appointment, promotion and tenure have been strengthened twice during his administration, making it clear that excellence in scholarship, teaching and service are required for all members of the faculty. The number of endowed faculty chairs has increased from 39 in 1982 to more than 100 today, and faculty salaries have continuously increased as well.

On April 23, 1999, Wyatt announced that he would retire as Chancellor in July 2000.●

TRIBUTE TO INNOVATORS IN FIVE VERMONT HIGH SCHOOLS

● Mr. JEFFORDS. Mr. President. I rise today to pay tribute to educators in five Vermont high schools whose collaborative work in school improvement will help high school teachers and administrators across the country understand how to support high school reform. The high schools and their educators include: Montpelier High School—Owen Bradley, David Gibson, and Charlie Phillips; Otter Valley High School in Brandon—Nancy Cornell, Ellie Davine, and Bill Petrics; South Burlington High School—Tim Comoli, Sheila Mable, and Janet Bossange; Essex High School—Kevin Martell, Sue Pasco, and Brian Nelligan; and Mount Abraham High School in Bristol—Tom Tailer, John Vibber, David Royce and Mary Sullivan.

These people are outstanding educators who understand how to build partnerships between the community and school that enrich the experience of their students. All five of these high schools have Professional Development School partnerships with the University of Vermont, collaborating to prepare new teachers and support veteran teachers on behalf of school renewal. Each of them has learned to use local resources to bring high school students into meaningful contact with adults in the surrounding community, making learning a part of life. All five schools are discovering how to link local innovations with the national effort to help all high school students meet high standards of performance. The Northeast and Islands Regional Educational Laboratory at Brown University (LAB), a program of The Education Alliance at Brown University, with the support of the U.S. Department of Education will publish and disseminate a description of their work and the results of the work in The Dynamics of Change in High School Teaching: Instructional Innovation in Five Vermont Professional Development Schools, which will be released this summer. (Clarke, et al, 2000)

The Montpelier Story, a publication excerpted from the book and available now through the LAB, is the story of the success of dedicated educators in collaboration with community partners and other resources in providing new, student-centered learning opportunities to the young people they serve.

At Montpelier High School, Owen Bradley, David Gibson, Charlie Phillips and the entire faculty have redesigned the curriculum to support Personal Learning Plans for each student in the school. Montpelier students use their Personal Learning Plans to select courses and to develop community-based learning projects that help them meet graduation requirements and carry them toward their individual goals in ways that fit their unique talents and aspirations. The work at Montpelier has already inspired schools across Vermont and spilled over the borders to Maine and beyond, where it serves as a model for redevelopment of curricula and advising to increase contact between students and adults.

Under the leadership of Nancy Cornell, Ellie Davine and Bill Petrics formed a team at Otter Valley High School with the purpose of designing a standards-based course for students in the school who needed to understand how geography and local decision making affect land use in Vermont. By giving each student a topographic map of 100 acres in the State and leading them through the process of land-use assessment and planning required by Vermont's environmental laws, they illustrated the application of knowledge and skills in local community development efforts.

Over a period of 15 years at South Burlington High School, Tim Comoli and Sheila Mable, both of the English Department, developed a state-of-the-art media lab that engages students in designing multi-media presentations of professional quality for public service organizations in their community. Development of the media lab provoked a complete revision of the district's technology education plan, creating a model technology program for the State.

At Essex High School, Kevin Martell, Sue Pasco and Brian Nelligan have worked for more than a decade to design and refine an integrated course in history and English that engages students in examining the evolution of human culture from 10,000 BC to the present. By fitting course assignment to the individual learning styles of the students who fill their classrooms, they have been able to create a challenging course in which high school students teach each other, and learn to express their views in a wide variety of media.

Tom Tailer, John Vibber and a host of partners at Mount Abraham Union High School developed a physics unit on Newton's Laws that they expanded over a decade into a simulation of armed, global aggression. Having made ''weapons'' that launch tennis balls over great distances, Mt. Abraham's physics students play out the implications of an unequal distribution of global power on the school's athletic fields, then compare their struggle to current wars and conflicts around the globe. The ''Physics War'' is part of a complete redesign of Mt. Abraham's science curriculum that bases student learning on performance measured against common standards.

Each of these projects demonstrates that high school change occurs when individuals reach across the boundaries that separate them into departments and bureaucratic layers, forming partnerships that empower all participants to learn and grow through shared effort on behalf of a common goal: improved learning for young people.●

RECOGNITION OF NATIONAL ASSOCIATION OF RETIRED FEDERAL EMPLOYEES WEEK

● Mr. THOMPSON. Mr. President, Governor Don Sundquist of the State of Tennessee has proclaimed April 16–22, 2000, as ''National Association of Retired Federal Employees Week'' in order to focus attention on the many accomplishments of Tennessee's retired Federal employees. In recognition of the important public service performed by Federal retirees, I ask my colleagues to join Governor Sundquist and me in acknowledging the contributions retired Federal employees have made to this Nation and their continued dedication to our communities.

Beginning in 1882, a non-partisan civil service system was established granting Federal employees the protections of a merit system, eliminating the spoils system and basing Federal employment decisions on merit rather than political connection. It is in this spirit that Federal employees, over the course of almost 120 years, have served the public interest. Their professional lives have been dedicated to performing and carrying out the responsibilities of the Federal Government.

In an effort to improve the civil service, and in recognition of civil servants' efforts on behalf of the Federal Government, Congress enacted in 1920 the first comprehensive employer-sponsored retirement plan - the Civil Service Retirement System. This system has served the country well since then and its successor, the Federal Employee Retirement System, serves as a

benchmark in evaluating pension and retirement plans.

As the chairman of the Senate Governmental Affairs Committee, I can attest to the effectiveness of NARFE members in making the case for equitable retirement and health benefits for the more than two million federal retirees and their survivors.

My State of Tennessee is home to more than 37,000 Federal retirees. These folks, like all federal retirees, served their country through their commitment to public service. Federal retirees deserve our Nation's thanks for the dedication they have shown. I hope all my colleagues will join me today saluting Federal retirees for a job well done.●

THE GREATER DETROIT BUILDING AND CONSTRUCTION TRADES COUNCIL RECEIVES 2000 GENDER AND RACE DIVERSIFICATION EXCELLENCE AWARD

● Mr. ABRAHAM. Mr. President, on May 2, 2000, the Great Lakes Construction Alliance will hold its annual Gender and Race Diversification Excellence Awards dinner. Each year, the G.A.R.D.E. Awards are given to labor owners and contractor organizations which have made significant efforts in improving the recruitment and retention of women and people of color in the unionized construction industry. Each award winner has developed, or engaged in, some substantial program with the goal of furthering opportunities for women and people of color, which is one of the fundamental principles upon which the Great Lakes Construction Alliance was founded.

Nominees are judged by a jury of construction industry representatives. To be considered for the G.A.R.D.E. Award, programs must show documentation, including numbers for minorities and women, of the number of people added to the organization's labor force, and promote quality, acceptable construction practices. Ultimately, the awards are given to those programs which have made significant efforts to improve the recruitment and retention of women and people of color in the unionized construction industry. The recipients of the 2000 G.A.R.D.E. Awards are the Human Rights Department of the City of Detroit, the Greater Detroit Building and Construction Trades Council, and the Comerica Park Construction Management Team.

The Greater Detroit Building and Construction Trades Council, with Barton-Malow acting as program manager, formed twenty construction management teams, which together coordinated over 750,000 hours of service during the Detroit Public Schools Summer Emergency Maintenance Program. 130 minority students, thirty-seven percent of whom were female, participated in the Summer Emergency Maintenance Program. The twenty construction management teams provided these students with the opportunity to work directly with prime contractors in a multitude of capacities, including administrative activities, painting, electrical, mechanical, and plumbing. Students were also assigned a mentor who helped them develop objectives and document their work experiences. The construction management teams also prepared outcome reports, which provided guidance for educators to continue support of the students' interests once the school year began.

Mr. President, I applaud the Greater Detroit Building and Construction Trades Council, and the members of the twenty construction management teams, for their willingness to help these students. Undoubtedly, their efforts had a profound impact on the lives of each and every one of them. Furthermore, this is the type of work that must be done if the revitalization of Detroit is truly to come about. On behalf of the entire United States Senate, I congratulate the Greater Detroit Building and Construction Trades Council on receiving the 200 Gender and Race Diversification Excellence Award.●

THE BATTLE CREEK ENQUIRER HONORS MS. ROBIN TRUMBULL

● Mr. ABRAHAM. Mr. President, I rise today to recognize Ms. Robin Trumbull, whom the Battle Creek Enquirer will present with a George Award Tomorrow evening. These awards are given annually to individuals who ''Don't wait around for George to do it.'' Recipients are recognized for their leadership, and they are usually individuals who have spearheaded projects. Ms. Trumbull is being honored because she is the volunteer founder and president of Amber Alert of Michigan, a nonprofit organization in Battle Creek which works to create an effective communication system between local police and radio stations to immediately alert community members in the event of a child abduction.

The first few hours after an abduction has occurred are the most crucial in recovering the child, and the implementation of this effective emergency broadcast plan has the potential to save the lives of many children. The organization, which started in the Dallas/Fort Worth area in the memory of Amber Hagerman, has since spread throughout the country. It has done so because of the incredible efforts of individuals like Robin Trumbull.

I have had the privilege of working with Ms. Trumbull on this worthwhile cause, and I think I can safely say that all residents of Michigan owe her a debt of gratitude for the work she has done to save children from being abducted, and to help recover those who have been abducted as quickly as possible. Because of her efforts, and her dedication to the children of Michigan, the Amber Alert program has been kicked off successfully.

I applaud Ms. Trumbull for bringing this wonderful program to the State of Michigan. I also applaud the Battle Creek Enquirer for acknowledging her tireless efforts to do so. On behalf of the entire United States Senate, I congratulate Ms. Robin Trumbull on receiving her George Award. I could not imagine a more deserving recipient.●

COMERICA PARK CONSTRUCTION MANAGEMENT TEAM RECEIVES 2000 GENDER AND RACE DIVERSIFICATION EXCELLENCE AWARD

● Mr. ABRAHAM. Mr. President, on May 2, 2000, the Great Lakes Construction Alliance will hold its annual Gender and Race Diversification Excellence Awards dinner. Each year, the G.A.R.D.E. Awards are given to labor owners and contractor organizations which have made significant efforts in improving the recruitment and retention of women and people of color in the unionized construction industry. Each award winner has developed, or engaged in some substantial program with the goal of furthering opportunities for women and people of color, which is one of the fundamental principles upon which the Great Lakes Construction Alliance was founded.

Nominees are judged by a jury of construction industry representatives. To be considered for the G.A.R.D.E. Award, programs must show documentation, including numbers for minorities and women, of the number of people added to the organization's labor force, and promote quality, acceptable construction practices. Ultimately, the awards are given to those programs which have made significant efforts to improve the recruitment and retention of women and people of color in the unionized construction industry. The recipients of the 2000 G.A.R.D.E. Awards are the Human Rights Department of the City of Detroit, the Greater Detroit Building and Construction Trades Council, and the Comerica Park Construction Management Team.

Comercia Park is the new home of the Detroit Tigers. It is a breathtaking, state-of-the-art facility. In my somewhat biased opinion, it is not only the newest, but also the nicest, stadium in the Major Leagues. Its construction would not have been possible were it not for the efforts of the many people who helped to build it. The construction of Comerica Park was a conglomerate effort, which was led by the Construction Management Team of Hunt, Turner, and White, Tigers General Manager John McHale, Jr., and aided by many Detroit City organizations: the Downtown Development Authority, the Minority Business Development Council, the African American Association of Business Contractors, and the Majority Business Initiative.

The Comerica Park project, with the cooperation of the aforementioned individuals and organizations, and also Detroit residents, targeted specific

groups for participation in its completion. The program resulted in the participation of 25 percent minority businesses, five percent women-owned businesses, 34 percent Detroit-based businesses, and 25 percent small businesses. Workforce utilization resulted in minorities comprising 38.15 percent of employees constructing the stadium. Women comprised 4.28 percent, and another 30.53 percent were residents of Detroit.

Mr. President, I applaud the diverse group of people who were responsible for the building of Comerica Park. The stadium stands as a symbol of the hope that I think many Detroit residents now feel for their city. More importantly, all Michigan residents can take pride not only in the final product, but in the production itself. On behalf of the entire United States Senate, I congratulate the Comerica Park Construction Management Team on receiving a Gender and Race Diversification Excellence Award.●

THE WAVERLY WARRIORS WIN THE MICHIGAN HIGH SCHOOL ATHLETIC ASSOCIATION CLASS A BOYS BASKETBALL CHAMPIONSHIP

● Mr. ABRAHAM. Mr. President, I rise today to congratulate the members of the Waverly Warriors Boys Basketball Team, who defeated Detroit Pershing 75–63 to win the Michigan High School Athletic Association Class A State Championship. This victory brought Waverly High School its first ever state title. More importantly, it brought the entire west side of Lansing together, as it was an experience enjoyed not only by the players on the team, or even the students of the school, but by the entire community.

Coach Phil Odlum's team went 25–2 on its way to capturing the state title. The Warriors were led by seniors Marcus Taylor and Cortney Scott, who will attend, respectively, Michigan State University and the University of Iowa on basketball scholarships in the fall. Seniors Terry Reddick, Melvin White, and Chris Miller rounded out the starting five. These five players were backed by an extremely solid bench, both in the remaining players on the team and in the community support they received.

In the hierarchy of athletic competition, Mr. President, high school athletics represent the last time a community is able to look out onto the playing field, or, in this case, court, and say, ''These are our kids.'' There is an attachment there, and also, I think, a certain level of pride, that cannot be found at higher levels of play. A community can embrace a team as its own because that is what it truly is. And the west side of Lansing did embrace these kids. Clad in bright yellow t-shirts, a large band of Waverly supporters staked a claim on the northernmost side of the Breslin Center in East Lansing, Michigan, and cheered on their Warriors.

This community spirit and support played a large role, perhaps not in the on the court success of the team, but definitely in the overall enjoyment of their accomplishment. I am sure that the championship was made all the more special for the players when their victory lap was halted by a sea of yellow shirts. And for all the students and community members who occupied those yellow shirts, I am sure it was just as wonderful an experience seeing kids that they grew up with, or watched grow up, successfully complete their run for the title. And this, Mr. President, is the aspect of high school athletics that is truly irreplaceable.

Mr. President, I applaud both Lansing Waverly and Detroit Pershing on the completion of very successful seasons. And, on behalf of the entire United States Senate, I congratulate the Waverly Warriors on winning the 2000 M.H.S.A.A. Class A Boys Basketball Championship.●

LATIN AMERICANS FOR SOCIAL AND ECONOMIC DEVELOPMENT, INC., ANNUAL RECOGNITION LUNCHEON

● Mr. ABRAHAM. Mr. President, I rise today to recognize Latin-Americans for Social and Economic Development, Inc., a nonprofit, community based organization which has served Southwest Detroit area individuals and businesses with a variety of social and self-help services for the past thirty-one years. On May 2, 2000, LA SED will hold its annual Recognition Luncheon, an event which provides the organization the opportunity to acknowledge the efforts of outstanding Hispanic citizens of the Detroit community.

It is appropriate that the theme of this year's luncheon is, ''21st Century: Hispanics Count in Detroit's Future.'' Since its founding in 1969, LA SED has been instrumental in ensuring that Hispanic citizens play a large role in the Detroit community. And now, Mr. President, there is finally an excitement about the future of the city of Detroit that has not been evident for quite some time. There is a real feeling that the city's future is going to look brighter than the past. And groups like LA SED, who outwardly display their own optimism for the future of Detroit, and for the integral role that Hispanics can play, and have played, in this picture of success, are a large reason for the excitement.

Mr. President, as Chairman of the Subcommittee on Immigration, it has been my pleasure to hold hearings on the positive contributions immigrants make to this country in areas such as science, the arts, and the armed forces. It was my pleasure to sponsor legislation awarding the Congressional Medal of Honor to Alfred Rascon, a Mexican immigrant who heroically saved the lives of men in his platoon during the Vietnam War. And though I have my critics, their unfounded attacks will have no impact on my defense of America's tradition as a nation of immigrants. Organizations like LA SED illustrate to me everyday that in this regard, I am doing the right thing.

Mr. President, I extend my warmest regards and appreciation to Jane Garcia, chairperson of the luncheon, and also a wonderful friend whom I have had the pleasure of working with over the years. I would also like to acknowledge Mr. Anthony F. Early, President and C.E.O. of Detroit Edison, who will be the keynote speaker of the Recognition Luncheon. Finally, I thank everyone who is involved in making LA SED such a tremendous and effective organization. On behalf of the entire United States Senate, I wish LA SED continued success in the future.●

THE HUMAN RIGHTS DEPARTMENT OF THE CITY OF DETROIT RECEIVES 2000 GENDER AND RACE DIVERSIFICATION EXCELLENCE AWARD

● Mr. ABRAHAM. Mr. President, on May 2, 2000, the Great Lakes Construction Alliance will hold its annual Gender and Race Diversification Excellence Awards dinner. Each year, the G.A.R.D.E. Awards are given to labor owners and contractor organizations which have made significant efforts in improving the recruitment and retention of women and people of color in the unionized construction industry. Each award winner has developed, or engaged in, some substantial program with the goal of furthering opportunities for women and people of color, which is one of the fundamental principles upon which the Great Lakes Construction Alliance was founded.

Nominees are judged by a jury of construction industry representatives. To be considered for the G.A.R.D.E. Award, programs must show documentation, including numbers for minorities and women, of the number of people added to the organization's labor force, and promote quality, acceptable construction practices. Ultimately, the awards are given to those programs which have made the greatest efforts to improve the recruitment and retention of women and people of color in the unionized construction industry. The recipients of the 2000 G.A.R.D.E. Awards are the Human Rights Department of the City of Detroit, the Great Detroit Building and Construction Trades Council, and the Comerica Park Construction Management Team.

In 1998, the City of Detroit's Human rights Department, which is responsible for promoting and enforcing a construction workforce diversity program through its administration of Executive Order 22, recognized an increasing number of construction projects coupled with a shortage of qualified skilled trades people. Their solution to this problem was to implement a Construction Workforce Diversity Program, altering the monitoring guidelines of Executive Order 22. The new

guidelines aim at maximizing the number of Detroit residents, minorities, and women in the construction industry while maintaining the quality of the end product. They have achieved success in this regard through increased enrollment in pre-apprentice and apprentice programs; through the establishment of partnerships with residents, business leaders, trade associations, unions, and ecumenical community city agencies; through the development of an internal information network; and through the review and validation of certified payrolls, skilled trade reports and subcontractor reports.

Mr. President, I applaud the efforts of the Human Rights Department to diversify the City of Detroit's workforce. Their efforts serve as a wonderful example to other agencies in Detroit and throughout the State of Michigan. On behalf of the entire United States Senate, I congratulate the Human Rights Department of the City of Detroit on receiving this year's Gender and Race Diversification Excellence Award.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on April 18, 2000, during the adjournment of the Senate, received a message from the House of Representatives announcing that the acting speaker (Mr. WOLF) has signed the following enrolled bills and joint resolution:

H.R. 2863. An act to clarify the legal effect on the United States of the acquisition of a parcel of land in the Red Cliffs Desert Reserve in the State of Utah.

H.R. 1615. An act to amend the Wild and Scenic Rivers Act to extend the designation of a portion of the Lamprey River in New Hampshire as a recreational river to include an additional river segment.

H.R. 3090. An act to amend the Alaska Native Claims Settlement Act to restore certain lands to the Elim Native Corporation, and for other purposes.

H.R. 1231. An act to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery.

H.R. 1753. An act to provide the research, identification, assessment, exploration, and development of methane hydrate resources, and for other purposes.

H.R. 3063. An act to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any one State, and for other purposes.

H.R. 2862. An act to direct the Secretary of the Interior to release reversionary interests held by the United States in certain parcels of land in Washington County, Utah, to facilitate an anticipated land exchange.

H.R. 2368. An act to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands.

H.J. Res. 86. Joint resolution recognizing the 50th anniversary of the Korean War and the service by members of the Armed Forces during such war and for other purposes.

Under the authority of the order of the Senate of January 6, 1999, the enrolled bills and joint resolution were signed subsequently by the President pro tempore (Mr. THURMOND) on April 20, 2000.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported on April 14, 2000, he had presented to the President of the United States, the following enrolled bill:

S. 1287. An act to provide for the storage of spent nuclear fuel pending completion of the nuclear waste repository, and for other purposes.

The Secretary of the Senate reported on April 20, 2000, he had presented to the President of the United States, the following enrolled bills:

S. 1567. An act to designate the United States courthouse located at 223 Broad Avenue in Albany, Georgia, as the ''C.B. King United States Courthouse.''

S. 1769. An act to exempt certain reports from automatic elimination and sunset pursuant to the Federal Report Elimination and Sunset Act of 1995, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–8524. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation entitled ''Coast Guard Authorization Act of 2000''; to the Committee on Commerce, Science, and Transportation.

EC–8525. A communication from the Secretary of Transportation, transmitting a draft of proposed legislation relative to enhanced safety and environmental protection in pipeline transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EC–8526. A communication from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation relative to the Management of the DoD and the transfer of naval vessels to foreign countries; to the Committee on Armed Services.

EC–8527. A communication from the General Counsel, Department of Commerce, transmitting a draft of proposed legislation entitled the ''National Oceanic and Atmospheric Administration Fees Act of 2000''; to the Committee on Commerce, Science, and Transportation.

EC–8528. A communication from the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Repeal of Dual Compensation Reductions for Military Retirees'' (RIN3206–AI92), received April 11, 2000; to the Committee on Governmental Affairs.

EC–8529. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–296, ''Tax Conformity Act of 2000''; to the Committee on Governmental Affairs.

EC–8530. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–302, ''Management Supervisory Service Exclusion Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8531. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–303, ''Limited Liability Company Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8532. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–304, ''Harry L. Thomas, Sr. Recreation Center Designation Temporary Act of 2000''; to the Committee on Governmental Affairs.

EC–8533. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–301, ''Performance Rating Levels Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8534. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–313, ''Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8535. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–300, ''Retail Service Station Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8536. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–299, ''Fairness in Real Estate Transactions and Retirement Funds Protection Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8537. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–298, ''Tax Increment Financing Amendment Act of 2000''; to the Committee on Governmental Affairs.

EC–8538. A communication from the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–297, ''Assisted Living Residence Regulatory Act of 2000''; to the Committee on Governmental Affairs.

EC–8539. A communication from the Office of Postsecondary Educational, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations—Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)'' (RIN1840–AC82), received April 20, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8540. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–8541. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–8542. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Egypt; to the Committee on Foreign Relations.

EC–8543. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–8544. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Saudi Arabia; to the Committee on Foreign Relations.

EC–8545. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Germany, the Netherlands, Norway, Denmark, France, Italy, United Kingdom, and the European Space Agency; to the Committee on Foreign Relations.

EC–8546. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to Australia; to the Committee on Foreign Relations.

EC–8547. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of $50,000,000 or more to French Guiana; to the Committee on Foreign Relations.

EC–8548. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a report relative to certification of a proposed Manufacturing License Agreement with Japan; to the Committee on Foreign Relations.

EC–8549. A communication from the Office of Legislative Affairs, Department of State, transmitting, pursuant to the Foreign Operations Export Financing and Related Programs Act, 2000, a notification of our intent to obligate funds for purposes of Nonproliferation and Disarmament Fund activities; to the Committee on Foreign Relations.

EC–8550. A communication from the Secretary of Labor transmitting, pursuant to law, the report relative to the processing of cases under the Uniformed Services Employment and Reemployment Act; to the Committee on Veterans' Affairs.

EC–8551. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the report containing the plan of the Department to address each material weakness, reportable condition and noncompliance with an applicable law or regulation identified in the audit of the Federal Housing Administration's fiscal year 1998 financial statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–8552. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Utilization of Indian Organizations and Indian-Owned Economic Enterprises'' (DFARS Case 99–D300), received April 12, 2000; to the Committee on Armed Services.

EC–8553. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Manufacturing Technology Program'' (DFARS Case 99–D302), received April 12, 2000; to the Committee on Armed Services.

EC–8554. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Caribbean Basin Countries'' (DFARS Case 2000–D006), received April 12, 2000; to the Committee on Armed Services.

EC–8555. A communication from the Office of Educational Research and Improvement transmitting, pursuant to law, the report of a rule entitled ''National Awards Program for Effective Teacher preparation—Notice of Eligibility and Selection Criteria'', received April 12, 2000; to the Committee on Health, Education, Labor, and Pensions.

EC–8556. A communication from the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Proc. 2000–14'', received April 13, 2000; to the Committee on Finance.

EC–8557. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court; to the Committee on the Judiciary.

EC–8558. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Evidence that have been adopted by the Supreme Court; to the Committee on the Judiciary.

EC–8559. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court; to the Committee on the Judiciary.

EC–8560. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court; to the Committee on the Judiciary.

EC–8561. A communication from the Acting Secretary of the Interior, transmitting a draft of proposed legislation relative to waiver and indemnification in mutual law enforcement agreements between the National Park Service and a state or political subdivision; to the Committee on Energy and Natural Resources.

EC–8562. A communication from the Federal Energy Regulatory Commission transmitting, pursuant to law, the report of a rule entitled ''Regulations under the Outer Continental Shelf Lands Act Governing the Movement of Natural Gas on Facilities on the Outer Continental Shelf'' (Docket No. RM00–5–000, Order No. 639), received April 19, 2000; to the Committee on Energy and Natural Resources.

EC–8563. A communication from the Royalty Management Program, Minerals Management Service, Department of the Interior transmitting, pursuant to law, a report of the Department's intention to make refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC–8564. A communication from the National Capital Planning Commission, transmitting, pursuant to law, the report of the Office of Inspector General for fiscal year 1999; to the Committee on Governmental Affairs.

EC–8565. A communication from the National Science Foundation, transmitting, pursuant to law, the fiscal year 2000 GPRA Performance Plan; to the Committee on Governmental Affairs.

EC–8566. A communication from the Postal Rate Commission relative to proposed postal rate increases; to the Committee on Governmental Affairs.

EC–8567. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled ''Analysis of the FY 2001 Proposed Revenue Forecast and FY 2000 Revised Revenue Forecast''; to the Committee on Governmental Affairs.

EC–8568. A communication from the U.S. Trade and Development Agency submitting its annual audit for FY 1999; to the Committee on Governmental Affairs.

EC–8569. A communication from the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Retirement and Insurance—Automation and Simplification of FERS Employee Record Keeping During an Intra-Agency Transfer'' (RIN3206–AJ02), received April 19, 2000; to the Committee on Governmental Affairs.

EC–8570. A communication from the Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Full Consideration of Displaced Defense Employees'' (RIN3206–AF36), received April 19, 2000; to the Committee on Governmental Affairs.

EC–8571. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, pursuant to law, a report relative to the scope of preventative health care benefits provided to all eligible TRICARE beneficiaries; to the Committee on Armed Services.

EC–8572. A communication from the Under Secretary of Defense, Personnel and Readiness transmitting, pursuant to law, a report relative to the elimination of the backlog of requests for the issuance or replacement of military decorations; to the Committee on Armed Services.

EC–8573. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, a report relative to the pricing of tobacco products sold in military exchanges and commissary stores; to the Committee on Armed Services.

EC–8574. A communication from the Under Secretary of Defense, Acquisition and Technology, transmitting, pursuant to law, a report on the review of profit guidelines in the Defense Federal Acquisition Regulation Supplement; to the Committee on Armed Services.

EC–8575. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics transmitting, pursuant to law, a report relative to the proposed amount of staff-years of technical effort to be funded by the DoD for each federally funded research and development center for fiscal year 2001; to the Committee on Armed Services.

EC–8576. A communication from the Reserve Forces Policy Board, Department of Defense transmitting a report relative to the Anthrax Vaccination Program for the Total Force; to the Committee on Armed Services.

EC–8577. A communication from the Office of Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Foreign Acquisition'' (DFARS Case 98–D028), received April 19, 2000; to the Committee on Armed Services.

EC–8578. A communication from the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Modified Eligibility Criteria for the Montgomery GI Bill-Active Duty'' (RIN2900–AJ69), received April 19, 2000; to the Committee on Veteran's Affairs.

EC–8579. A communication from the Indian Health Service, Department of Health and Human Services transmitting, pursuant to law, the report of a rule entitled ''Currently Effective Indian Health Service Eligibility Regulations'' (RIN0917–AA03), received April 19, 2000; to the Committee on Indian Affairs.

EC–8580. A communication from the Under Secretary of Defense, Comptroller transmitting, pursuant to law, the report of a violation of the Antideficiency Act at Kadena Air Base, Okinawa; to the Committee on Appropriations.

EC–8581. A communication from the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report of Pay-As-You-Go Calculations; to the Committee on the Budget.

EC–8582. A communication from the Immigration and Naturalization Service, Department of Justice transmitting, pursuant to law, the report of a rule entitled ''Adjustment of Status for Certain Polish and Hungarian Parolees'' RIN1115–AE25), received April 24, 2000; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–455. A joint resolution adopted by the Legislature of the State of Wisconsin relative to the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE JOINT RESOLUTION 13

Whereas, currently, federal law prohibits cattle, sheep, swine, goat, chicken, turkey, duck, goose and guinea fowl products that are inspected under state meat inspection programs from being shipped across state lines, while federal law allows state-inspected ostrich, venison, buffalo and pheasant to be shipped across state lines; and

Whereas, foreign meat products may be shipped freely among the states; and

Whereas, Wisconsin has 300 state-inspected plants, none of which is allowed to market products in interstate commerce due to an outdated federal law; and

Whereas, Wisconsin and the United States are currently suffering from a hog market crisis, including a closure of packing facilities and a reduction in slaughter activity, due in part to these outdated interstate restrictions; and

Whereas, the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act are restricting the opportunity for these small plants to expand their markets across state lines, provide additional slaughter capacity for pork producers and increase the demand for their products; now, therefore, be it

Resolved by the senate, the assembly concurring, That the members of the Wisconsin legislature request Congress to address problems in the meat-processing industry concerning packing, processing and marketing capacities; and, be it further

Resolved, That the members of the Wisconsin legislature request Congress to amend the Federal Meat Inspection Act and the Federal Poultry Products Inspection Act to allow for interstate shipment of all state-inspected meats; and, be it further

Resolved, That the senate chief clerk shall provide copies of this joint resolution to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the senators and representatives from Wisconsin.

POM–456. A joint resolution adopted by the Legislature of the State of Tennessee relative to ethnicity categories for educational data reporting; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 71

Be it resolved by the senate of the one hundred first General Assembly of the State of Tennessee, the house of representatives concurring, That this General Assembly hereby memorializes the United States Congress to study the need to increase the number and specificity of ethnicity categories used for the reporting of educational data.

Be it further resolved, That an enrolled copy of this resolution be transmitted to the President and the Secretary of the U.S. Senate, the Speaker and the Clerk of the U.S. House of Representatives and the each member of Tennessee's Congressional Delegation.

POM–457. A joint resolution adopted by the Legislature of the Commonwealth of Virginia relative to the proposed ''Keep Our Promise to Military Retirees Act''; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 35

Whereas, millions of men and women of the uniformed services have served with honor, valor, and courage in protecting our nation's freedom and peace; and

Whereas, many recruited for the uniformed services prior to 1956 were reportedly promised free lifetime health care upon retirement if they served for 20 years or more in the service, although no health care statute existed; and

Whereas, in 1956, the Dependent Medical Care Act was passed, entitling those who entered the service on or after June 7, 1956, and retired with a minimum of 20 years of service, to medical and dental care in any medical facility of the uniformed services, subject to the availability of space and facilities, and capabilities of the medical staff; and

Whereas, the Military Medical Benefits Amendments of 1966 created the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), the first fee-based program for military health care recipients that included treatment by civilian providers; and

Whereas, the 1966 amendments further stipulated that any person entitled to hospital insurance benefits under Title I of the Social Security Amendment of 1965 would not be eligible for CHAMPUS benefits; and

Whereas, provider choice became more limited after the passage of the Defense Appropriations Act for Fiscal Year 1991, which lowered the CHAMPUS reimbursement rate to the level of Medicare, leading to the exodus of many physicians from the CHAMPUS program; and

Whereas, the Defense Authorization Acts of Fiscal Year 1994 and Fiscal Year 1995 created a Health Maintenance Organization model (TRICARE) as an option for military health care and imposed enrollment fees for military managed care plans; and

Whereas, a series of recent base closures between 1988 and 1995 and further drawdowns of remaining military medical treatment facilities has made access to health care in military medical treatment facilities extremely difficult for many military retirees; and

Whereas, CHAMPUS and the TRICARE managed care programs that have evolved from CHAMPUS do not provide the adequate health care promised to military retirees and are inferior to care available to other federal retirees; and

Whereas, on September 28, 1999, H.R. 2966, ''The Keep Our Promise to America's Military Retirees Act,'' was introduced to provide all Medicare-eligible military retirees the opportunity and option to either enroll in the Federal Employees Health Benefits Program (FEHBP–65) or remain in TRICARE past age 65; and

Whereas, a key component of the legislation would make military retirees who entered the service prior to CHAMPUS eligible for health care under the Federal Employee Health Benefits Program, with the government paying the full cost of enrollment; and

Whereas, restoring adequate health care coverage to military retirees is long overdue; now, therefore, be it

Resolved by the Senate, the House of Delegates concurring, That the Congress of the United States be urged to enact ''The Keep Our Promise to America's Military Retirees Act''; and, be it

Resolved further, That the Clerk of the Senate transmit copies of the resolution to the Speaker of the House of Representatives, the President of the United States Senate, and the members of the Congressional Delegation of Virginia in order that they may be apprised of the sense of the General Assembly of Virginia in this matter.

POM–458. A joint resolution adopted by the Legislature of the Commonwealth of Virginia relative to the selection of Fort Belvoir as the site of the United States Army Museum; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 92

Whereas, the Department of the Army has been granted approval by the Congress to establish a national United States Army Museum; and

Whereas, among the sites being considered for the United States Army Museum is Fort Belvoir, Virginia; and

Whereas, located near the nation's capitol, with its wealth of historic sites, Fort Belvoir would prove a worthy addition to the Washington area's attractions; and

Whereas, Northern Virginia is home to many sites of military and historic significance, among them Arlington Memorial Cemetery and the Iwo Jima Memorial; and

Whereas, the home of the nation's first commander-in-chief, George Washington, lies almost adjacent to Fort Belvoir at Mount Vernon; and

Whereas, many residents of Northern Virginia are collectors of military memorabilia dating back to the American Revolution, and their willingness to lend such material to the Army Museum would be enhanced by its proximity to their homes; and

Whereas, the United States Army Museum would prove an asset to the Northern Virginia area, and a Fort Belvoir location would make the museum a convenient stop for the many Americans interested in the nation's military history; now, therefore, be it

Resolved by the Senate, the House of Delegates concurring, That the General Assembly hereby respectfully request that Fort

Belvoir be given favorable consideration as the site of the United States Army Museum; and, be it

Resolved further, That the Clerk of the Senate transmit copies of this resolution to the Secretary of the Army, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional delegation so that they may be apprised of the sense of the General Assembly of Virginia.

POM–459. A joint resolution adopted by the Legislature of the State of Maine relative to the Republic of Cyprus; to the Committee on Foreign Relations.

JOINT RESOLUTION

Whereas, this year marks the 26th anniversary of the Turkish invasion and occupation of Cyprus; and

Whereas, the Republic of Cyprus has been divided and occupied by foreign forces since 1974 in violation of United Nations resolutions; and

Whereas, the international community and the United States government have repeatedly called for the speedy withdrawal of all foreign forces from the territory of Cyprus; and

Whereas, there are internationally acceptable means to resolve the situation in Cyprus, including the demilitarization of Cyprus and the establishment of a multinational force to ensure the security of both communities in Cyprus; and

Whereas, a peaceful, just and lasting solution to the Cyprus problem would greatly benefit the security and the political, economic and social well-being of all Cypriots and contribute to improved relations between Greece and Turkey; and

Whereas, the United Nations has repeatedly stated the parameters for such a solution, most recently in United Nations Security Council Resolution 1217, adopted on December 22, 1998 with United States support; and

Whereas, United Nations Security Council Resolution 1218, adopted on December 22, 1998, calls for a reduction of tensions in the island through a staged process aimed at limiting and then substantially reducing the level of all troops and armaments in Cyprus, ultimately leading to the demilitarization of the Republic of Cyprus; and

Whereas, President Clinton wholeheartedly supported resolution 1218 and committed himself to taking all necessary steps to support a sustained effort to implement it; now, therefore, be it

Resolved: That We, your Memorialists, hereby endorse President Clinton's commitment to undertake significant efforts in order to promote substantial progress towards a solution of the Cyprus problem in 2000; and be it further

Resolved: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Member of the Maine Congressional Delegation.

POM-460. A resolution adopted by the City Council of the City of Cape May, New Jersey relative to the dumping of contaminated dredge materials in the Atlantic Ocean; to the Committee on Environmental and Public Works.

POM-461. A resolution adopted by the Town Council of the Town of Haysi, Virginia relative to the proposed construction of a dam and reservoir in the area; to the Committee on Appropriations.

REPORTS OF COMMITTEES RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of April 13, 2000, the following reports of committees were submitted on April 20, 2000:

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

H.R. 3707: A bill to authorize funds for the site selection and construction of a facility in Taipei Taiwan suitable for the mission of the American Institute in Taiwan.

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

S. Res. 271: A resolution regarding the human rights situation in the People's Republic of China.

REPORT OF COMMITTEE

The following report of committee was submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1608: A bill to provide annual payments to the States and counties from National Forest System lands managed by the Forest Service, and the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands managed predominately by the Bureau of Land Management, for use by the counties in which the lands are situated for the benefit of the public schools, roads, emergency and other public purposes; to encourage and provide new mechanism for cooperation between counties and the Forest Service and the Bureau of Land Management to make necessary investments in federal lands, and reaffirm the positive connection between Federal Lands counties and Federal Lands; and for other purposes (Rept. No. 106–275).

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 Ms. SNOWE:

S. 2455. A bill to enhance Department of Education efforts to facilitate the involvement of small business owners in State and local initiatives to improve education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU:

S. 2456. A bill to amend the Internal Revenue Code of 1986 to expand the adoption credit to provide assistance to adoptive parents of special needs children, and for other purposes; to the Committee on Finance.

By Ms. SNOWE:

S. 2457. A bill to amend section 2667 of title 10, United States Code, to permit receipt of in-kind consideration anywhere on an installation for the lease of property on the installation, and for other purposes; to the Committee on Armed Services.

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

S. 2458. A bill to designate the facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the ''Les Aspin Post Office Building''; to the Committee on Governmental Affairs.

By Mr. COVERDELL (for himself, Mr. LOTT, Mr. MCCAIN, Mr. THURMOND, Mr. STEVENS, Mr. HELMS, Mr. WARNER, Mr. MURKOWSKI, Mr. JEFFORDS, Mr. MCCONNELL, Mr. HATCH, Mr. LUGAR, Ms. COLLINS, Mr. HUTCHINSON, Mr. CRAPO, Mr. DEWINE, Mr. ASHCROFT, Mr. INHOFE, Mr. BURNS, Mr . SESSIONS, Mr. KYL, Mr. GRAMS, Mr. MACK, Mr. CRAIG, Mr. SHELBY, Mr. FITZGERALD, Mr. ABRAHAM, Mr. ENZI, Mr. GRASSLEY, Mr. HAGEL, Mr. DOMENICI, Mr. SMITH of New Hampshire, Ms. SNOWE, Mr. SANTORUM, Mr. GORTON, and Mrs. HUTCHISON):

S. 2459. A bill to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD:

S. 2460. A bill to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes; to the Committee on Foreign Relations.

By Mr. GORTON:

S. 2461. A bill to suspend temporarily the duty on certain ceramic knives; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. BREAUX):

S. 2462. A bill to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ABRAHAM (for himself and Mr. MCCAIN):

S. Res. 294. A resolution designating the month of October 2000 as ''Children's Internet Safety Month''; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Mr. DASCHLE, Ms. MIKULSKI, Mr. SCHUMER, Mrs. BOXER, Mr. KOHL, Mr. DODD, Mr. KERRY, Mr. REED, Mr. BAYH, Mr. HARKIN, Mr. LAUTENBERG, Mr. REID, Mr. TORRICELLI, Mr. JOHNSON, Mr. BREAUX, Mr. WELLSTONE, Mr. BRYAN, Mr. KENNEDY, Mr. ROBB, Mr. GRAHAM, Mr. WYDEN, Mr. AKAKA, Mrs. FEINSTEIN, Mr. EDWARDS, Mr. MOYNIHAN, Mr. SARBANES, and Mr. LEAHY):

S. Res. 295. A resolution expressing the sense of the Senate that the carrying of firearms into places of worship or educational and scholastic settings should be prohibited; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself, Mr. AKAKA, Mr. CRAPO, Mr. BYRD, Mr. SPECTER, Mr. CONRAD, Mr. THURMOND, Mr. DORGAN, Mr. VOINOVICH, Mr. DURBIN, Mr. BOND, Mr. EDWARDS, Mr. CRAIG, Mr. KOHL, Mr. WARNER, Mr. ROCKEFELLER, Mr. ABRAHAM, Mr. SARBANES, Mr. ENZI, Mr. KERRY, Mr. LUGAR, Mr. SMITH of Oregon, Mr. CLELAND, Mr. COCHRAN, Mr. BINGAMAN, Ms. LANDRIEU, Mr. GRAMS, Mr. BAYH, Mr. MACK, Mr. BRYAN, Mr. REID, Mr. JOHNSON, Mrs. LINCOLN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mrs. BOXER, and Mr. WELLSTONE):

S. Res. 296. A resolution designating the first Sunday in June of each calendar year as ''National Child's Day''; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE:

S. 2455. A bill to enhance Department of Education efforts to facilitate the involvement of small business owners in State and local initiatives to improve education; to the Committee on Health, Education, Labor, and Pensions.

SMALL BUSINESS EMPLOYMENT AND EDUCATION ENHANCEMENT ACT OF 2000

Ms. SNOWE. Mr. President, I rise to introduce legislation, the Small Business Employment and Education Act of 2000, which is designed to enhance federal efforts to facilitate the involvement of small business owners and entrepreneurs in state and local initiatives to improve the quality of education programs for our young people.

Mr. President, last year, the Small Business Committee, of which I am a member, held a hearing on the challenges facing the small business community as a result of the failure of many of our educational institutions to teach students the basic skills that are necessary to succeed in today's work environment. The committee heard testimony from a number of small businesses and organizations about this growing problem.

And just how big is the problem? A 1999 American Management Association survey on workplace testing found that approximately 36 percent of employees tested for basic skills were found to be deficient in these skills, and small businesses reported deficiency rates well above the national average. Sixty percent of AMA-member companies reported that the availability of skilled manpower was scarce, and 67 percent believe that the shortages will continue.

A 1999 NFIB report found that 18 percent of NFIB members report that finding qualified labor is the single most important problem facing their business today.

Likewise, a 1999 poll of U.S. Chambers of Commerce found that 83 percent reported the ability—or lack thereof—to find qualified workers was among their biggest concerns, and 53 percent said education is the single most pressing public policy issue to them.

This information clearly illustrates that the business community, and small businesses in particular, have an important stake in the education of our youth. One of the most fundamental needs that any growing business faces is the need for employees with basic skills, and concerns have been expressed by the small business community that many students are not graduating with the basic skills in reading, writing, mathematics, and science—skills that need to succeed in today's workplace or become the entrepreneurs of tomorrow.

The fact of the matter is, Mr. President, the growth of high-skilled jobs is outpacing growth in all other fields. We must not allow basic skills to slip away if we are to remain competitive in an increasingly aggressive and technology-based global market.

Small business is the driving force behind our economy, and as we authorize the Elementary and Secondary Education Act, we must take into account the needs of businesses, and small businesses in particular. To that end, locally-driven initiatives are crucial. In order to create jobs, we must encourage small business expansion and foster small business entrepreneurship, and I believe that education initiatives are key to this.

Under the Small Business Employment and Education Enhancement Act, the Department of Education would disseminate information and facilitate the sharing of information designed to assist small businesses in working with school systems to improve our education institutions. For example, the agency would publish guidance materials, best practices, checklists and other materials on the World Wide Web, in Department of Education publications and articles, letters, links to related World Wide Web sites, public service announcements, and through other means at the Department's disposal.

The Department of Education would establish a centralized database of materials and act as a clearinghouse for information on initiatives that have proven successful.

The Secretary of the Department of Education would also establish an Office of Small Business Education to promote efforts to address the needs of small businesses through education programs. This division would work to remove any existing impediments to partnerships between school systems and small businesses, and propose solutions to education-related problems facing small businesses.

The goal of the bill I am introducing today is to facilitate partnerships between communities and businesses. I believe it should be easy for communities that are interested in designing business/school partnerships to get the information they need on how to do so. With access to kinds of sources envisioned in this legislation, communities would be able to model a program after a proven approach.

In addition, my bill authorizes technical assistance to be administered by the Office of Small Business Education to be used to provide guidance to small businesses, small business organizations, schools systems, and communities working cooperatively to enhance the teaching of basic skills.

The bill would also establish tax credits to encourage companies to provide work study, internship, or fellowship opportunities for students and teachers.

Finally, the bill includes a provision directing the Department of Education to conduct a study and report to Congress on the challenges facing small businesses in obtaining workers with adequate skills; an assessment of the impact on small businesses of the skills shortage; the costs to small businesses associated with this shortage; and the recommendations for the Secretary on how to address these challenges.

Mr. President, I hope this legislation will provide a foundation for cooperative initiatives between small businesses and school systems, and I look forward to working with the Senate Health, Education, Labor, and Pensions Committee and others as we prepare to reauthorize the elementary and secondary education act.

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

S. 2458. A bill to designate the facility of the Unites States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, as the ''Les Aspin Post Office Building''; to the Committee on Governmental Affairs.

LEGISLATION NAMING THE JANESVILLE POST OFFICE IN MEMORY OF LES ASPIN

Mr. FEINGOLD. Mr. President, today I am introducing legislation to rename the United States Post Office in my home town of Janesville, Wisconsin in honor of Les Aspin. I am joined by my colleague from Wisconsin, Senator KOHL. This bill is a companion to legislation introduced in the House by Congressman PAUL RYAN, who represents the First District of Wisconsin, which includes Janesville.

This year marks the thirtieth anniversary of Les' first campaign for the First Congressional District seat in Wisconsin. I was a junior at Janesville Craig High School at the time, and I signed up as a volunteer on Les' campaign. He won that election after a tough recount in the primary, defeating the incumbent Congressman.

Following the campaign, I interned in his district office in Janesville during the summers of 1971 and in 1972. I am proud to say that during the next 25 years, Les and I had a continuing friendship, as he carved out a distinguished career in the United States House of Representatives, eventually rising to become the Chairman of the Armed Services Committee, while I prepared for and began my own career.

Les Aspin served his country ably in many capacities. As an Army captain, he worked as an analyst in the Pentagon; he served on the staff of President John F. Kennedy's Council of Economic Advisors; he represented Wisconsinites for 22 years in Congress; he enthusiastically took on the giant task of steering the Defense Department into the uncharted waters of the post-Cold War era. Mr. Aspin served as Secretary of Defense under President Clinton and, at the time of his death in 1995, he was the chair of the President's Foreign Intelligence Advisory Board, working on needed reforms in our intelligence communities.

Mr. President, Les Aspin was a man I deeply respected and admired, and I felt a profound sense of loss at his passing. Renaming the Janesville post office in his honor is a fitting way to remember a man who spent his life serving the people of Wisconsin and of the

United States. I hope my colleagues will support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2458

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF LES ASPIN POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1818 Milton Avenue in Janesville, Wisconsin, shall be known and designated as the ''Les Aspin Post Office Building''.

(b) REFERRENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Les Aspin Post Office Building''.

Mr. KOHL. Mr. President, I am pleased to join my colleagues from Wisconsin in introducing this legislation to honor the memory of Les Aspiin. Long before I entered politics, Les Aspin was a good friend of mine. I had the good fortune to serve with Les Aspin in Congress and to work with him when he served as Secretary of Defense. Les Aspin was truly dedicated to public service. He was genuinely challenged by the policy making process, and he was not hesitant in bringing his great intellectual gifts to bear on the problems of our time. He was a master of the Sunday morning talk shows, expounding on the issues of the day with his trenchant analyses. As chairman of the House Armed Services Committee, Les Aspin was one of the most influential voices on U.S. defense policy.

His ascension to the chairmanship of the House Armed Services Committee was not without rancor, but even those who disagreed with Les respected his verve and determination.

When we lost Les Aspin, we lost a man of great vision. He was one of the few who realized that we needed a completely new way of thinking about national security policy in the post-cold-war era. He had the capacity to think through the difficult issues involved in developing such a policy. And, he was unrelenting in making us deal with those issues.

Even though Les Aspin became a powerful national figure, he never forgot his roots. Les represented the 1st Congressional District for 22 years and he cared deeply about the people of his district. He was aggressive in pursuing projects that would benefit the people of Wisconsin and he left no stone unturned in helping resolve constituent problems. He especially recognized the importance of reliable postal service in small and big towns alike. He was known to become personally involved in responding to complaints from constituents about postal service, often attending meetings across the district on postal issues. Les became intimately involved when the Janesville Postal Office was moved from downtown, working to ensure that service was retained for all, especially small businesses and other postal patrons who relied on the downtown post office. Thus, naming the Janesville Post Office after Les Aspin is a most fitting tribute to his many years of service to the people of the First Congressional District.

I urge my colleagues to support this legislation and hope for its speedy passage.

By Mr. COVERDELL (for himself, Mr. LOTT, Mr. MCCAIN, Mr. THURMOND, Mr. STEVENS, Mr. HELMS, Mr. WARNER, Mr. MURKOWSKI, Mr. JEFFORDS, Mr. MCCONNELL, Mr. HATCH, Mr. LUGAR, Ms. COLLINS, Mr. HUTCHINSON, Mr. CRAPO, Mr. DEWINE, Mr. ASHCROFT, Mr. INHOFE, Mr. BURNS, Mr. SESSIONS, Mr. KYL, Mr. GRAMS, Mr. MACK, Mr. CRAIG, Mr. SHELBY, Mr. FITZGERALD, Mr. ABRAHAM, Mr. ENZI, Mr. GRASSLEY, Mr. HAGEL, Mr. DOMENICI, Mr. SMITH of New Hampshire, Ms. SNOWE, Mr. SANTORUM, Mr. GORTON, and Mrs. HUTCHISON):

S. 2459. A bill to provide for the award of a gold medal on behalf of the Congress to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

THE REAGAN CONGRESSIONAL GOLD MEDAL

Mr. COVERDELL. Mr. President, it is with a deep sense of honor that I rise today to introduce legislation awarding former President and Mrs. Ronald Reagan the Congressional Gold Medal. Very few Americans have had as profound an impact upon this Nation and the world as this remarkable couple have.

In his eight years in office, President Reagan restored American's sense of pride and set us squarely on the course of prosperity we still enjoy today. He was instrumental in the collapse of the Soviet Empire that brought an end to the Cold War. Who could forget his ringing challenge from Berlin's Bradenburg Gate, ''Mr. Gorbachev, tear down this Wall!'' By 1989, to the amazement of the world, Germany was unified, and the Wall became a memory. Reagan's character, wit, and eloquence as the ''Great Communicator'' brought honor to the Office of the President and endeared him to us all.

As First Lady, Nancy Reagan's contributions were equally significant in their own right. She not only bestowed elegance and grace upon the White House, but she also brought critical leadership to righting the scourge of illegal drugs. Tirelessly encouraging our Nation's youth to ''Just Say No,'' Mrs. Reagan was instrumental in successfully reducing the rate of illegal drug use among our children.

The Reagans have continued to inspire us even after their years in the White House. President and Nancy Reagan have confronted his Alzheimer's disease with the same dignity and bravery they displayed in office. Their fight inspires hope in millions of Americans who also must struggle with this disease. Our thoughts and best wishes for them are constant.

The leadership and dedication that President and Mrs. Reagan provided this Nation will undeniably endure throughout the course of human events. It is now time for a grateful people and Nation to say, ''Thank you.'' I am very appreciative of my many colleagues who join me today in sponsoring this legislation and invite others to join us in honoring President and Nancy Reagan.

Mr. President, I ask unanimous consent that a copy of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2459

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

The Congress finds the following:

(1) Both former President Ronald Reagan and his wife Nancy Reagan have distinguished records of public service to the United States, the American people, and the international community.

(2) As President, Ronald Reagan restored ''the great, confident roar of American progress, growth, and optimism'', a pledge which he made before being elected to office.

(3) President Ronald Reagan's leadership was instrumental in uniting a divided world by bringing about an end to the cold war.

(4) The United States enjoyed sustained economic prosperity and employment growth during Ronald Reagan's presidency.

(5) President Ronald Reagan's wife Nancy not only served as a gracious First Lady but also as a proponent for preventing alcohol and drug use among the Nation's youth by championing the ''Just Say No'' campaign.

(6) Together, Ronald and Nancy Reagan dedicated their lives to promoting national pride and to bettering the quality of life in the United States and throughout the world.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) PRESENTATION AUTHORIZED.—The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to former President Ronald Reagan and his wife Nancy Reagan in recognition of their service to the Nation.

(b) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (a), the Secretary of the Treasury (in this Act referred to as the ''Secretary'') shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 2 at a price sufficient to cover the costs of the medals (including labor, materials, dies, use of machinery, and overhead expenses) and the cost of the gold medal.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

SEC. 5. FUNDING AND PROCEEDS OF SALE.

(a) AUTHORIZATION.—There is hereby authorized to be charged against the United States Mint Public Enterprise Fund an amount not to exceed $30,000 to pay for the cost of the medals authorized by this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals under section 3 shall be deposited in the United States Mint Public Enterprise Fund.

By Mr. FEINGOLD:

S. 2460. A bill to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes; to the Committee on Foreign Relations.

EXPANSION OF REWARDS PROGRAM TO INCLUDE RWANDA

Mr. FEINGOLD. Mr. President, today I am introducing a bill to authorize payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda. This bill would add the masterminds of the Rwandan genocide to the list of individuals our rewards program is helping to track down, and this legislation will send those individuals a clear message—that there is no impunity for genocide, that the world will not forget, and that they cannot evade justice forever.

Six years ago today, a headline ran on the front page of the New York Times reading—''Rwandan Refugees Describe Horrors After a Bloody Trek.'' The lead-in read as follows:

Their clothes are blood-soaked, and their wounds are eerily similar. Pursued by fear, the 450 or so men, women and children in the makeshift hospital here made the same journey across the border from Rwanda, nursing the deep gouges made by the machetes that struck their skulls, necks and hands.

Six years ago today the media was just waking up to the horror unfolding in Rwanda, although the killing had been going on for weeks. Six years ago today, the reporters filing their stories from Burundi and Zaire were still cautious about the word ''genocide.'' They still referred to ''ancient tribal hatreds'' as the source of the incomprehensible violence engulfing the tiny central African country. Six years ago today, the death toll in the Rwandan genocide continued to mount while the international community stood by and watched, despite clear warnings, and despite the International Convention on the Prevention and Punishment of the Crime of Genocide that committed signatories to act. Six years ago, U.S. leadership failed, the international community floundered, and the global bond of basic human decency broke, leaving the people of Rwanda to face terror alone.

Mr. President, we know today that the genocide was not a series of spontaneous acts; it was not about crowds gone wild or tribal bloodlust. It was carefully planned and centrally directed. Extra machetes had been imported, militias groups were in place, and incitements to murder had become a regular element of programming on the hate-radio station. The planners targeted not only ethnic Tutsis, but also politically moderate Hutus who threatened their grip on power. We know today that individual people—leaders and planners—are responsible for the deaths of some 800,000 people, and that the blame for these atrocities cannot be heaped on some imagined cultural failing or the flaws of the human heart in general.

Holding those individuals responsible for the genocide accountable for their actions is the only remaining opportunity for the international community to do the right thing with regard to the events of 6 years ago. For this reason, I have consistently supported the International Criminal Tribunal for Rwanda, known as the ICTR. The ICTR was created by the United Nations Security Council in November 1994 to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in Rwanda during 1994. Its structure mirrors that of the International Criminal Tribunal for the Former Yugoslavia, the ICTY.

I have come to this floor in the past to raise the issue of parity between the ICTY and the ICTR. In particular, I have pointed out that whereas the ICTY has the authority to prosecute individuals for serious violations of international humanitarian law committed since 1991 through the present, the ICTR's mandate covers only those acts committed within Rwandan borders during 1994. Last year, the Senate approved an amendment that I offered to the State Department authorization bill requiring a report on the merits of expanding the mandate to the ICTR in space and time, both to deter further abuses and to hold the perpetrators of the continuing atrocities in the Great Lakes accountable for their actions.

Even if we accept the confines of the current mandate, I fear that the ICTR is being given short shrift. Under current U.S. law, the Secretary of State can confer with the Attorney General and, through the rewards program that offers incentives to turn in terrorists and other international villains, pay a reward to any individual furnishing information leading to the arrest or conviction in any country of any person who is the subject of an indictment of the ICTY. Similarly, the reward may be made to any individual furnishing information leading to the transfer to or conviction by the International Criminal Tribunal for the Former Yugoslavia. But there is no such provision for the International Criminal Tribunal for Rwanda.

It is situations like these that feed perceptions of a double-standard in American foreign policy, wherein African lives are somehow less valuable than European ones, and African atrocities are somehow more acceptable. That perceived double-standard undermines American credibility and casts doubt on our commitment to the values we hold most dear, the values at the very foundation of our national identity.

The ICTR is not perfect, but it has been responsible for the first convictions for the crime of genocide ever to be issued by an international court. It has been the first international body to recognize rape as a crime of genocide. And knowledgeable observers agree that it has made a great deal of progress since its early days, and that it has gone further to bring ''big fish'' to justice than the ICTY. But more needs to be done. I will submit for the RECORD an article from the most recent issue of The Economist, headlined ''Still Wanted,'' which details some of the challenges the international community faces in bringing the perpetrators of the Rwandan genocide to justice. The United States should assist in these efforts. And the existing law that I propose amending ensures that the State Department and the Department of Justice—not the U.N.—will govern the offering, administration, and payment of rewards. Six years after the Rwandan genocide, six years after the slaughter of 800,000 people, including those indicted by the ICTR in the rewards program is the very least we can do.

I yield the floor, and ask unanimous consent that the bill and article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXPANSION OF REWARDS PROGRAM TO INCLUDE RWANDA.

Section 102 of the Act of October 30, 1998 (Public Law 105–323) is amended—

(1) in the section heading, by inserting ''**OR RWANDA**'' after ''**YUGOSLAVIA**'';

(2) in subsection (a)(2), by inserting ''or the International Criminal Tribunal for Rwanda'' after ''Yugoslavia''; and

(3) in subsection (c)-

(A) by inserting ''(1)'' immediately after ''REFERENCE.—''; and

(B) by adding at the end the following:

''(2) For the purposes of subsection (a), the statute of the International Criminal Tribunal for Rwanda means the statute contained in the annex to Security Council Resolution 955 of November 8, 1994.''.

[From the Economist, Apr. 22, 2000]

STILL WANTED

Will Felicien Kabuga or Tharcisse Renzaho ever be brought to justice? They are still at large, among several hundred other senior Rwandans who in 1994 planned and promoted the genocide of up to 1m people. Mr. Kabuga was a businessman who financed the murderous Hutu militias, supplied them with machetes and was part owner of Radio Mille Collines, the radio station that broadcast the orders for genocide. Colonel Renzaho was the governor of the capital, Kigali. He directed the killing squads there, ordering them to make sure that ''none can escape'', and he was a member of the committee that coordinated the slaughter throughout the country.

So far, 44 people have been detained by the International Criminal Tribunal for Rwanda,

based in Arusha in Tanzania. Seven have been convicted, of whom six are on appeal. The prosecutor is still looking for about 35 people. Although names are not published for fear of alerting men on the run, Mr. Kabuga and Colonel Renzaho are almost certainly on the list. Arrested or hunted, they are still only a small proportion of the people who planned and executed the fastest and most orderly genocide in history.

While the UN tribunal grinds on in Arusha, the Rwandan government is busy bringing genocide criminals before its own courts. If the main perpetrators are to be caught, and the evidence found to convict them, the two should co-operate. But their relationship, though it now shows signs of improvement, has long been unhappy. The government objects, among other things, to the money spent on the tribunal, which it feels could have been better used to rebuild a justice system in Rwanda.

The government has so far detained more than 120,000 people accused of genocide, of whom over 2,000 have been convicted and 300 sentenced to death. At the end of last year, it produced a list of 2,133 people suspected of planning or directing the genocide. Most of them are still at large.

Many of the missing villains are in Congo. Senior military officers fled there after their genocidal government was defeated by the Rwandan Patriotic Front, which now rules the country. In Congo, they regrouped soldiers and militiamen responsible for the killing. Since Rwanda became involved in Congo's civil war, many of the Rwandan militiamen are fighting on the side of president Laurent Kabila, against the Congolese rebels who, in their turn, are backed by the Rwandan government. So long as Congo's fighting continues, the missing Rwandans will be difficult to arrest—and they are making sure that the war continues.

Others are in Tanzania. Hutus from both Rwanda and Burundi are well established in the administration of western Tanzania from where, probably without the knowledge of the central government, they protect some of the killers. Others, again, are scattered around the world, some with false identities. Mr. Kabuga was said to have been spotted in Switzerland but is now thought to be in Kenya. Colonel Renzaho is probably in Congo. Governments do not seem to be making much effort to find them. Those who have been discovered—in Britain, America, France, Belgium and Denmark—have often been unmasked by journalists.

By contrast, western security services expend considerable energy on tracking down war criminals from the conflicts in former Yugoslavia. The Yugoslav war-crimes tribunal in The Hague has so far issued over 90 indictments, and arrested more than 40 suspects, of whom 15 have been sentenced. It has named 29 people it is still looking for. So far as is known, they are all still in the region, either in power in Serbia or hiding in Bosnia.

It is much harder to find the dispersed Rwandans. Moreover, even if they were caught and sent to the tribunal, gathering evidence to prosecute them would be difficult. Persuading witnesses to leave their homes and come to Arusha to give evidence, and then providing them with protection when they return, is fraught with trouble. The horrible fact is that the only living witnesses to some of the worst Rwandan massacres are the perpetrators themselves.

By Ms. LANDRIEU (for herself and Mr. BREAUX):

S. 2462. A bill to provide for the establishment of the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana; to the Committee on Environment and Public Works.

LEGISLATION ESTABLISHING THE CAT ISLAND NATIONAL WILDLIFE REFUGE

Ms. LANDRIEU. Mr. President, I am pleased to join with my distinguished colleague from Louisiana, Senator JOHN BREAUX, in introducing legislation that would establish the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana. Cat Island is one of the last remaining tracts in the Lower Mississippi River Valley that is still influenced by the natural dynamics of the river. The 36,500 acre site supports one of the largest densities of virgin bald cypress trees in the entire Mississippi River Valley. The site is also the home of the nation's largest cypress tree. Cat Island is important habitat for several declining species of songbirds and thousands of wintering waterfowl. The site is also home to the Louisiana black bear and high populations of deer, squirrel, turkey, and furbearing mammals such as mink and bobcats. We introduce this important legislation with the purpose of preserving and enhancing this valuable natural resource for our nation and generations to come.

Mr. President, I recently had the good fortune of visiting Cat Island with Senator BREAUX and representatives from the U.S. Department of the Interior, and I must tell you I was overwhelmed by the breathtaking beauty and bountiful natural resources of this site. Cat Island truly represents one of the most valuable and productive wildlife habitats in the United States. The site has high value for public uses such as outdoor recreation, environmental education, ecotourism, hunting, and fishing.

There has been a tremendous amount of enthusiasm for protecting and enhancing the natural resources of Cat Island. Citizens and elected officials from the State of Louisiana, representatives from national environmental conservation organizations and the U.S. Fish and Wildlife Service have supported our efforts in developing this important legislation. The Police Jurors of West Feliciana Parish, Louisiana, have passed a resolution in support of establishing the Cat Island National Wildlife Refuge. The Governor of Louisiana and the Secretary of the Louisiana Department of Wildlife and Fisheries have endorsed creating the refuge. The Nature Conservancy of Louisiana has generously agreed to underwrite the operation and maintenance cost for the Fish and Wildlife Service during the first three years of operation of the refuge. The conservation organization will also facilitate the acquisition of the site and the transfer of ownership to the Fish and Wildlife Service. Most recently, the President allocated $4 million in his fiscal year 2001 budget for land acquisitions at the Cat Island site.

Mr. President, Cat Island clearly represents one of the best examples of Louisiana's unique natural heritage and is deserving of inclusion in the National Wildlife Refuge System. This legislation supports the aims of the Lower Mississippi River Aquatic Resources Management Plan and the Lower Mississippi Valley Joint Venture under the North American Wetlands Conservation Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2462

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds that—

(1) as the southernmost unleveed portion of the Mississippi River, Cat Island, Louisiana, is 1 of the last remaining tracts in the lower Mississippi Valley that is still influenced by the natural dynamics of the river;

(2) Cat Island supports some of the highest densities of virgin bald cypress trees in the Mississippi River Valley, including the champion cypress tree of the United States, which is 17 feet wide and has a circumference of 53 feet;

(3) Cat Island is important habitat for several declining species of forest songbirds and supports thousands of wintering waterfowl;

(4) Cat Island supports high populations of deer, turkey, and furbearing mammals, such as mink and bobcats;

(5) forested wetland on Cat Island—

(A) represents 1 of the most valuable and productive wildlife habitats in the United States; and

(B) has high recreational value for hunters, fishermen, birdwatchers, nature photographers, and others; and

(6) protection and enhancement of the resources of Cat Island through the inclusion of Cat Island in the National Wildlife Refuge System would help meet the habitat protection goals of the North American Waterfowl Management Plan, signed by the Minister of the Environment of Canada and the Secretary in May 1986.

SEC. 2. DEFINITIONS:

In this Act:

(1) REFUGE.—The term ''Refuge'' means the Cat Island National Wildlife Refuge established by section 3(a).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

SEC. 3. ESTABLISHMENT AND ACQUISITION OF REFUGE.

(a) IN GENERAL.—There is established a unit of the National Wildlife Refuge System to be known as the ''Cat Island National Wildlife Refuge'' in West Feliciana Parish, Louisiana.

(b) INCLUSIONS.—The Refuge shall consist of the land and waters (including any interest in the land or waters) acquired by the Secretary for the Refuge under—

(1) subsection (d); or

(2) any other law.

(c) NOTICE OF ESTABLISHMENT.—The Secretary shall publish a notice of the establishment of the Refuge—

(1) in the Federal Register; and

(2) in publications of local circulation in the vicinity of the Refuge.

(d) ACQUISITION.—The Secretary shall seek to acquire for inclusion in the Refuge, by purchase, exchange, or donation, approximately 36,500 acres of land and adjacent waters (including interests in the land or adjacent waters) of Cat Island, Louisiana, as depicted on the map entitled ''Cat Island National Wildlife Refuge, Proposed'', dated

February 8, 2000, which shall be available for inspection in the appropriate offices of the United States Fish and Wildlife Service.

SEC. 4. PURPOSES OF REFUGE.

The purposes of the Refuge are—

(1) to conserve, enhance, and restore the native bottomland community characteristics of the lower Mississippi alluvial valley (including associated fish, wildlife, and plant species);

(2) to conserve, enhance, and restore habitat to maintain and assist in the recovery of animals (such as the Louisiana black bear) and plants that are listed as endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(3) to conserve, enhance, and restore habitats as necessary to contribute to the migratory bird population goals and habitat objectives as established through the Lower Mississippi Valley Joint Venture under the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.);

(4) to achieve the habitat objectives of the Lower Mississippi River Aquatic Resources Management Plan, prepared by the Lower Mississippi River Conservation Committee;

(5) to authorize the Secretary, through consultation with Federal, State, and local agencies and adjacent landowners, to assist in the restoration of forest habitat linkages between refuge land and other land to reverse past impacts associated with habitat fragmentation on wildlife and plant species;

(6) to provide compatible opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation; and

(7) to encourage the use of volunteers and to facilitate partnerships among the United States Fish and Wildlife Service, local communities, conservation organizations, and other non-Federal entities to promote public awareness of the resources of the Cat Island National Wildlife Refuge and the National Wildlife Refuge System (including public participation in the conservation of those resources).

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer all land and waters (including any interest in land or waters) acquired under section 3(d) in accordance with—

(1) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(2) Public Law 87–714 (commonly known as the ''Refuge Recreation Act'') (16 U.S.C. 460k et seq.); and

(3) the purposes of the Refuge described in section 4.

(b) USE OF OTHER AUTHORITY.—The Secretary may use such additional statutory authority as is available to the Secretary to conduct projects and activities at the Refuge in accordance with this Act, including projects or activities to conserve or develop—

(1) wildlife and natural resources;

(2) water supplies;

(3) water control structures;

(4) outdoor recreational activity programs; and

(5) interpretive education programs.

SEC. 6. AUTHORIZATION OF APPROPRIATION.

There are authorized to be appropriated to the Secretary such sums as are necessary for—

(1) the acquisition of interests in land and waters described in section 3(d)(1); and

(2) the development, operation, and maintenance of the Refuge.

Mr. BREAUX. Mr. President, I am pleased to join Senator LANDRIEU in offering legislation to establish the Cat Island National Wildlife Refuge in West Feliciana Parish, Louisiana.

The Mississippi River has provided for the commerce, transportation, and nourishment that has sustained Louisianians for over 300 years. Over time, communities have adapted to the unique environment that exists near the River. Today marks a milestone in the effort to preserve one of the last remaining tracts in the lower Mississippi Valley that is still influenced by the natural dynamics of the great River.

The area known as Cat Island is the southernmost unleveed portion of the Mississippi River. It is actually a peninsula of bottomland hardwood forest adjacent to the River and located thirty miles north of our state capital at Baton Rouge. It supports one of the highest densities of virgin bald cypress trees in the entire Mississippi River Valley, including the nation's champion cypress tree, which is 17 feet wide and 53 feet in circumference. By designating this area as a National Wildlife Refuge, we aim to protect the habitat of several declining species of forest songbirds, thousands of wintering waterfowl, and breeding ground for Wood Ducks. The area also supports high populations of deer, squirrel, turkey, and furbearers such as bobcat and mink.

The Cat Island Project represents a collaborative effort among several entities who have remained committed to its conservation. The Nature Conservancy spearheaded the effort, marshaled public support from Louisianians of all stripes, and worked diligently to secure the necessary funding for the initial acquisition of land from commercial and private landowners in the area. In fact, the Migratory Bird Commission provided the seed money to begin the acquisition process. Senator LANDRIEU and I have worked hard to find appropriate sources of federal funding to contribute to the cause, and we are delighted that the President has included $4 million for the Cat Island Project in his budget request for the U.S. Fish and Wildlife Service. We have enjoyed the support of officials from the Department of the Interior as well. Assistant Secretary David Hayes visited the site of the planned refuge along with Senator LANDRIEU and me in February. As I said, this project is the result of the good faith, dedication and continued cooperation of many players. I express my sincere gratitude and congratulations to all who have been involved.

The final piece in the completion of this project is the designation of the land as a National Wildlife Refuge. I am proud to offer legislation that will ensure the conservation of wild Louisiana for future generations to experience.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 20, a bill to assist the States and local governments in assessing and remediating brownfield sites and encouraging environmental cleanup programs, and for other purposes.

S. 309

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 309, a bill to amend the Internal Revenue Code of 1986 to provide that a member of the uniformed services shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence.

S. 317

At the request of Mr. DORGAN, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Washington (Mr. GORTON) were added as cosponsors of S. 317, a bill to amend the Internal Revenue Code of 1986 to provide an exclusion for gain from the sale of farmland which is similar to the exclusion from gain on the sale of a principal residence.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 351

At the request of Mr. GRAMS, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 351, a bill to provide that certain Federal property shall be made available to States for State and local organization use before being made available to other entities, and for other purposes.

S. 484

At the request of Mr. CAMPBELL, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 662

At the request of Ms. SNOWE, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or

cervical cancer under a federally funded screening program.

S. 764

At the request of Mr. THURMOND, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 764, a bill to amend section 1951 of title 18, United States Code (commonly known as the Hobbs Act), and for other purposes.

S. 784

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 784, a bill to establish a demonstration project to study and provide coverage of routine patient care costs for Medicare beneficiaries with cancer who are enrolled in an approved clinical trial program.

S. 1369

At the request of Mr. JEFFORDS, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 1369, a bill to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency, and for other purposes.

S. 1419

At the request of Mr. MCCAIN, the names of the Senator from Ohio (Mr. VOINOVICH), and the Senator from Nevada (Mr. BRYAN) were added as cosponsors of S. 1419, a bill to amend title 36, United States Code, to designate May as ''National Military Appreciation Month.''

S. 1440

At the request of Mr. GRAMM, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1440, a bill to promote economic growth and opportunity by increasing the level of visas available for highly specialized scientists and engineers and by eliminating the earnings penalty on senior citizens who continue to work after reaching retirement age.

S. 1617

At the request of Mr. DEWINE, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1617, a bill to promote preservation and public awareness of the history of the Underground Railroad by providing financial assistance, to the Freedom Center in Cincinnati, Ohio.

S. 1762

At the request of Mr. COVERDELL, the names of the Senator from Utah (Mr. HATCH) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 1762, a bill to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resources projects previously funded by the Secretary under such Act or related laws.

S. 1805

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1805, a bill to restore food stamp benefits for aliens, to provide States with flexibility in administering the food stamp vehicle allowance, to index the excess shelter expense deduction to inflation, to authorize additional appropriations to purchase and make available additional commodities under the emergency food assistance program, and for other purposes.

S. 1806

At the request of Mr. BINGAMAN, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 1806, a bill to authorize the payment of a gratuity to certain members of the Armed Forces who served at Bataan and Corregidor during World War II, or the surviving spouses of such members, and for other purposes.

S. 1883

At the request of Mr. BINGAMAN, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. 1883, a bill to amend title 5, United States Code, to eliminate an inequity on the applicability of early retirement eligibility requirements to military reserve technicians.

S. 1905

At the request of Mr. SANTORUM, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1905, a bill to establish a program to provide for a reduction in the incidence and prevalence of Lyme disease.

S. 1915

At the request of Mr. JEFFORDS, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1915, a bill to enhance the services provided by the Environmental Protection Agency to small communities that are attempting to comply with national, State, and local environmental regulations.

S. 1995

At the request of Mr. KOHL, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 1995, a bill to amend the National School Lunch Act to revise the eligibility of private organizations under the child and adult care food program.

S. 2061

At the request of Mr. BIDEN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2061, a bill to establish a crime prevention and computer education initiative.

S. 2068

At the request of Mr. GREGG, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 2068, a bill to prohibit the Federal Communications Commission from establishing rules authorizing the operation of new, low power FM radio stations.

S. 2078

At the request of Mr. BUNNING, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2078, a bill to authorize the President to award a gold medal on behalf of Congress to Muhammad Ali in recognition of his outstanding athletic accomplishments and enduring contributions to humanity, and for other purposes.

S. 2084

At the request of Mr. LUGAR, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

S. 2158

At the request of Mr. MURKOWSKI, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 2158, a bill to amend the Harmonized Tariff Schedule of the United States to eliminate the duty on certain steam or other vapor generating boilers used in nuclear facilities.

S. 2217

At the request of Mr. CAMPBELL, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2217, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

S. 2220

At the request of Mr. ALLARD, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2220, a bill to protect Social Security and provide for repayment of the Federal debt.

S. 2232

At the request of Mr. GRAHAM, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2232, a bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive benefits, and for other purpose.

S. 2235

At the request of Ms. COLLINS, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 2235, a bill to amend the Public Health Act to revise the performance standards and certification process for organ procurement organizations.

S. 2243

At the request of Ms. LANDRIEU, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2243, a bill to reauthorize certain programs of the Small Business Administration, and for other purposes.

S. 2265

At the request of Mrs. HUTCHISON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the names of the Senator from Rhode Island (Mr. L. CHAFEE), the Senator from Mississippi (Mr. COCHRAN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Minnesota (Mr. WELLSTONE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from North Carolina (Mr. EDWARDS), the Senator from Connecticut (Mr. DODD), the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mr. SCHUMER), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2277

At the request of Mr. ROTH, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 2277, a bill to terminate the application of title IV of the Trade Act of 1974 with respect to the People's Republic of China.

S. 2311

At the request of Mr. KENNEDY, the names of the Senator from Louisiana (Mr. BREAUX), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 2311, a bill to revise and extend the Ryan White CARE Act programs under title XXVI of the Public Health Service Act, to improve access to health care and the quality of health care under such programs, and to provide for the development of increased capacity to provide health care and related support services to individuals and families with HIV disease, and for other purposes.

S. 2322

At the request of Mr. MCCAIN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2322, a bill to amend title 37, United States Code, to establish a special subsistence allowance for certain members of the uniformed services who are eligible to receive food stamp assistance, and for other purposes.

S. 2330

At the request of Mr. BREAUX, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2330, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communication services.

At the request of Mr. ROTH, the names of the Senator from Texas (Mr. GRAMM), the Senator from Arizona (Mr. KYL), the Senator from Kansas (Mr. ROBERTS), and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 2330, supra.

S. 2341

At the request of Mr. GREGG, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 2341, a bill to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2010.

S. 2344

At the request of Mr. BROWNBACK, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Georgia (Mr. COVERDELL) were added as cosponsors of S. 2344, a bill to amend the Internal Revenue Code of 1986 to treat payments under the Conservation Reserve Program as rentals from real estate.

S. 2353

At the request of Mr. AKAKA, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2353, a bill to amend the Higher Education Act of 1965 to improve the program for American Indian Tribal Colleges and Universities under part A of title III.

S. 2365

At the request of Ms. COLLINS, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 2365, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services.

S. 2408

At the request of Mr. BINGAMAN, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. 2408, a bill to authorize the President to award a gold medal on behalf of the Congress to the Navajo Code Talkers in recognition of their contributions to the Nation.

S. 2417

At the request of Mr. CRAPO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2417, a bill to amend the Federal Water Pollution Control Act to increase funding for State nonpoint source pollution control programs, and for other purposes.

S. CON. RES. 60

At the request of Mr. FEINGOLD, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. Con. Res. 60, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. CON. RES. 81

At the request of Mr. ROTH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Con. Res. 81, a concurrent resolution expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

S. CON. RES. 104

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mr. ASHCROFT) was added as a cosponsor of S. Con. Res. 104, a concurrent resolution expressing the sense of the Congress regarding the ongoing prosecution of 13 members of Iran's Jewish community.

S. CON. RES. 107

At the request of Mr. AKAKA, the names of the Senator from Nebraska (Mr. KERREY), the Senator from Wisconsin (Mr. KOHL), and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Con. Res. 107, a concurrent resolution expressing the sense of the Congress concerning support for the Sixth Nonproliferation Treaty Review Conference.

S.J. RES. 3

At the request of Mr. INOUYE, his name was withdrawn as a cosponsor of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

S.J. RES. 44

At the request of Mr. KENNEDY, the names of the Senator from Texas (Mr. GRAMM), the Senator from Montana (Mr. BAUCUS), the Senator from Mississippi (Mr. LOTT), and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S.J. Res. 44, a joint resolution supporting the Day of Honor 2000 to honor and recognize the service of minority veterans in the United States Armed Forces during World War II.

S. RES. 247

At the request of Mr. CAMPBELL, the names of the Senator from Maine (Ms. SNOWE), the Senator from New Hampshire (Mr. GREGG), the Senator from Wisconsin (Mr. KOHL), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. LOTT), the Senator from Alabama (Mr. SHELBY), the Senator from Iowa (Mr. GRASSLEY), the Senator from Wyoming (Mr. THOMAS), the Senator from New Mexico (Mr. DOMENICI), the Senator from Illinois (Mr. FITZGERALD), the Senator from Rhode Island (Mr. L. CHAFEE), and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Res. 247, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

S. RES. 248

At the request of Mr. ROBB, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 248, a resolution to designate the week of May 7, 2000, as ''National Correctional Officers and Employees Week.''

S. RES. 287

At the request of Mr. MACK, his name was added as a cosponsor of S. Res. 287, a resolution expressing the sense of the Senate regarding U.S. policy toward Libya.

SENATE RESOLUTION 294—DESIGNATING THE MONTH OF OCTOBER 2000 AS ''CHILDREN'S INTERNET SAFETY MONTH''

Mr. ABRAHAM (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 294

Whereas the Internet is one of the most effective tools available for purposes of education and research and gives children the means to make friends and freely communicate with peers and family anywhere in the world;

Whereas the new era of instant communication holds great promise for achieving better understanding of the world and providing the opportunity for creative inquiry;

Whereas it is vital to the well-being of children that the Internet offer an open and responsible environment to explore;

Whereas access to objectionable material, such as violent, obscene, or sexually explicit adult material may be received by a minor in unsolicited form;

Whereas there is a growing concern in all levels of society to protect children from objectionable material;

Whereas the technological option for parents or guardians to filter, block, or review objectionable Internet material is available and effective;

Whereas information on Internet filtering or blocking technology is unavailable to many parents or guardians; and

Whereas the Internet is a positive educational tool and should be seen in such a manner rather than as a vehicle for entities to make objectionable materials available to children: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2000 as ''Children's Internet Safety Month'' and supports its official status on the Nation's promotional calendar; and

(2) supports parents and guardians in promoting the creative development of children by encouraging the use of the Internet in a safe, positive manner with the aid of Internet filtering and blocking technologies.

Mr. ABRAHAM. Mr. President, I rise today to offer a resolution designating October 2000 as ''Children's Internet Safety Month'' on our national promotional calendar. This resolution, which I am submitting along with my colleague, Senator MCCAIN, recognizes the valuable information and opportunities for creative development provided by the Internet. It supports parents and guardians as they work to promote children's intellectual growth by encouraging safe, positive internet use with the aid of Internet filtering and blocking technologies.

Filtering and blocking technologies can help parents and guardians protect their children from objectionable material. This is particularly important in those frequent instances when such material is obtained by accident, via unsolicited correspondence. With more than 5,000 new web sites appearing on the Internet each day, we must recognize the problems raised by the significant number of sites containing objectionable material (defined as material that is violent, obscene or sexually explicit). Unfortunately, one-third of all Internet web sites are devoted to objectionable material. This presents our nation with a moral challenge: to find the means to sustain the wonderful freedom of the Internet while protecting children from unwanted and potentially harmful Internet material.

By designating October 2000 as ''Children's Internet Safety Month'' on the nation's promotional calendar, we can help parents, guardians, and concerned community leaders in their efforts to provide responsible Internet protection for our children. We can focus public attention on this important issue and encourage development of positive, community based programs and events highlighting the need to protect children from objectionable Internet material.

This resolution will help empower the young people of the Internet Generation to share ideas and dreams; and to do so free from unwanted and intrusive, objectionable Internet material.

SENATE RESOLUTION 295—EXPRESSING THE SENSE OF THE SENATE THAT THE CARRYING OF FIREARMS INTO PLACES OF WORSHIP OR EDUCATIONAL AND SCHOLASTIC SETTINGS SHOULD BE PROHIBITED

Mr. LIEBERMAN (for himself Mr. DASCHLE, Ms. MIKULSKI, Mr. SCHUMER, Mrs. BOXER, Mr. KOHL, Mr. DODD, Mr. KERRY, Mr. REED, Mr. BAYH, Mr. HARKIN, Mr. LAUTENBERG, Mr. REID, Mr. TORRICELLI, Mr. JOHNSON, Mr. BREAUX, Mr. WELLSTONE, Mr. BRYAN, Mr. KENNEDY, Mr. ROBB, Mr. GRAHAM, Mr. WYDEN, Mr. AKAKA, Mrs. FEINSTEIN, Mr. EDWARDS, Mr. MOYNIHAN, Mr. SARBANES, and Mr. LEAHY) submitted the following resolution, which was referred to the Committee on the Judiciary:

S. RES. 295

Whereas repeated incidents of senseless and horrific gun violence have led many Americans to conclude that neither they nor their children can feel completely secure anywhere at anytime anymore;

Whereas the epidemic of gun violence in our Nation has invaded schools, youth sporting events, places of worship, and other spaces that the American people once thought of as sanctuaries of safety;

Whereas these shootings have shattered the confidence of parents and educators and clergy in their ability to protect children from the increasingly dangerous world around them;

Whereas in response to this trend, Congress previously acted to protect America's children by prohibiting the possession of firearms in school zones;

Whereas no American adult or child should have to fear for their safety when studying, praying in their places of worship, or participating in any other activities at or related to their schools or places of worship;

Whereas it is the obligation of America's elected leaders to do all they can to protect our children from harm and ensure that adults and children alike can learn, play, or pray in safety; and

Whereas there is no rational reason for anyone other than a law enforcement officer to carry a gun into a place of worship, a school, or a school-related event: Now, therefore, be it

Resolved, That it is the sense of the Senate that the carrying of firearms into places of worship or educational and scholastic settings should be prohibited.

Mr. LIEBERMAN. Mr. President, the first anniversary of the Columbine massacre has been a time for great contemplation and reflection—contemplation of the horror and tragedy of that event, and reflection on what has become of the safety and security so many of us once took for granted. From Paducah, Kentucky, to Jonesboro, Arkansas, to Springfield, Oregon, to Mount Morris Township, Michigan, to Littleton, Colorado, the surreal has too often become mortally real. Senseless, horrific and seemingly random gun violence has invaded all corners of our nation. These incidents have shattered our collective sense of security. What's worse, they have done so with respect to the very places where we and our children have the right to feel most secure: our schools and our places of worship.

There are many facets to this problem—a media culture that desensitizes our children to violence, a feeling of hopelessness that invades too many of our children and the often too easy accessibility of firearms. We must address all of these problems, and I hope we soon will start to do so by taking action on the long-stalled juvenile justice bill with its several sensible gun-safety provisions and its measures aimed at the culture of violence surrounding our children.

But there is one more thing we can do for ourselves and our children: restore a sense of sanctuary and safe haven to spaces where guns have no place. Ask parents, educators or congregants, and they'll say every community is entitled to at least a few sites of sanctuary, where they can honor their families and their God without fearing for their safety or their lives. But the reality is that at least 22 states permit gun owners to carry concealed weapons into places of worship, and many allow them at school events off campus.

Why does anyone other than a law enforcement or security officer need to carry a firearm into these spaces? Why at this moment of such concern about gun violence do we want to add to it the potential for more terror and tragedy in what should be our safest places? Why after at least a dozen shootings in American churches and synagogues over the last five years do we want to invite another?

Making clear that guns have no place in what are supposed to be sanctuaries would put the law on the right side of reason. It would help diminish the odds that another Columbine is around the corner. And it would reassure the American people that it is possible for us to come together on common ground to fight this threat to our safety and security.

With these thoughts in mind, and with the Million Mom March against gun violence soon to occur in Washington, I am today joining a coalition

of more than 25 Members in submitting a resolution expressing our support for prohibitions on firearms in schools, scholastic settings, and places of worship. This resolution would make a clear statement that, like most Americans, we in the Senate believe that Saturday Night Specials do not belong in Sunday School classes or any other place where families are learning, playing or praying.

This in the end is not an ideological or constitutional issue, but a question of common sense. We can respect the rights of law-abiding gun owners while also acknowledging that bullets and Bibles don't mix. This is not a hard line to take. Nor should it be a hard line to draw, in order to provide safe havens for our families.

It is time for the Senate to go on record and say that there are certain places in our society that must be safe havens from even the threat of violence, spaces where we and our children can go to pray and play with the confidence that safety and security will follow. I urge my colleagues to join me in supporting this resolution.

SENATE RESOLUTION 296—DESIGNATING THE FIRST SUNDAY IN JUNE OF EACH CALENDAR YEAR AS ''NATIONAL CHILD'S DAY''

By Mr. GRAHAM (for himself, Mr. AKAKA, Mr. CRAPO, Mr. BYRD, Mr. SPECTER, Mr. CONRAD, Mr. THURMOND, Mr. DORGAN, Mr. VOINOVICH, Mr. DURBIN, Mr. BOND, Mr. EDWARDS, Mr. CRAIG, Mr. KOHL, Mr. WARNER, Mr. ROCKEFELLER, Mr. ABRAHAM, Mr. SARBANES, Mr. ENZI, Mr. KERRY, Mr. LUGAR, Mr. SMITH of Oregon, Mr. CLELAND, Mr. COCHRAN, Mr. BINGAMAN, Ms. LANDRIEU, Mr. GRAMS, Mr. BAYH, Mr. MACK, Mr. BRYAN, Mr. REID, Mr. JOHNSON, Mrs. LINCOLN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. LIBERMAN, Mrs. BOXER, and Mr. WELLSTONE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 296

Whereas the first Sunday of June falls between Mother's Day and Father's Day;

Whereas each child is unique, a blessing, and holds a distinct place in the family unit;

Whereas the people of the United States should celebrate children as the most valuable asset of the United States;

Whereas the children represent the future, hope, and inspiration of the United States;

Whereas the children of the United States should be allowed to feel that their ideas and dreams will be respected because adults in the United States take time to listen;

Whereas many children of the United States face crises of grave proportions, especially as they enter adolescent years;

Whereas it is important for parents to spend time listening to their children on a daily basis;

Whereas modern societal and economic demands often pull the family apart;

Whereas, whenever practicable, it is important for both parents to be involved in their child's life;

Whereas encouragement should be given to families to set aside a special time for all family members to engage together in family activities;

Whereas adults in the United States should have an opportunity to reminisce on their youth to recapture some of the fresh insight, innocence, and dreams that they may have lost through the years;

Whereas the designation of a day to commemorate the children of the United States will provide an opportunity to emphasize to children the importance of developing an ability to make the choices necessary to distance themselves from impropriety and to contribute to their communities;

Whereas the people of the United States should emphasize to children the importance of family life, education, and spiritual qualities;

Whereas because children are the responsibility of all people of the United States, everyone should celebrate children, whose questions, laughter, and dreams are important to the existence of the United States; and

Whereas the designation of a day to commemorate the children will emphasize to the people of the United States the importance of the role of the child within the family and society: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first Sunday in June of each year as ''National Child's Day''; and

(2) requests the President to issue a proclamation calling on the people of the United States to observe the day with appropriate ceremonies and activities.

Mr. GRAHAM. Mr. President, I rise today to submit a resolution that designates the first Sunday in June as National Child's Day.

Our children are our future. I believe that most of my colleagues would agree that our children are, indeed, this nation's most precious resource—a resource that should be cherished and protected.

Sadly, Mr. President, over five million of America's children go to bed hungry at night.

In the last ten years there has been a 60 percent increase in the number of children in or in need of foster care services.

Many children in America face crises of grave proportions, especially as they enter their adolescent years.

We must make a commitment to reverse these trends. We must take the initiative to make each child in this nation a child who is loved, cared for and appreciated for his or herself.

The establishment of a National Child's Day will give all of us the unique opportunity to focus on our children's needs and to recognize their accomplishments.

National Child's Day will encourage families to spend more quality time together and will highlight the special importance of the child in the family unit.

This simple, yet important, resolution will foster family togetherness and ensure that our children receive all of the love, support, and attention that they deserve.

I urge my colleagues to join me in establishing National Child's Day this year and for years to come.

AMENDMENT SUBMITTED

MARRIAGE TAX PENALTY RELIEF ACT OF 2000

BAYH (AND OTHERS) AMENDMENT NO. 3102

(Ordered to lie on the table)

Mr. BAYH (for himself and Mr. DURBIN, Mr. JOHNSON, Mrs. FEINSTEIN, Ms. LANDRIEU, Mr. EDWARDS, and Mrs. MURRAY) submitted an amendment intended to be proposed by them to the bill (H.R. 6) to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Targeted Marriage Tax Penalty Relief Act of 2000''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by section 2 shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986 .

SEC. 2. MARRIAGE CREDIT.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 (relating to nonrefundable personal credits) is amended by inserting after section 25A the following new section:

''SEC. 25B. MARRIAGE CREDIT.

''(a) ALLOWANCE OF CREDIT.—In the case of a joint return under section 6013, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the lesser of the amount determined under subsection (b) or (c) for the taxable year.

''(b) AMOUNT UNDER SUBSECTION (b).—For purposes of subsection (a), the amount under this subsection for any taxable year with respect to a taxpayer is determined in accordance with the following table:

''Taxable year:	Amount:
2001	$500
2002	$900
2003	$1,300
2004 and thereafter	$1,700.

''(c) DETERMINATION OF AMOUNT.—

''(1) IN GENERAL.—For purposes of subsection (a), the amount determined under this subsection for any taxable year with respect to a taxpayer is equal to the excess (if any) of—

''(A) the joint tentative tax of such taxpayer for such year, over

''(B) the combined tentative tax of such taxpayer for such year.

''(2) JOINT TENTATIVE TAX.—For purposes of paragraph (1)(A)—

''(A) IN GENERAL.—The joint tentative tax of a taxpayer for any taxable year is equal to the tax determined in accordance with the

table contained in section 1(a) on the joint tentative taxable income of the taxpayer for such year.

''(B) JOINT TENTATIVE TAXABLE INCOME.—For purposes of subparagraph (A), the joint tentative taxable income of a taxpayer for any taxable year is equal to the excess of—

''(i) the sum of—

''(I) the earned income (as defined in section 32(c)(2)) of such taxpayer for such year, and

''(II) any income received as a pension or annuity which arises from an employer-employee relationship (including any social security benefit (as defined in section 86(d)(1)) which is includible in gross income of such taxpayer for such year, over

''(ii) the sum of—

''(I) either—

''(aa) the standard deduction determined under section 63(c)(2)(A)(i) for such taxpayer for such year, or

''(bb) in the case of an election under section 63(e), the total itemized deductions determined under section 63(d) for such taxpayer for such year, and

''(II) the total exemption amount for such taxpayer for such year determined under section 151.

''(3) COMBINED TENTATIVE TAX.—For purposes of paragraph (1)(A)—

''(A) IN GENERAL.—The combined tentative tax of a taxpayer for any taxable year is equal to the sum of the taxes determined in accordance with the table contained in section 1(c) on the individual tentative taxable income of each spouse for such year.

''(B) INDIVIDUAL TENTATIVE TAXABLE INCOME.—For purposes of subparagraph (A), the individual tentative taxable income of a spouse for any taxable year is equal to the excess of—

''(i) the sum of—

''(I) the earned income (as defined in section 32(c)(2)) of such spouse for such year, and

''(II) any income received as a pension or annuity which arises from an employer-employee relationship (including any social security benefit (as defined in section 86(d)(1)) which is includible in gross income of such spouse for such year, over

''(ii) the sum of—

''(I) either—

''(aa) the standard deduction determined under section 63(c)(2)(C) for such spouse for such year, or

''(bb) in the case of an election under section 63(e), one-half of the total itemized deductions determined under paragraph (2)(B)(ii)(I)(bb) for such spouse for such year, and

''(II) one-half of the total exemption amount determined under paragraph (2)(B)(ii)(II) for such year.

''(C) INCLUDIBLE SOCIAL SECURITY BENEFIT.—For purposes of subparagraph (B)(i)(II), the amount of social security benefit (as so defined) which is includible in gross income of a spouse for any taxable year is equal to—

''(i) the amount which bears the same ratio to the amount of social security benefit determined under paragraph (2)(B)(i)(II) for such year, as

''(ii) such spouse's total social security benefit for such year bears to the total social security benefit for both spouses for such year.

''(d) PHASEOUT OF CREDIT.—

''(1) IN GENERAL.—The amount which would (but for this subsection) be taken into account under subsection (a) shall be reduced (but not below zero) by the amount determined under paragraph (2).

''(2) AMOUNT OF REDUCTION.—The amount determined under this paragraph is the amount which bears the same ratio to the amount which would be so taken into account as—

''(A) the excess of—

''(i) the taxpayer's adjusted gross income for such taxable year, over

''(ii) $120,000, bears to

''(B) $20,000.

''(e) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2004, the $1,700 amount referred to in subsection (b) and the $120,000 amount referred to in subsection (d)((2)(A)(ii) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section (1)(f)(3) for the calendar year in which the taxable year begins, by substituting '2003' for '1992'.

''(2) ROUNDING.—If the $1,700 amount (as so referred) and the $120,000 amount (as so referred) as adjusted under paragraph (1) is not a multiple of $25 and $50, respectively, such amount shall be rounded to the nearest multiple of $25 and $50, respectively.''.

(b) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 25A the following new item:

''Sec. 25B. Marriage credit.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 3. MARRIAGE PENALTY RELIEF FOR EARNED INCOME CREDIT.

(a) IN GENERAL.—Section 32(b) (relating to percentages and amounts) is amended—

(1) by striking ''PERCENTAGES.—The credit'' in paragraph (1) and inserting ''PERCENTAGES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the credit'',

(2) by adding at the end of paragraph (1) the following new subparagraph:

''(B) JOINT RETURNS.—In the case of a joint return, the phaseout percentage determined under subparagraph (A)—

''(i) in the case of an eligible individual with 1 qualifying child shall be decreased by 1.87 percentage points, and

''(ii) in the case of an eligible individual with 2 or more qualifying child shall be decreased by 2.01 percentage points.'',

(3) by striking ''AMOUNTS.—The earned'' in paragraph (2) and inserting ''AMOUNTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the earned'', and

(4) by adding at the end the following new subparagraph:

''(B) JOINT RETURNS.—In the case of a joint return, the phaseout amount determined under subparagraph (A) shall be increased by $2,000.''.

(b) INFLATION ADJUSTMENT.—Paragraph (1)(B) of section 32(j) (relating to inflation adjustments) is amended to read as follows:

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined—

''(i) in the case of amounts in subsections (b)(2)(A) and (i)(1), by substituting 'calendar year 1995' for 'calendar year 1992' in subparagraph (B) thereof, and

''(ii) in the case of the $2,000 amount in subsection (b)(2)(B), by substituting 'calendar year 2000' for 'calendar year 1992' in subparagraph (B) of such section 1.''.

(c) ROUNDING.—Section 32(j)(2)(A) (relating to rounding) is amended by striking ''subsection (b)(2)'' and inserting ''subsection (b)(2)(A) (after being increased under subparagraph (B) thereof)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2000.

SEC. 4. PRESERVE FAMILY TAX CREDITS FROM THE ALTERNATIVE MINIMUM TAX.

(a) IN GENERAL.—Subsection (a) of section 26 of the Internal Revenue Code of 1986 (relating to limitation based on tax liability; definition of tax liability) is amended to read as follows:

''(a) LIMITATION BASED ON AMOUNT OF TAX.—The aggregate amount of credits allowed by this subpart for the taxable year shall not exceed the sum of—

''(1) the taxpayer's regular tax liability for the taxable year reduced by the foreign tax credit allowable under section 27(a), and

''(2) the tax imposed for the taxable year by section 55(a).''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (d) of section 24 of such Code is amended by striking paragraph (2) and by redesignating paragraph (3) as paragraph (2).

(2) Section 32 of such Code is amended by striking subsection (h).

(3) Section 904 of such Code is amended by striking subsection (h) and by redesignating subsections (i), (j), and (k) as subsections (h), (i), and (j), respectively.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2001.

NOTICES OF HEARINGS

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, April 26, 2000, in room SR–301 Russell Senate Office Building, to receive testimony on citizen participation in the political process.

For further information concerning this meeting contact Hunter Bates at the Rules Committee on 4–6352.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, April 26, 2000, at 9:30 a.m. to conduct a business meeting on pending legislation (TBA), followed immediately by a hearing on draft legislation to reauthorize the Indian sections of the Elementary and Secondary Education Act. The hearing will be held in the committee room, 485 Russell Senate Building.

Those wishing additional information may contact the committee at (202) 224–2251.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Committee on Agriculture, Nutrition, and Forestry will meet on April 27, 2000, in SD–106 at 9 a.m. The purpose of this meeting will be consider the nomination of Michael V. Dunn to be a member of the Farm Credit Administration Board, Farm Credit Administration, and to examine pending legislation on agriculture concentration of ownership and competitiveness.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic

Preservation, and Recreation of the Committee on Energy and Natural Resources. The purpose of this hearing is to receive testimony on S. 1438, a bill to establish the National Law Enforcement Museum on Federal land in the District of Columbia; S. 1921, a bill to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service; S. 2231 and H.R. 2879, bills to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech; S. 2343, a bill to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program; S. 2352, a bill to designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System: H.R. 1749, a bill to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers Systems; and H.R. 3201, a bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a national historic site, and for other purposes.

The hearing will take place on Thursday, April 27, 2000, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of the testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact Jim O'Toole or Kevin Clark of the committee staff at (202) 224–6969.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, April 25, 2000, to conduct a hearing on ''Delays in Funding Mass Transit.''

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

COMMITTEE ON THE JUDICIARY

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, April 25, 2000, at 9:30 a.m., in SD–226.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE AND FINANCE

Mr. KYL. Mr. President, I ask unanimous consent that the Subcommittee on International Trade and Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, April 27, 2000, to conduct a hearing on ''The International Monetary Fund and International Financial Institutions.''

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

SUBCOMMITTEE ON WATER AND POWER

Mr. KYL. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 25 at 2:30 p.m. to conduct a hearing. The subcommittee will receive testimony on S. 2239, a bill to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado River and San Juan River basins.

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

NRC FAIRNESS IN FUNDING ACT OF 1999

On April 13, 2000, the Senate amended and passed S. 1627, as follows:

S. 1627

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''NRC Fairness in Funding Act of 2000''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—FUNDING

SEC. 101. NUCLEAR REGULATORY COMMISSION ANNUAL CHARGES.

Section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is amended—

(1) in subsection (a)(3), by striking ''September 30, 1999'' and inserting ''September 20, 2005''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''or certificate holder'' after ''licensee''; and

(B) by striking paragraph (2) and inserting the following:

''(2) AGGREGATE AMOUNT OF CHARGES.—

''(A) IN GENERAL.—The aggregate amount of the annual charges collected from all licensees and certificate holders in a fiscal year shall equal an amount that approximates the percentages of the budget authority of the Commission for the fiscal year stated in subparagraph (B), less—

''(i) amounts collected under subsection (b) during the fiscal year; and

''(ii) amounts appropriated to the Commission from the Nuclear Waste Fund for the fiscal year.

''(B) PERCENTAGES.—The percentages referred to in subparagraph (A) are—

''(i) 98 percent for fiscal year 2001;

''(ii) 96 percent for fiscal year 2002;

''(iii) 94 percent for fiscal year 2003;

''(iv) 92 percent for fiscal year 2004; and

''(v) 88 percent for fiscal year 2005.''.

SEC. 102. NUCLEAR REGULATORY COMMISSION AUTHORITY OVER FORMER LICENSEES FOR DECOMMISSIONING FUNDING.

Section 161i. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(i)) is amended—

(1) by striking ''and (3)'' and inserting ''(3)''; and

(2) by inserting before the semicolon at the end the following: '', and (4) to ensure that sufficient funds will be available for the decommissioning of any production or utilization facility licensed under section 103 or 104b., including standards and restrictions governing the control, maintenance, use, and disbursement by any former licensee under this Act that has control over any fund for the decommissioning of the facility''.

SEC. 103. COST RECOVERY FROM GOVERNMENT AGENCIES.

Section 161w. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(w)) is amended—

(1) by striking '', or which operates any facility regulated or certified under section 1701 or 1702,'';

(2) by striking ''483a'' and inserting ''9701''; and

(3) by inserting before the period at the end the following: '', and, commencing October 1, 2000, prescribe and collect from any other Government agency any fee, charge, or price that the Commission may require in accordance with section 9701 of title 31, United States Code, or any other law''.

TITLE II—OTHER PROVISIONS

SEC. 201. OFFICE LOCATION.

Section 23 of the Atomic Energy Act of 1954 (42 U.S.C. 2033) is amended by striking ''; however, the Commission shall maintain an office for the service of process and papers within the District of Columbia''.

SEC. 202. LICENSE PERIOD.

Section 103c. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(c)) is amended—

(1) by striking ''c. Each such'' and inserting the following:

''c. LICENSE PERIOD.—

''(1) IN GENERAL.—Each such''; and

(2) by adding at the end the following:

''(2) COMBINED LICENSES.—In the case of a combined construction and operating license issued under section 185(b), the initial duration of the license may not exceed 40 years from the date on which the Commission finds, before operation of the facility, that the acceptance criteria required by section 185(b) are met.''.

SEC. 203. ELIMINATION OF NRC ANTITRUST REVIEWS.

Section 105 of the Atomic Energy Act of 1954 (42 U.S.C. 2135) is amended by adding at the end the following:

''(d) APPLICABILITY.—Subsection (c) shall not apply to an application for a license to construct or operate a utilization facility under section 103 or 104(b) that is pending on or that is filed on or after the date of enactment of this subsection.''.

SEC. 204. GIFT ACCEPTANCE AUTHORITY.

(a) IN GENERAL.—Section 161g. of the Atomic Energy Act of 1954 (42 U.S.C. 2201(g)) is amended—

(1) by inserting ''(1)'' after ''(g)'';

(2) by striking ''this Act;'' and inserting ''this Act; or''; and

(3) by adding at the end the following:

''(2) accept, hold, utilize, and administer gifts of real and personal property (not including money) for the purpose of aiding or facilitating the work of the Nuclear Regulatory Commission.''.

(b) CRITERIA FOR ACCEPTANCE OF GIFTS.—

(1) IN GENERAL.—Chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.) is amended by adding at the end the following:

''SEC. 170C. CRITERIA FOR ACCEPTANCE OF GIFTS.

''(a) IN GENERAL.—The Commission shall establish written criteria for determining whether to accept gifts under section 161g.(2).

''(b) CONSIDERATIONS.—The criteria under subsection (a) shall take into consideration whether the acceptance of the gift would compromise the integrity of, or the appearance of the integrity of, the Commission or any officer or employee of the Commission.''.

(2) CONFORMING AND TECHNICAL AMENDMENTS.—The table of contents of chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. prec. 2011) is amended by adding at the end the following:

''Sec. 170C. Criteria for acceptance of gifts.''.

SEC. 205. CARRYING OF FIREARMS BY LICENSEE EMPLOYEES.

(a) IN GENERAL.—Chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2201 et seq.) (as amended by section 204(b)) is amended—

(1) in section 161, by striking subsection k. and inserting the following:

''(k) authorize to carry a firearm in the performance of official duties such of its members, officers, and employees, such of the employees of its contractors and subcontractors (at any tier) engaged in the protection of property under the jurisdiction of the United States located at facilities owned by or contracted to the United States or being transported to or from such facilities, and such of the employees of persons licensed or certified by the Commission (including employees of contractors of licensees or certificate holders) engaged in the protection of facilities owned or operated by a Commission licensee or certificate holder that are designated by the Commission or in the protection of property of significance to the common defense and security located at facilities owned or operated by a Commission licensee or certificate holder or being transported to or from such facilities, as the Commission considers necessary in the interest of the common defense and security;'' and

(2) by adding at the end the following:

''SEC. 170D. CARRYING OF FIREARMS.

''(a) AUTHORITY TO MAKE ARREST.—

''(1) IN GENERAL.—A person authorized under section 161k. to carry a firearm may, while in the performance of, and in connection with, official duties, arrest an individual without a warrant for any offense against the United States committed in the presence of the person or for any felony under the laws of the United States if the person has a reasonable ground to believe that the individual has committed or is committing such a felony.

''(2) LIMITATION.—An employee of a contractor or subcontractor or of a Commission licensee or certificate holder (or a contractor of a licensee or certificate holder) authorized to make an arrest under paragraph (1) may make an arrest only—

''(A) when the individual is within, or is in flight directly from, the area in which the offense was committed; and

''(B) in the enforcement of—

''(i) a law regarding the property of the United States in the custody of the Department of Energy, the Nuclear Regulatory Commission, or a contractor of the Department of Energy or Nuclear Regulatory Commission or a licensee or certificate holder of the Commission;

''(ii) a law applicable to facilities owned or operated by a Commission licensee or certificate holder that are designated by the Commission under section 161k.;

''(iii) a law applicable to property of significance to the common defense and security that is in the custody of a licensee or certificate holder or a contractor of a licensee or certificate holder of the Commission; or

''(iv) any provision of this Act that subjects an offender to a fine, imprisonment, or both.

''(3) OTHER AUTHORITY.—The arrest authority conferred by this section is in addition to any arrest authority under other law.

''(4) GUIDELINES.—The Secretary and the Commission, with the approval of the Attorney General, shall issue guidelines to implement section 161k. and this subsection.''.

(b) CONFORMING AND TECHNICAL AMENDMENTS.—The table of contents of chapter 14 of title I of the Atomic Energy Act of 1954 (42 U.S.C. prec. 2011) (as amended by section 204(b)(2)) is amended by adding at the end the following:

''Sec. 170D. Carrying of firearms.''.

SEC. 206. UNAUTHORIZED INTRODUCTION OF DANGEROUS WEAPONS.

Section 229a. of the Atomic Energy Act of 1954 (42 U.S.C. 2278a(a)) is amended in the first sentence by inserting ''or subject to the licensing authority of the Commission or to certification by the Commission under this Act or any other Act'' before the period at the end.

SEC. 207. SABOTAGE OF NUCLEAR FACILITIES OR FUEL.

Section 236a. of the Atomic Energy Act of 1954 (42 U.S.C. 2284(a)) is amended—

(1) in paragraph (2), by striking ''storage facility'' and inserting ''storage, treatment, or disposal facility'';

(2) in paragraph (3)—

(A) by striking ''such a utilization facility'' and inserting ''a utilization facility licensed under this Act''; and

(B) by striking ''or'' at the end;

(3) in paragraph (4)—

(A) by striking ''facility licensed'' and inserting ''or nuclear fuel fabrication facility licensed or certified''; and

(B) by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following:

''(5) any production, utilization, waste storage, waste treatment, waste disposal, uranium enrichment, or nuclear fuel fabrication facility subject to licensing or certification under this Act during construction of the facility, if the person knows or reasonably should know that there is a significant possibility that the destruction or damage caused or attempted to be caused could adversely affect public health and safety during the operation of the facility.''.

ORDERS FOR WEDNESDAY, APRIL 26, 2000

Mr. THOMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. on Wednesday, April 26. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day.

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

PROGRAM

Mr. THOMPSON. Mr. President, tomorrow morning when the Senate convenes, it is expected that the veto message on the nuclear waste bill will arrive. Under the rule, when the Senate receives the veto message, the Senate will immediately begin debate on overriding the President's veto. It is hoped that an agreement can be made with regard to debate time on this important legislation.

The cloture motion on the substitute amendment to the marriage penalty tax bill is still pending. That vote will occur immediately following the adoption of the motion to proceed to the victims' rights resolution. Therefore, a few votes could occur tomorrow afternoon or evening.

ORDER FOR ADJOURNMENT

Mr. THOMPSON. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of Senator DORGAN.

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

The Senator from North Dakota is recognized.

ARMS CONTROL

Mr. DORGAN. Today, in the Washington Post, there was a story headlined ''U.S. Arms Policy is Criticized at the United Nations.'' The occasion of the criticism comes at the beginning of the conference to review the status of the Nuclear Non-Proliferation Treaty which opened yesterday at the United Nations in New York. This conference occurs once every 5 years. It is a conference on the status of the Nuclear Non-Proliferation Treaty. I would like to read the first paragraph of the story in the Washington Post because it is really quite a sad day when our country is described in the following way:

> After years of championing international attempts to halt the spread of nuclear weapons, the United States found itself on the defensive today as a broad alliance of arms control advocates, senior United Nations officials, and diplomats from nonnuclear countries charged that Washington is blocking progress toward disarmament.

Well, that is not something any of us aspires to hear. I hope and I believe that many of my colleagues want the United States to be seen as a leader in trying to stop the spread of nuclear

weapons and in trying to reduce the number of nuclear weapons in this world. Regrettably, others view the actions of the United States—especially in the last few years—as actions that are not actions of a leader in trying to stop the spread of nuclear weapons.

We have made some progress over recent years in reducing the number of nuclear weapons. I want to describe how because I think it is important to understand it.

I ask unanimous consent to show two items on the floor of the Senate.

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

Mr. DORGAN. Mr. President, this is a piece of metal that comes from the wing strut of a Russian TU–160 Backfire bomber. This bomber carried nuclear weapons during the height of the cold war. This bomber was a threat to the United States of America.

How is it that I stand on the floor of the Senate holding a piece of a wing strut from a Russian bomber? Did we shoot it down? No. It was actually sawed off the wing. Giant, rotating metal saws cut the wings off this bomber. Why? Because we negotiated an agreement with the Russians to reduce the number of bombers and missiles and nuclear warheads in Russia. We reduced our stockpile and our delivery mechanisms, and they reduced theirs. So without shooting down a bomber that carried nuclear bombs that threatened America, I now have in my hand a piece of a wing from a Russian bomber—because arms control works. We know it works.

This chart shows what arms control has done in recent years. In the 1980s we ratified the Intermediate Range Nuclear Forces Treaty, and in the 1990s we ratified the first Strategic Arms Reduction Treaty, or START I. When we started the process in the mid-1980s, the Russians—or then the Soviet Union—had about 11,000 nuclear weapons on long range missiles. Today Russia has about 5,000. That means that 6,000 warheads are now gone. Many of those warheads were probably carried in the Russian Backfire bomber this piece comes from. So 6,000 warheads no longer threaten the United States of America.

Do you know what that represents—6,000 warheads with the kind of strength and power of the nuclear warheads the Russians used to build? That is equal to 175,000 Hiroshima bombs. Let me say that again. We have actually negotiated the reduction of nuclear warheads in the Russian arsenal, and 6,000 warheads are gone. Those 6,000 warheads represented the equivalent of 175,000 atomic bombs dropped on Hiroshima. That is quite remarkable.

This is a small container of ground-up copper wire. This copper wire used to run through a Russian ballistic missile submarine. This type of submarine, a Typhoon class submarine that snaked under the waters throughout the world carrying 20 missiles, with 10 nuclear warheads on the tip of each of those missiles, aimed at the United States of America. This copper wire, before it was ground up, used to course through this Typhoon submarine. But now I have the wire from a Typhoon submarine ground up in a small vial. How did I get that? Did we sink this submarine? Did we go to war with Russia and sink this submarine? No. This was dismantled, brought up to the port, and then engineers, carpenters, and others took this apart piece by piece, and this submarine doesn't exist anymore.

This submarine was taken apart as part of the Nunn-Lugar program to reduce delivery systems and nuclear weapons in the old Soviet Union and in what we now refer to as Russia. We have spent $2.5 billion on the Nunn-Lugar program. We have actually paid for the destruction of Russian bombers. We have paid for the destruction of Russian intercontinental ballistic missiles, 5,000 nuclear warheads, 471 ICBMs, and 354 ICBM silos, 12 ballistic missile submarines.

I have had charts on the Senate floor that show a plot of ground in the Ukraine where a missile silo existed with a nuclear warhead aimed at the United States of America, and now the silo is gone. I have held up a piece of metal from the hinge of the silo on the floor of the Senate. That hinge and that missile silo are now scrap metal. The silo is gone, the missile is gone, the warhead doesn't exist, and there is now a plot of ground with sunflowers. Where a nuclear missile used to rest, sunflowers now grow. That is progress. That is real progress in reducing the threat of nuclear weapons.

What about the future? If this is what has happened and this is success, what about the future? Well, this success occurred under decisions by Congress—not in the last several years, but years before that—in which we said: We are the leaders in arms reduction and arms control. Our country wants to provide leadership. We want to reduce the number of warheads, reduce the number of bombers and missiles, reduce the tensions. And we have done that.

But in the last several years, something dramatic has changed in the Congress. No. 1, we saw the Senate defeat the Comprehensive Nuclear Test Ban Treaty. It was almost unthinkable to me, but this Senate said: This country doesn't want to ratify a Comprehensive Nuclear Test Ban Treaty even though we have already decided that the United States is not going to test nuclear weapons. We decided that unilaterally some 6 or 7 years ago. So we are not testing nuclear weapons. A treaty that has been signed by over 150 nations, negotiated over many years, ratified by most of our allies, was not ratified by the Senate because we have Senators who say, no, we don't think that is in the country's interest.

Well, if it is not in this country's interest to reduce the stockpile of nuclear weapons and to stop the testing of nuclear weapons, stop the spread of nuclear weapons around the world, what on earth is in this country's interest? After the Senate failed to ratify that treaty, those who voted against the treaty blamed everyone but themselves. That treaty languished in the committee here in the Senate for over 2 years without a day of hearings—not one. Then it was brought to the floor on a preemptory basis, given short shrift in debate, and killed.

Those who killed that treaty should not have taken much pleasure in putting this country in the position of failing to exert leadership with respect to the nonproliferation of nuclear weapons and the ban on testing nuclear weapons all around the world.

Last week, the Russian Duma ratified START II. Prior to that, the Russians passed the Comprehensive Nuclear Test-Ban Treaty. While that is happening, this country is talking about building a national missile defense system and trying to negotiate with Russia changes in the anti-ballistic missile system which in many ways is the linchpin for all of this progress in arms control and arms reduction.

And what happens? Yesterday at the United Nations we have diplomats looking at Russia and saying: You are making a lot of progress here, Russia. You have passed the Comprehensive Nuclear Test-Ban Treaty. You ratified that treaty, you passed START II, congratulations.

And the United States: You have lost your edge, you are not doing much. You seem to be retreating on the question of whether you care about arms control. You seem to be stepping back from your commitment of stopping the spread of nuclear weapons and working as hard as you worked previously to reduce the number of delivery vehicles and reduce the number of nuclear weapons.

I regret that is the case. That should not be the case. It cannot be a judgment of conservatives or liberals or Democrats or Republicans to believe that somehow it falls to someone else to be a leader in the world to stop the spread of nuclear weapons. Do we worry that the nuclear club—a rather small club in this world consisting of nations that possess nuclear weapons—do we worry that is going to proliferate, there will be more and more nations that possess nuclear weapons, and more and more nations that have the mechanism or the wherewithal to deliver those nuclear weapons? We should certainly worry about that.

Even with START II, the U.S. and Russia will each have about 3,500 nuclear weapons. Hopefully we will begin negotiations of START III and agree to much lower levels. As we do that, we have people in this Chamber who want to focus not on arms control but on building some kind of a national missile defense system, some sort of a shield to prevent America from being attacked by a rogue nation.

We need to understand the only country in the world that possesses the

strength and the nuclear power to destroy our way of life is Russia. They still have thousands of nuclear weapons. We ought to engage with them in an aggressive START III negotiation and continue the progress of bringing down the number of nuclear weapons in the two major nuclear superpowers—Russia and the United States. We ought to continue that.

I know we have people here who don't sleep at night because they are worried that North Korea might threaten a small slice of the United States. But they should realize that, No. 1 A national missile defense, if deployed, will be horribly costly. No. 2, it will not protect this country against this kind of a threat. Those people say to the American people that Congress will fund a national missile defense program to defend against a rogue nation—North Korea, they suggest, Iraq or Iran. The fact is, the least likely threat that a rogue nation would have access to is an intercontinental ballistic missile. If it acquires access to a nuclear weapon, it is far more likely to deploy it as a suitcase bomb put in the trunk of a rusty Yugo car at a dock in New York City, rather than putting it on the tip of an intercontinental ballistic missile and having any notion of being able to fire it with accuracy.

It is much more likely they would acquire a cruise missile, which would be easier to acquire, much less costly, and not as technically difficult to deploy. Of course, the national missile defense system wouldn't do anything to defend against that. It is much more likely a rogue nation would find it more attractive to use a deadly vial of chemical or biological agents to threaten a superpower.

We face a myriad of threats. There is no question about that. The biggest threat, in my judgment, is this country stepping away from its responsibility to lead and stop the spread of nuclear weapons around the world, and this country stepping away from its responsibility to decrease the number of nuclear weapons and decrease the launchers and delivery systems for those nuclear weapons.

My fervent hope is that we will agree that last year's vote by which the Senate defeated ratification of the Comprehensive Nuclear Test-Ban Treaty should not signal to anyone in the world that this country is no longer interested in these issues. We must decide again, even though there is not an appetite by some in the Senate to do so, we must decide again that leadership in arms control is this country's responsibility. It is upon our shoulders that this responsibility falls. No one else can exert this leadership with the capability of the United States.

If we don't exert leadership, what we will end up building new nuclear weapons, building new defensive systems. We will start a new arms race. We will see more spending on nuclear weapons by China. We will see more spending on offensive weapons by Russia. We will see other countries joining the nuclear club because they will believe they should acquire nuclear weapons to represent their interests. We will see our allies depart from us on these issues because they believe abrogation of the ABM Treaty is very unwise.

I think the majority of the American people believe the biggest threat to our future is the nuclear threat, the threat of a nuclear attack by an ever-increasing number of countries who acquire nuclear weapons.

We know what works. Arms control works, negotiation works, destroying another superpower's bombers through negotiation by sawing off the wings, dismantling submarines that carry nuclear weapons: we know that works. It is far better to do that than to engage in the horror of a nuclear war from which this world will not, in my judgment, survive.

Think for a moment about the devastation visited upon Nagasaki and Hiroshima and go back to what I discussed earlier—the reduction in 6,000 nuclear warheads that has been negotiated and accomplished. That is just the first step, a big step, but just the first step. It represents the reduction in nuclear warheads equivalent to 175,000 bombs the size of the bomb that was dropped on Hiroshima.

The reason I come to the floor at the end of the day is simply to say we ought not take any pride as a country in seeing an article in the press of the United States suggesting somehow we have lost our will to lead on this issue. We can come to the floor and debate 100 things in 100 days. Some of them are big; some of them are small. None are more important, in my judgment, than addressing the issue of the spread of nuclear weapons. Just because we have people now serving in Congress who have an unending appetite to keep building new weapons, an unending appetite to spend more money on new weapons, does not mean those who believe in arms control and believe real progress in arms control will make this a safer world in which to live, should step aside and say: Yes, you win; go build your weapons.

We ought not do that, but we ought to wage the fight for a safer world by having this country exhibit the leadership it needs to exhibit, that it should responsibly exhibit, for the safety of all the people who live in this world.

I will have more to say about this subject at another time. But on the eve of the meeting of the NPT Review Conference in New York, I wanted to talk about these issues. I want to say that some in Congress believe very strongly and feel very deeply the future of our children and grandchildren and the future of this country rests on those who believe in arms control prevailing in this Senate, despite the recent events, despite the debate we have heard in the last couple of years. This issue is not over. Those of us who believe as I do are not going to go away. We hope this country will assume some sensible mantle of leadership in this important area.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask unanimous consent that I be allowed to speak in morning business for 7 minutes.

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

THE NUCLEAR WASTE BILL

Mr. SESSIONS. Mr. President, I understand at this time the President is considering vetoing the nuclear waste bill that passed here by a substantial majority. That is very troubling to me. It is time for us to dispose of nuclear waste. We have the capability. The citizens of America, through their electric bills, have paid billions of dollars to build this waste disposal area out in the Nevada desert to place this nuclear waste—which is not explosive. It is simply radioactive and it is placed in the right kind of containers and will be placed in the ground of the desert of Nevada where we exploded 1,000 bombs on top of the ground in developing our nuclear bombing capability. But every nuclear electric-generating plant in America produces some waste. That waste is being stored on site. We agreed some years ago to create this fund and to store this waste. Now, every time we come to this Senate, every time this debate comes up for a vote, a majority votes for it and the President ends up vetoing it and we fall just short of the number of votes to override that veto.

Through an unusual number of circumstances, I have become somewhat familiar with the concerns involving energy and nuclear power in America. I formed a very clear opinion of what we have to do if we are going to meet the demands for power and the demand to clean up the atmosphere. The Kyoto treaty, which the President signed and the Vice President supported, the executive branch made an amazing agreement that we would reduce our greenhouse gas emissions by 7 percent from 1990 levels by 2012 or 2010—the exact year escapes me.

Since that time, our demand for energy has increased. Since 1990, our emissions of greenhouse gases have increased by 8 percent. By the year 2012, if we were to comply with the agreement the President tried to commit us to, we would have to reduce, from this day, 15 percent of our greenhouse gas emissions when we know our demands for energy are going to increase between now and 2010. This is a box we cannot get out of; not under present plans.

There was a marvelous 2-hour show on Sunday night on public television's ''Frontline'' on greenhouse gases and the potential of global warming. They went over all the issues at that time. I think it was tilted slightly more than the science indicates that we are in a period of global warming, but it does appear we may be. We need to be thinking about that. But the scientists and

experts I have talked with say we cannot meet those goals without nuclear power.

Mr. President, 20 percent of the electricity in this country is produced by nuclear power, but we have not approved a new plant since the 1970s. France has over 60 percent—soon to be 80 percent—of its power generated by nuclear power. Japan also has a large percentage generated by it. In the United States, we have never lost a life as a result of nuclear power. Nuclear power produces, as you know, no pollution for the atmosphere—zero. Huge amounts—20 percent—of our electric power is produced by nuclear power with no emissions out there.

We have a crisis in our energy policy with regard to fuel oil and our domestic production since 1992, when this administration took office. The reason I am talking about that is I believe there is a no-growth, antienergy policy that is made a part of our American policy under the Clinton-Gore administration. They do not believe in production of greater amounts of energy. We have reduced our domestic production of oil by 17 percent since 1992. Yet our demand for oil and gasoline has increased 14 percent. That is a shocking figure. That is why we are so much more dependent on the Middle East, OPEC, for oil and gas. That is why they are able to demand higher prices. Maybe the gas companies added a few cents on a gallon, but almost all of that was a direct result of their demand for oil from the Middle East and Venezuela and the OPEC nations, and we virtually pay double for it.

What that means is if your gasoline has gone up from $1 to $1.45 at the gas pump, that extra 45 cents is going outside of America to one of these OPEC nations. It is a drain on the wealth of this country, and I submit it does suggest it could threaten the economic prosperity we are enjoying today.

How can we meet our environmental goals? How can we do that without thinking broadly about what is occurring? We heard recently the Vice President saying, with regard to nuclear power, that he does not support an increased reliance on nuclear power for electricity generation. He does not support an increased reliance on nuclear power for electricity generation, but he would keep open the option of relicensing existing nuclear plants. I think that is a stunning statement. That is a no-growth policy. We are going to limit greenhouse emissions but we are not going to allow any increase in nuclear power.

Another one of his stunning proposals is to not drill any further for natural gas in the deep Gulf of Mexico. There are great reserves of natural gas there. Natural gas, even if it breaks out of our pipeline, does not pollute as does oil. It is not sticky. It evaporates. It is not a real dangerous pollutant. And when it burns, it is the most efficient burning of all fossil fuels and produces the least amount of pollution. If we move to a cleaner energy source, natural gas is it. But the Vice President, who opposes nuclear power, now is opposing drilling for natural gas in the Gulf of Mexico. That he explicitly stated during his campaign in New Hampshire. In fact, he said he would consider rolling back the leases that have already been issued. So this is a dangerous time for us.

I hope we are not moving to make unwise decisions that would, in effect, result in the drying up of our supply of energy and raising the price of energy for every American and having that money go overseas to foreign nations. We need to produce more nuclear power. I will be talking more about that in the future.

My plea is to the President: Do not veto this bill. Let's keep America as a strong nuclear-powered country.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate, under the previous order, stands adjourned until 10 a.m. Wednesday, April 26, 2000.

Thereupon, the Senate, at 6:19 p.m, adjourned until Wednesday, April 26, 2000, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 25, 2000:

DEPARTMENT OF STATE

BRIAN DEAN CURRAN, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HAITI.

SHARON P. WILKINSON, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

MARK D. GEARAN, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM OF TWO YEARS. (NEW POSITION)

THE JUDICIARY

LINDA B. RIEGLE, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA VICE JOHNNIE B. RAWLINSON, ELEVATED.

LAURA TAYLOR SWAIN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK VICE THOMAS P. GRIESA, RETIRED.

DEPARTMENT OF JUSTICE

DANIEL G. WEBBER, JR., OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF OKLAHOMA, VICE PATRICK M. RYAN, RESIGNED.

JOSE ANTONIO PEREZ, OF CALIFORNIA, TO BE UNITED STATES MARSHAL FOR THE CENTRAL DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS VICE MICHAEL R. RAMON, RESIGNED.

RUSSELL JOHN QUALLIOTINE, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS, VICE MARTIN JAMES BURKE.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JEFFREY D. KOTSON, 0000
SEAN P. GILL, 0000
CHRISTOPHER S. KEANE, 0000
CHRISTINE N. CUTTER, 0000
RICHARD R. BEYER, 0000
ANDREW J. NORRIS, 0000
SANDRA K. SELMAN, 0000
RACHEL E. CANTY, 0000
MARK W. SKOLNICKI, 0000
KENNETH D. DAHLIN, 0000
LEWIS FISHER, JR., 0000
ERIC A. BAUER, 0000
KEIRSTEN E. CURRENT, 0000
DARCIE A. GAARE, 0000
VICTOR S. MARSH, 0000
DENNIS C. MILLER, 0000
BERNARD J. SANDY, 0000
ROBERT J. CAMPBELL, 0000
JOSEPH M. ZWACK, 0000
PATRICIA T. MITROWSKI, 0000
CRAIG A. WYATT, 0000
LUCINDA J. BOOKHAMMER, 0000
CHRISTOPHER B. RANDOLPH, 0000
JESSE L. STEVENSON, 0000
MARILYNN J. NOBLE, 0000
DANA B. TYNDALE, 0000
STACEY MERSEL, 0000
JOSE A. QUINONESQUINTANA, 0000
STEFANIE A. BARLIS, 0000
YVONNE E. NIENHUIS, 0000
AMY M. BEACH, 0000
SCOTT L. JOHNSON, 0000
DAVID C. WELCH, 0000
TROY L. SHAFFER, 0000
LOUIE C. PARKS, JR., 0000
BRIAN L. MELVIN, 0000
ANNE J. ODEGAARD, 0000
MICHAEL P. GROSS, 0000
ROXANNE TAMEZ, 0000
RICHARD D. MOLLOY, 0000
ALFORD L. DANZY, 0000
JEROME SURLES, 0000
CARI M. FIELD, 0000
JASON M. KRAJEWSKI, 0000
SEAN M. KELLY, 0000
DANA M. CASWELL, 0000
JOHN B. HALL, 0000
DOMINIQUE T. SAMONTE, 0000
ROBERT D. MUTTO, 0000
ERIK J. JENSEN, 0000
KEVIN C. ULLRICH, 0000
FELIX E. DELGADO, 0000
JOHN F. BARRESI, 0000

To be lieutenant (junior grade)

BRUCE C. BROWN, 0000
SIMONE S. BRISCO, 0000
CHRISTOPHER T. ONEIL, 0000
TYRONE L. JONES, JR., 0000
ROBERT L. HELTON, 0000
ROBYN A. SHAVERS, 0000
KEELI S. DARST, 0000
SCOTT A. KLINKE, 0000
CAROLYN M. BEATTY, 0000
DAVID M. WEBB, 0000
ROSEMARY P. FIRESTINE, 0000
THERESA A. MORVAY, 0000
JOSEPH T. MCGILLEY, 0000
SUSAN M. MAITRE, 0000
LAURA E. KING, 0000
JENNIFER S. FALACY, 0000
MAGGIE A. MCGOWAN, 0000
KENNETH J. WASHINGTON, 0000
CRAIG M. JARAMILLO, 0000
BRUCE K. WALKER, 0000
FRANK J. FERRITTO, 0000
DANIEL H. LYNAM, 0000
MICHAEL J. DAPONTE, 0000
THOMAS L. BOYLES, 0000
GEORGE A. RUWISCH, 0000
STEPHEN A. LOVE, 0000
JOSEPH R. BOWES III, 0000
PAMELA D. HOCKADAY, 0000
RYAN D. ALLAIN, 0000
KENDALL L. SANDERSON, 0000
JOHN P. DEBOK, 0000
SCOTT T. HIGMAN, 0000
TINA L. URBAN, 0000
JOSE A. PENA, 0000
ANGELA L. COOPER, 0000
LAMONT S. BAZEMORE, 0000
VIVIANNE W. LOUIE, 0000
TARA D. PETTIT, 0000
JASON B. FLENNOY, 0000
KATHLEEN A. MOSKAL, 0000
CHANCE C. GREEN, 0000
CASSANDRA A. WALBERT, 0000
COLLEEN M. OBRIEN, 0000
JOHN A. NATALE, 0000
LISA M. HOULIHAN, 0000
MICHELE A. WOODRUFF, 0000
ROBERT W. MITCHUM, 0000
MARK M. DRIVER, 0000
SUZANNE M. MCNALLY, 0000
BRIAN E. MOORE, 0000
CHRISTOPHER L. BOES, 0000
GREG J. METE, 0000
LANCE J. MAYFIELD, 0000
ROCKLYN L. MCNAIR, 0000
DAVID P. SANDAHL, 0000
KEITH D. RAUCH, JR., 0000
LISA H. DEGROOT, 0000
WILLIAM M. NUNES, 0000
KELLEY R. NICHOLSON, 0000
PAUL D. MURPHY, 0000
STEPHEN M. SNYDER, 0000
DANNY G. SHAW, 0000
KIM DONADIO, 0000
KENNETH VAZQUEZ, 0000
MARK A. BOTTIGLIERI, 0000
JOHN E. HALLMAN, 0000
CLINTON S. CARLSON, 0000
TED C. MERCHANT, 0000
MARK J. SHEPARD, 0000
JEFF M. APARICIO, 0000
ROBERTO H. TORRES, 0000

YANG C. JONAS, 0000
BRIAN S. SANTOS, 0000
THEODORE Q. LAM, 0000
PAUL W. TURNER, 0000
JAMES B. RUSH, 0000
LESLIE M. BRUNNSCHWEILER, 0000
LAKISHA T. PRESSLEY, 0000
JERVASE A. EPPS, 0000
CEFERINO W. MANANDIC, 0000
JASON E. SMITH, 0000
DANIEL J. FITZGERALD, 0000
SCOTT W. MULLER, 0000

To be ensign

KIMBERLY ORR, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ROBERT E. LYTLE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DONALD G. COOK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROGER G. DEKOK, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT C. HINSON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN D. HOPPER, JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. HAL M. HORNBURG, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH H. WEHRLE, JR., 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JOHN C. SCROGGINS, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ANDREW B. DAVIS, 0000
COL. HAROLD J. FRUCHTNICHT, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

DAVID C. ABRUZZI, 0000.
*ROBERTO ACOSTA, 0000.
ANTHONY J. ADAMO, 0000.
DANA M. ADAMS, 0000.
LUTHER M. ADAMS, 0000.
RICHARD J. ADAMS, 0000.
THOMAS L. ADAMS, 0000.
RONALD E. ADAMSON, 0000.
WALLACE L. ADDISON, 0000.
RUSSELL G. ADELGREN, 0000.
*GREGORY S. AGNES, 0000.
KAREN L. AGRES, 0000.
PATRICK A. AHLGRIMM, 0000.
GREGORY C. AHLQUIST, 0000.
PATRICK N. AHMANN, 0000.
VAROZ JOSEPH J. AIGNER, 0000.
PATRICIA L. AKEN, 0000.
WILLARD B. AKINS II, 0000.
ERNEST F. ALBRITTON, JR., 0000.
ALEJANDRO J. ALEMAN, 0000.
JEFFREY S. ALEXANDER, 0000.
TERRY D. ALEXANDER, 0000.
*JAMIE D. ALLEN, 0000.
*LISA C. ALLEN, 0000.
MARK E. ALLEN, 0000.
MARK S. ALLEN, 0000.
ROBERT S. ALLEN, 0000.
YOLANDA B. ALLEN, 0000.
THOMAS P. ALLISON, 0000.
JOEL O. ALMOSARA, 0000.
JOHN M. ALSPAUGH, 0000.
JOHN S. ALSUP, 0000.
THOMAS L. ALTO, 0000.
*CHRISTOPHER J. ALUOTTO, 0000.
DONATELLA D. ALVARADO, 0000.
RICHARD C. AMBURN, 0000.
STEVEN J. AMENT, 0000.
KATHLEEN F. AMPONIN, 0000.
*CURTIS R. ANDERSEN, 0000.
WILLIAM D. ANDERSEN, 0000.
BYRON B. ANDERSON, 0000.
CHRISTINA M. ANDERSON, 0000.
GREGORY D. ANDERSON, 0000.
JOHN H. ANDERSON III, 0000.
MICHAEL D. ANDERSON, 0000.
PAUL K. ANDERSON, 0000.
ROGER K. ANDERSON, 0000.
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STEPHEN L. ANDREASEN, 0000.
KEITH E. ANDREWS, 0000.
DAVID R. ANDRUS, 0000.
JOSEPH F. ANGEL, 0000.
RICHARD A. ANSTETT, 0000.
REBECCA J. APPERT, 0000.
PAUL W. ARBIZZANI, 0000.
PAUL A. ARCHULETTA, 0000.
ANDREW P. ARMACOST, 0000.
ERIC L. ARMSTRONG, 0000.
RUSSELL K. ARMSTRONG, 0000.
DAVID C. ARNOLD, 0000.
MARK ARREDONDO, 0000.
BRUCE A. ARRINGTON, 0000.
CHRISTOPHER B. ASHBY, 0000.
GERALD F. ASHBY, 0000.
KAREN J. ASHLEY, 0000.
*MARGARETE P. ASHMORE, 0000.
JOHN R. ASKREN, 0000.
RUDOLPH E. ATALLAH, 0000.
CHRISTOPHER B. ATHEARN, 0000.
ROBIN D. ATHEY, 0000.
CHRISTOPHER L. ATTEBERRY, 0000.
LAWRENCE F. AUDET, JR., 0000
BRIAN K. AUGSBURGER, 0000
MARK C. AUSTELL, 0000
CHRISTINA A. AUSTINSMITH, 0000
RICHARD J. AUTHIER, JR., 0000
ROBERT M. BABB, 0000
*DOYLE R. BABE, 0000
SCOTT E. BABOS, 0000
MICHAEL J. BABYAK, 0000
VALORIE L. BAGGENSTOSS, 0000
AMANDA B. BAILEY, 0000
LEEMON C. BAIRD III, 0000
MARK A. BAIRD, 0000
RALPH T. BAKER, 0000
ROBERT A. BAL, 0000
DAVID D. BALDESSARI, 0000
REECE S. BALDWIN, 0000
DOUGLAS A. BALLINGER, 0000
SCOTT J. BALSITIS, 0000
KEVIN E. BANNISTER, 0000
ANTHONY E. BARBARISI, 0000
TINA M. BARBERMATTHEW, 0000
TIMOTHY D. BARCLAY, 0000
DIETER E. BAREIHS, 0000
KENNETH A. BARKER, 0000
KEVIN D. BARKER, 0000
DAVID J. BARNES, 0000
DAVID W. BARNES, 0000
JACQUELINE K. BARNES, 0000
JAMES W. BARROW, 0000
BRUCE C. BARTHOLOMEW, 0000
CATHY J. BARTHOLOMEW, 0000
ALLEN J. BARTON, 0000
RANDALL G. BASS, 0000
PETER D. BASTIEN, 0000
ANDREW H. BATTEN, 0000
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*MICHELE A. BAXTER, 0000
DAVID J. BAYLOR, 0000
CHARLES E. BEAM, 0000
JOHN D. BEAN, 0000
BARRY D. BEAVERS, 0000
MATTHEW J. BECKAGE, 0000
BRIAN R. BEERS, 0000
MICHAEL D. BEESON, 0000
PAUL R. BEGANSKY II, 0000
PAUL R. BEINEKE, 0000
ROSE M. BELL, 0000
*RUBEN L. BELL, 0000
WAYNE E. BELL, 0000
EUGENE R. BELMAIN II, 0000
DAVID B. BELZ, 0000
DANIEL W. BENEDICT, 0000
JEFFREY B. BENESH, 0000
GREGORY N. BENNETT, 0000
JAMES E. BENNETT, JR., 0000
MATTHEW A. BENNETT, 0000
ROBERT E. BENNING, 0000
LAYNE D. BENNION, 0000
JAMES M. BENSON, 0000
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SCOTT I. BENZA, 0000
JEFFREY C. BERGDOLT, 0000
KURT A. BERGO, 0000
JON M. BERGSTROM, 0000
*GEORGE B. BERIG, 0000
PATRICK E. BERTZ, 0000
DANIEL J. BESSMER, 0000
CYR LINDA K. BETHKE, 0000
CORNELIUS BETZ III, 0000
SHAWN B. BEVANS, 0000
BRUCE A. BEYERLY, 0000
CRAIG ALAN C. BIAS, 0000
BRENT D. BIGGER, 0000
TIMOTHY J. BILTZ, 0000
GREGORY A. BINGHAM, 0000
*CRAIG S. BIONDO, 0000
*DAVID R. BIRCH, 0000
BRYAN P. BIRCHEM, 0000
DANIEL A. BIRKLE, 0000
TRACEY L. BIRRI, 0000
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DEREK H. BISSINGER, 0000
CADE D. BLACK, 0000
KIMBERLY A. BLACK, 0000
MARK L. BLACK, 0000
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ALEXANDER J. BLANTON, 0000
DAVID P. BLAZEK, 0000
RICHARD T. BLECHER, 0000
GARRY M. BLOOD, 0000
DANIEL S. BLUE, 0000
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MORRIS C. BLUMENTHAL, 0000
ROBERT M. BLYTHE, 0000
MATTHEW J. BOBB, 0000
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DOUGLAS P. BODINE, 0000
KEVIN L. BOERMA, 0000
GREGORY A. BOERWINKLE, 0000
ELIZABETH S. BOGDAN, 0000
JERRY BOGERT, 0000
JAMES M. BOGUSLAWSKI, 0000
RICHARD E. BOLTON, 0000
ANTHONY F. BOND, 0000
MICHAEL H. BOND, 0000
ROBERT J. BONNEAU, 0000
MALCOLM A. BONNER, JR., 0000
JAMES I. BOOTH, 0000
ROBERT T. BOQUIST, 0000
DAVID J. BORBELY, 0000
LINDSEY J. BORG, 0000
MICHAEL F. BORGERT, 0000
MAUREEN E. BORGIA, 0000
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KENNETH J. BOSCHERT, 0000
JOHN L. BOSWORTH II, 0000
TODD K. BOULWARE, 0000
JAMES BOURASSA, 0000
JESSE BOURQUE, JR., 0000
ROBERT D. BOWIE, 0000
RANDELL P. BOWLING, 0000
KATHLEEN M.W. BOYD, 0000
SCOTT E. BOYD, 0000
ROBERT C. BOYLES, 0000
ANDREW R. BRABSON, 0000
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SCOTT W. BRADLEY, 0000
JUAQUIN D. BRADSHAW, 0000
ERIC P. BRAGANCA, 0000
*CARY L. BRAGG, 0000
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HELEN L. BRASHER, 0000
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NORMITA C. BRAVO, 0000
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PAUL L. BREDHOLT, 0000
PETER G. BREED, 0000
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PATRICIA ANN BRIDGES, 0000
LORING G. BRIDGEWATER, 0000
WILLIAM L. BRIGMAN, 0000
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DALLAS S. BROOKS, 0000
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JOHN F. BROWER, 0000
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RICHARD A. BRUCE, 0000
ROBERT J. BRUCKNER, 0000
JERRY P. BRUMFIELD, 0000
DAVID F. BRUMMITT, 0000
DALE S. BRUNER, 0000

CHRISTOPHER J. BRUNNER, 0000
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ROBERT B. BUCHANAN, 0000
CAMERON E. BUCHHOLTZ, 0000
PAUL A. BUGENSKE, 0000
DAVID J. BUKOVEY, 0000
KIMBERLY F. BULLOCK, 0000
DEBORAH L. BUNCH, 0000
KIRK P. BUNCH, 0000
JEFFREY B. BURCHFIELD, 0000
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KENNETH E. CANTERBURY, 0000
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BARRON D. CANTY, 0000
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CHRISTOPHER A. CARLSEN, 0000
DANN S. CARLSON, 0000
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ERIK R. CARLSON, 0000
KARN L. CARLSON, 0000
RUSSELL L. CARLSON, 0000
ALEXANDER E. CAROTHERS, 0000
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CHRISTOPHER F. CARPER, 0000
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JAY A. CARROLL, 0000
*MATTHEW D. CARROLL, 0000
AURELIA C. CARROLVERSON, 0000
DAVID J. CARTER, 0000
TERRY H. CARTER, 0000
TIM R. CARTER, 0000
JAVIER R. CASANOVA, 0000
FLAVIA CASASSOLA, 0000
GRANT S. CASE, 0000
JOHN E. CASEBOLT, 0000
WILLIAM M. CASHMAN, 0000
ERIC D. CASLER, 0000
HECTOR CASTILLO, 0000
MITCHELL CATANZARO, 0000
STEPHEN D. CATCHINGS, 0000
WILLIAM M. CATHEY, 0000
VINCENT K. CATICH, 0000
MARC E. CAUDILL, 0000
JAMES A. CAUGHIE, 0000
JOHN D. CAYE, 0000
*DAVID A. CEBRELLI, 0000
GARY J. CEGALIS, 0000
MARY T. CENTNER, 0000
JEFFREY D. CETOLA, 0000
*RENE J. CHADWELL, 0000
*GLENN S. CHADWICK, 0000
*JAMES E. CHALKLEY II, 0000
RICHARD M. CHAMBERS, 0000
*BARRY C. CHANCE, 0000
CHINRAN O. CHANG, 0000
MICHAEL J. CHAPA, 0000
NIKOLAS CHAPAPAS, 0000
DAVID E. CHELEN, 0000
JEN JEN CHEN, 0000
MARC L. CHERRY, 0000
THOMAS E. CHESLEY, 0000
JULIAN M. CHESNUTT, 0000
LISETTE D. CHILDERS, 0000
ERIC H. CHOATE, 0000
BOGDAN CHOMICKI, 0000
TIMOTHY CHONG, 0000
DIANE M. CHOY, 0000
MIKE G. CHRISTIAN, 0000
*JOSEPH R. CHURCH, 0000
DANIEL J. CLAIRMONT, 0000
ANDRA B. CLAPSADDLE, 0000
DOUGLAS S. CLARK, 0000
GREGORY J. CLARK, 0000
JAMES A. CLARK, 0000
JOHN A. CLARK, 0000
TREVOR M. CLARK, 0000
EDWARD P. CLARY, 0000
ROGER L. CLAYPOOLE, JR., 0000
SHERMAN M. CLAYTON, 0000
*RONALD E. CLEAVES, 0000
ARDYCE M. CLEMENTS, 0000
PATRICK G. CLEMENTS, 0000
RODNEY L. CLEMENTS, 0000
CHAD M. CLIFTON, 0000
TERENCE P. CLINE, 0000
DAVID L. CLOE, 0000
KIMBERLY L. CLOW, 0000
KEVIN J. CLOWARD, 0000
PAULA C. CLUTTER, 0000
ROBERT M. COCKRELL, 0000
ELIZABETH J. CODDINGTON, 0000
THOMAS C. COGLITORE, 0000
WILLIAM M. COKER, 0000
DARIN V. COLARUSSO, 0000
JOHN COLLEY, 0000
JOYCE L. COLLINS, 0000
WENDELL L. COLLINS, 0000
MARK E. COLUZZI, 0000
MARY E. COLYER, 0000
CHRISTOPHER A. COMEAU, 0000
JUAN T. COMMON, 0000
RONALD L. COMOGLIO, 0000
EDWARD C. COMPERRY, 0000
BRIAN D. CONANT, 0000
STEPHEN R. CONKLING, 0000
MATTHEW D. CONLAN, 0000
BRIAN D. CONLEY, 0000
MICHAEL J. CONLEY, 0000
ROFTIEL CONSTANTINE, 0000
RICHARD S. CONTE, 0000
DAYNE G. COOK, 0000
MICHAEL E. COOK, 0000
SCOTT P. COOK, 0000
TIMOTHY L. COOK, 0000
DAVID L. COOL, 0000
DOUGLAS E. COOL, 0000
WILLIAM R. COOLEY, 0000
FRANK M. COOPER, JR., 0000
DAVID J. COPPLER, 0000
THEODORE A. CORALLO, 0000
EDWARD R. CORCORAN, 0000
*ANNETTE S. CORMIER, 0000
MATTHEW J. CORNELL, 0000
SEAN C. CORNFORTH, 0000
*DAVID A. CORRELL, 0000
DEREK F. COSSEY, 0000
MICHAEL J. COSTELLO, 0000
JAMES A. COSTEY, 0000
MICHAEL J. COUBROUGH, 0000
BRIAN S. COULTRIP, 0000
PAUL E. COURTNEY, 0000
DANIEL J. COURTOIS, 0000
DEAN KAREN L. COX, 0000
DEXTER R. COX, JR., 0000
DOUGLAS A. COX, 0000
JEFFERY M. COX, 0000
JODY D. COX, 0000
MATTHEW D. COX, 0000
RICKY D. COX, 0000
KEVIN M. COYNE, 0000
WILLIAM J. CRAIG, 0000
KENNETH S. CRANE, 0000
KATHLEEN B. CRAVER, 0000
DAVID M. CREAN, 0000
BRIAN L. CREASY, 0000
JAMES A. CREWS, 0000
ANDREW A. CROFT, 0000
GIA C. CROMER, 0000
CHRISTOPHER S. CRONK, 0000
MARK G. CROSSMAN, 0000
WILLIAM P. CROWE, 0000
BRETT E. CROZIER, 0000
HAYWOOD L. CRUDUP, 0000
BRIAN P. CRUICKSHANK, 0000
*JACQUELINE CRUM, 0000
BRYAN L. CRUTCHFIELD, 0000
*KEVIN M. CRUZE, 0000
ROBERT E. CULCASI, 0000
KEVIN W. CULP, 0000
JULIA K. CUMMINGS, 0000
CARNELL C. CUNNINGHAM, 0000
JOHN T. CUNNINGHAM, 0000
KEITH A. CUNNINGHAM, 0000
KEVIN J. CUNNINGHAM, 0000
MILLER K. CUNNINGHAM, JR., 0000
MARK T. CURLEY, 0000
JARED P. CURTIS, 0000
CAROLINE M. CUTBUSH, 0000
MARC E. CWIKLIK, 0000
HENRY L. CYR, 0000
MARK G. CZELUSTA, 0000
DANIEL D. CZUPKA, 0000
DENNIS P. DABNEY, 0000
*RICHARD S. DABROWSKI, 0000
LLOYD W. DAGGETT, 0000
TODD S. DAGGETT, 0000
DORIC A. DAGNOLI, 0000
BRYAN T. DAHLEMELSAETHER, 0000
THOMAS K. DALE, 0000
BRUCE R. DALRYMPLE, 0000
MARK T. DAMIANO, 0000
*EDWARD JAMES DAMICO, 0000
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RONALD K. DANCY, 0000
JON Y. DANDREA, 0000
*DANA J. DANE, 0000
RONALD M. DANIELS, 0000
MARK S. DANIGOLE, 0000
PHILIPPE R. DARCY, 0000
THAD T. DARGER, 0000
CHRISTOPHER O. DARLING, 0000
STEPHEN R. DASUTA, 0000
KEVIN J. DAUL, 0000
JUSTIN C. DAVEY, 0000
ALISON L. DAVIS, 0000
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HARRY A. DAVIS, JR., 0000
JOHN E. DAVIS, 0000
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STEPHEN L. DAVIS, 0000
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THEODORE L. DAVIS, JR., 0000
JAMES C. DAWKINS, JR., 0000
ALLAN E. DAY, 0000
JERI L. DAY, 0000
LA CRUZ MARTINEZ GERARDO DE, 0000
DARRELL S. DEARMAN, 0000
ROD A. DEAS, 0000
MARK O. DEBENPORT, 0000
JEFFREY A. DEBOER, 0000
MICHAEL E. DEBRECZENI, 0000
JEFFREY W. DECKER, 0000
LAURY E. DECKER, 0000
CHARLES E. DECKETT, 0000
MICHAEL E. DEE, 0000
BRENTLY G. DEEN, 0000
DARIN A. DEFENDORF, 0000
JOSEPH L. DEGRANDE, 0000
HARVEY T. DEGROOT, 0000
DENNIS L. DEITNER, 0000
PETER J. DEITSCHEL, 0000
MARLA J. DEJONG, 0000
JOHN M. DELAPP, JR., 0000
ROSLYN E. DELGADO, 0000
TONY J. DELIBERATO, 0000
JOSEPH R. DELICH, 0000
CALVIN J. DELP, 0000
MILES A. DEMAYO, 0000
MICHAELA A. DEMBOSKI, 0000
FRANKLIN L. DEMENT, 0000
*ANDRE R. DEMPSEY, 0000
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TIMOTHY J. DENIS, 0000
JAMES R. DENKERT II, 0000
LEANN K. DERBY, 0000
ERIC L. DERNOVISH, 0000
*STEVEN P. DESORDI, 0000
CHRISTOPHER M. DEVAUGHN, 0000
ROBERT J. DIANTONIO, 0000
*MARK D. DIAS, 0000
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RODNEY L. DICKERSON, 0000
PAUL B. DIDOMENICO, 0000
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JOHN R. DIERCKS, 0000
*GRETCHEN S. DIETRICH, 0000
*MICHAEL D. DIETZ, 0000
*BOBBY R. DILLON, 0000
ANTHONY V. DIMARCO, 0000
PERCY A. DINGLE, 0000
JOHN P. DITTER, 0000
DUANE W. DIVELY, 0000
CRAIG N. DIVICH, 0000
*JON J. DIX, 0000
ANGELA M. DIXON, 0000
NORMAN K. DODDERER, 0000
DAVID W. DODGE, 0000
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DAVID M. DOE, 0000
RICHARD A. DOLLESIN, 0000
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PAUL B. DONOVAN, 0000
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DENIS P. DOTY, 0000
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PATRICK K. DOWLING, 0000
JAMES D. DOWNARD II, 0000
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TY R. DRAKE, 0000
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*RANDON H. DRAPER, 0000
DONALD R. DRECHSLER, 0000
VANCE A. DRENKHAHN, 0000
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GARY T. DROUBAY, 0000
*STEVEN DOUGLAS DUBRISKE, 0000
BRIAN M. DUBROFF, 0000
LEAH C. DUDANI, 0000
MICHAEL R. DUDLEY, 0000
BRIAN P. DUFFY, 0000
DAVID T. DUHADWAY, 0000
CARL R. DUMKE, 0000
*CHARLES A. DUMONT, 0000
*KEVIN C. DUNBAUGH, 0000
CYNTHIA L. DUNCAN, 0000
*JEAN E. DUNKELBERGER, 0000
DARRELL C. DUNN, 0000
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MARK H. DURAND, 0000
JAMES A. DURBIN, 0000
JAMES A. DURICY, 0000
ARTHUR M. DURKIN, JR., 0000
JOHN P. DURNFORD, 0000
RANDY Q. DURR, 0000
STEVEN L. DUTSCHMANN, 0000
CHRISTOPHER A. DYER, 0000
ANTHONY T. DYESS, 0000
ALTON D. DYKES, 0000
JEAN MARIE EAGLETON, 0000
STEPHEN M. EARLE, 0000
BILLIE S. EARLY, 0000
*DARWIN H. EASTER, 0000
DAVID P. EASTERLING, JR., 0000
JOHN K. EASTON II, 0000
PAUL B. EBERHART, 0000
ERIK H. ECKBLAD, 0000

FREDERICK A. ECKEL, 0000
*SCOTT T. ECTON, 0000
IAN A. EDDY, 0000
DAVID K. EDNEY, 0000
DANIEL C. EDWARDS, 0000
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RICHARD J. EDWARDS, 0000
TRENT H. EDWARDS, 0000
TODD A. EFAW, 0000
*DEBRA J. EGAN, 0000
STEPHEN R. EGGERT, 0000
MARK D. EICHELBERGER, 0000
CHARLES D. EICHER, 0000
CHRISTOPHER J. EICHORST, 0000
PETER K. EIDE, 0000
LARRY A. EIMEN, 0000
CHRISTOPHER L. EISENBIES, 0000
ANTHONY M. ELAVSKY, 0000
NEVIN K. ELDEN, 0000
EDWARD C. ELDER III, 0000
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*RICHARD W. ELLIS, 0000
ALBERT M. ELTON II, 0000
VIRA EM, 0000
STEPHEN J. EMMONS, 0000
WILLIAM E. ENDRES, 0000
DOUGLAS H. ENGBERSON, 0000
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*DAREL A. ENGLEKA, 0000
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ROBERT L. EPPENS, 0000
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MARVIN L. ERICKSON, 0000
CHRISTINE M. ERLEWINE, 0000
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ANTHONY A. ETTESTAD, 0000
CURTIS D. EVANS, 0000
EARL A. EVANS, 0000
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MARK W. EVANS, 0000
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GERALD L. FALEN, 0000
TIM E. FALKOWSKI, 0000
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GEORGE R. FARFOUR, 0000
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*COLIN P. FARRELL, 0000
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*LAURA I. FERNANDEZ, 0000
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*DRILLER L. FIEGEL, 0000
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SHAWN D. FILBY, 0000
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JOHN N. FISCH, 0000
BARRY W. FISHER, 0000
*EDWARD B. FISHER, 0000
MICHAEL R. FISHER, 0000
ERIC P. FITZ, 0000
*BRET L. FITZGERALD, 0000
NORINE PATRICIA FITZSIMMONS, 0000
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KELLY D. FLOREK, 0000
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ROBERT L. FLOYD IV, 0000
VICTOR M. FLOYD, 0000
DAVID E. FOOTE, 0000
STEPHEN D. FORD, 0000
WILLIAM A. FORKNER, 0000
*JON A. FORNAL, 0000
ANDREAS J. FORSTNER, 0000
JUSTIN C. FORTUNE, 0000
CHRISTOPHER T. FOSTER, 0000
GREG W. FOSTER, 0000
SAMUEL L. FOSTER, 0000
JAMES R. FOURNIER, 0000
JACKSON L. FOX, 0000
JAMES P. FOX, 0000
SHAWN P. FRANCIS, 0000
BERNARD J. FRANK, 0000
GREGORY C. FRANKLIN, 0000
JEFFREY R. FRANKLIN, 0000
WENDY K. FRASER, 0000
THOMAS E. FREDERICKS, 0000
MICHAEL L. FREDLEY, 0000
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MICHAEL R. FREY, 0000
GREGORY A. FRICK, 0000
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SEAN M. FRISBEE, 0000
CARL C. FULTON II, 0000
MICHAEL L. FUREY, 0000
VERNE S. FUTAGAWA, 0000
MICHAEL W. GAAL, 0000
ANNETTE S. GABLEHOUSE, 0000
RICHARD E. GADDIS, 0000
RICHARD C. GAGE, 0000
TALMADGE A. GAITHER, 0000
PAUL A. GALLAHER, 0000
RAYMOND J. GALONIS, JR., 0000
BARRY R. GAMBRELL, 0000
CHADWICK H. GARBER, 0000
JOAN H. GARBUTT, 0000
MARIA L. GARCIA, 0000
MICHAEL A. GARCIA, 0000
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*FREDDY J. GARCIAFERNANDEZ, 0000
*LAURA L. GARNER, 0000
*ROBERT J. GARNER, 0000
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*GENE H. GATES, 0000
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GRANT G. GEISLER, 0000
AARON C. GEORGE, 0000
BRIAN K. GEORGE, 0000
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CHAD M. GERICKE, 0000
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ROBIN C. GIACONIA, 0000
MARK A. GIDDINGS, 0000
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WILLIAM GIESER, 0000
CAMERON L. GILBERT, 0000
MICHAEL E. GILBERT, 0000
RANDALL S. GILHART, 0000
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SHAWN P. GILLESPIE, 0000
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GARY S. GIMA, 0000
NATALIE Y. GISCOMBE, 0000
MARK A. GISI, 0000
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*MARK I. GLYNN, 0000
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OLIN H. GOODHUE, 0000
BETH A. GOODWILL, 0000
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GERARD GORDON, 0000
PENELOPE F. GORSUCH, 0000
GREGORY A. GOSSAGE, 0000
LISA M. GOSSETT, 0000
STEVEN F. GOTTSCHALK, 0000
ARTHUR P. GOUGH III, 0000
DEAN E. GOULD, 0000
CLAYTON M. GOYA, 0000
JOHNATHAN V. GRAFELMAN, 0000
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ANN Y. GRAVIER, 0000
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*MICHAEL D. GRUBBS, 0000
*STEVEN M. GUASTAFERRO, 0000
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PHILLIP C. GUIN, 0000
DUANE D. GUNN, 0000
DARREK L. GUSTER, 0000
MARCEL L. GUSTIN, 0000
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*DAVID T. GUTSCHER, 0000
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GARY S. HAAG, 0000
*SEAN M. HACKBARTH, 0000
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KURT A. HARENDZA, 0000
REGINA HARGETT, 0000
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DELRILL EDDIE HARLEY, 0000
MARK J. HARLOW, 0000
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ADRIENNE G. HARTGERINK, 0000
*JOHN EUGENE HARTSELL, 0000
*MARK A. HARTZELL, 0000
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SUSAN E. HASTINGS, 0000
BRETT R. HAUENSTEIN, 0000
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JERRY W. HAYNES II, 0000
MARGARET F. HAYNES, 0000
THEODORE D. HAYNES, JR., 0000
JOSEPH H. HAYSLETT, JR., 0000
*DOUGLAS M. HEATH, 0000
EDITHA P. HEBERLEIN, 0000
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CARLIN R. HEIMANN, 0000
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PAUL J. HOERNER, 0000
*JAMES C. HOFFMAN, 0000
DONALD J. HOFSTRA, JR., 0000
TIMOTHY J. HOGAN, 0000
STEPHANIE A. HOLCOMBE, 0000
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JEREMY C. HORN, 0000
DAVID J. HORNYAK, 0000
CHARLES W. HOULDING, 0000

KIMBERLY HOUSTONSABLAD, 0000
PAUL C. HOWARD, 0000
SANDRA J. HOWARD, 0000
BRIAN T. HOY, 0000
HEIDI M. HOYT, 0000
DAWN M. HRDLICKA, 0000
ANN S. HRYSHKOMULLEN, 0000
RICHARD B HUBBARD III, 0000
BRYAN J. HUDGENS, 0000
JAMES L. HUDSON, 0000
JED L. HUDSON, 0000
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*JEROME J. HYZY, JR., 0000
APRIL L. IACOPELLI, 0000
*RICHARD W. IMHOLTE, 0000
JON E. INCERPI, 0000
ROBERT L. INGEGNERI, 0000
ROBERT E. INTRONE, 0000
DENISE R. IRIZARRY, 0000
CHRISTOPHER D. IRWIN, 0000
EZEKIEL T. ISAIS, 0000
BRICK IZZI, 0000
ANITA L. JACKSON, 0000
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SERGEJ JAKOVENKO, JR., 0000
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PAUL D. JAMPOLE, 0000
WILLIAM D. JANICKI, 0000
JORDAN L. JANSEN, 0000
JOSEPH B JARBOE, 0000
DAVID M. JARMON, 0000
CRAIG A. JASPER, 0000
MARC E. JEFFERSON, 0000
EVA S. JENKINS, 0000
HENRY C. JENKINS, JR., 0000
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MYRA D. JENKINS, 0000
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TODD C. JOACHIM, 0000
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KENT O. JOHNSON, 0000
LANCE R. JOHNSON, 0000
LAURIE E. JOHNSON, 0000
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CURTIS M. JORDAN, 0000
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DAVID J. JULAZADEH, 0000
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SHANNON D. JURRENS, 0000
DONALD J. KADERBEK, 0000
RANDALL J. KALLENBACH, 0000
JEFFREY M. KAMNIKAR, 0000
KI H. KANG, 0000
SUHRA E. KANG, 0000
RUSSELL T. KASKEL, 0000
CRAIG L. KAUFMAN, 0000
RANDY L. KAUFMAN, 0000
ADAM B KAVLICK, 0000
CHRISTY A. KAYSERCOOK, 0000
DAWN D. KEASLEY, 0000
BETH A. KECK, 0000
PATRICK D. KEE, 0000
CLIFFORD A. KEENAN, 0000
PATRICK M. KEENAN, 0000
ROBERT B KEENEY, JR., 0000
TIMOTHY L. KEEPORTS, 0000
STANFORD K. KEKAUOHA, 0000
DONALD E. KELLER, JR., 0000
JOHN G. KELLER, 0000
STEVEN E. KELLER, 0000
EDNA V. KELLEY, 0000
JAMES H. KELLEY, JR., 0000
KEVIN C. KELLEY, JR., 0000
KEVIN J. KELLY, 0000
MICHAEL B. KELLY, 0000
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MICHAEL S. KEM, 0000
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BURL T. KENNER, III, 0000
COREY J. KEPPLER, 0000
VICKIE S. KERSEY, 0000
TIMOTHY G. KETTERER, 0000
EDWARD J. KHIM, 0000
BRIAN C. KIEFFER, 0000
PETER A. KIIGEMAGI, 0000
THOMAS J. KILLEEN, 0000
JAMES G. KIMBROUGH, 0000
JENNIFER A. KIMMET, 0000
KIRK A. KIMMETT, 0000
DEAN D. KING, 0000
JOEL K. KING, 0000
JOSEPH W. KING, 0000
KERRY R. KING, 0000
RICHARD L. KING, JR., 0000
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BRADLEY A. KINNEER, 0000
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KONRAD J. KLAUSNER, 0000
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JEFFREY M. KLOSKY, 0000
WILLIAM J. KLUG, 0000
EDMUND W. KNETIG, 0000
DAVID W. KNIGHT, 0000
HEATHER R. KNIGHT, 0000
WILLIAM M. KNIGHT, 0000
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BONNIE J. KNOX, 0000
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*STEPHEN D. KOERTGE, 0000
*SANDRA J. KOLB, 0000
MICHAEL L. KONING, 0000
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JAMES L. KOONTZ, 0000
TRACEY D. KOP, 0000
THEODORE S. KOPEC, JR., 0000
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*SAMUEL F. KOVACIC, 0000
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STEVEN C. KOVERMAN, 0000
*KARL W. KRAAN, 0000
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DAVID A. KRUMM, 0000
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JAMES K. KUBINSKI, 0000
CHRISTOPHER J. KULAS, 0000
KRISTEN R. KULL, 0000
SCOTT A. KUNKEL, 0000
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*DAVID T. KWIATKOWSKI, 0000
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*DONALD P. LAGATOR, JR., 0000
HANS C. LAGESCHULTE, 0000
GEOFFREY A. LAING, 0000
JOSEPH P. LAMANA, 0000
ANDREW A. LAMBERT, 0000
HENRI C. LAMBERT, 0000
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*JOHN P. LARKIN, 0000
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CYNTHIA C. LATKE, 0000
ARTHUR H. LAUBACH, JR., 0000
TODD R. LAUGHMAN, 0000
OCTAVE P. LAURET III, 0000
MICHELLE D. LAVEY, 0000
LORI S. LAVEZZI, 0000
SCOTT A. LAWLER, 0000
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THERESA A. LAWSON, 0000
DAVID T. LAWYER, 0000
CRAIG S. LEAVITT, 0000
MARK T. LEAVITT, 0000
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GENE C. LEE, 0000
HYON K. LEE, 0000
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SCOTT T. LEFORCE, 0000
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CARON A. LEONWOODS, 0000
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JOHN F. LEPORE, JR., 0000
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STUART I. LIBBY, 0000
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MICHAEL P. LIGHTFOOT, 0000
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TIMOTHY J. LINCOLN, 0000
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NATHAN J. LINDSAY, JR., 0000
WALTER J. LINDSLEY, 0000
FRANK J. LINK, 0000
FREDERICK H. LINK, 0000
KENNETH A. LINSENMAYER, 0000
SUZANNE B. LIPCAMAN, 0000
CHRISTOPHER P. LIPNITZ, 0000
WILLIAM C. LIVESAY, JR., 0000
THOMAS K. LIVINGSTON, 0000
MATTHEW J. LLOYD, 0000
STEPHEN E. LLOYD, 0000
STACY LOCKLEAR, JR., 0000
DOUGLAS T. LOEHR, 0000
EILEEN M. LOFLIN, 0000
STEVEN M. LOKEN, 0000
FREDERICK A. LOMBARDI, 0000
JEFFREY L. LONG, 0000
JOHN A. LONG, 0000
JOHN H. LONG, 0000
SCOTT N. LONG, 0000
WILLIAM S. LONG, 0000
MARY L. LONIGRO, 0000
RANDALL F. LOOKE, 0000
LESTER R. LORENZ, 0000
WILLIAM J. LOREY, 0000
VINCENT J. LOSTETTER, JR., 0000
JEFFREY C. LOUIE, 0000
JEFFREY J. LOVE, 0000
JEFFREY C. LOVELACE, 0000
*HEATHER L. LOWDEN, 0000
DANNY R. LUCAS, 0000
DAVID W. LUCAS, 0000
DENNIS J. LUCAS, 0000
MARISSA C. LUCERO, 0000
ROY S. LUDVIGSEN, 0000
BARRY L. LUFF, 0000
MARIANNE LUMSDEN, 0000
JAN STEPHAN LUNDQUIST, 0000
ROBERT A. LURZ, 0000
JOHN M. LUSSI, 0000
MARK LUTTSCHWAGER, 0000
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*DONALD D. LYTLE, 0000
RICHARD N. MACCONNELL, 0000
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TIMOTHY E. MACK, 0000
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JEFFREY D. MACLOUD, 0000
JOHN H. MACNICOL, 0000
DAVID L. MAHANES II, 0000
JACK W. MAIXNER, 0000
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DOUGLAS P. MALONE, 0000
DAVID J. MALONEY, 0000
PAULA A. MALONEY, 0000
LORALEE R. MANAS, 0000

KATHRYN A. MANGION, 0000
MARK H. MANLEY, 0000
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JOSEPH MARCINKEVICH, 0000
TODD M. MARKWALD, 0000
THOMAS H. MARLIN, 0000
KATHY A. MARLOW, 0000
KEITH E. MARLOWE, 0000
TONY R. MARLOWE, 0000
DEBORAH J. MARQUART, 0000
TULLEY A. MARRIOTT, 0000
JEFFREY A. MARSDEN, 0000
WILLIAM D. MARSH II, 0000
KEVIN E. MARTILLA, 0000
BARBARA C. MARTIN, 0000
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ROBERT L. MASON, 0000
ANTHONY J. MASSA, 0000
MAX R. MASSEY, JR., 0000
*PETER MASTROIANNI, 0000
RUSSELL A. MATIJEVICH, 0000
FREDDY A. MATOS, 0000
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JAMES B. MATTILA, 0000
DAVID M. MATTSON, JR., 0000
JOHN C. MAXWELL, 0000
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CHARLES C. MAYER, 0000
ROBERT E. MAYFIELD, 0000
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WILLIAM J. MC ALLISTER, 0000
*CLAYTON W. MC ANALLY, 0000
PAUL W. MC AREE, 0000
RICHARD T. MC CAFFERTY, 0000
TODD V. MC CAGHY, 0000
KYNA R. MC CALL, 0000
CHRISTOPHER P. MC CALLAN, 0000
SCOTT P. MC CARTT, 0000
TERRY W. MC CLAIN, 0000
MITCHELL T. MC CLAREN, 0000
KENNETH J. MC CLELLAN, JR., 0000
TINA MARIE MC CONNELL, 0000
ROBERT G. MC CORMACK, 0000
LORENZO MC CORMICK, 0000
BERNADETTE T. MC DERMOTT, 0000
FRANCIS M. MC DONOUGH, 0000
GEORGE M. MC DOWELL, 0000
JAMES C. MC EACHEN, 0000
JAMES J. MC ELHENNEY, 0000
DARYL C. MC ELWAIN, 0000
EUGENE L. MC FEELY, 0000
MICHAEL C. MC GARVEY, 0000
MARK A. MC GEORGE, 0000
GERALD T. MC GINTY, 0000
BRIAN P. MC GOLDRICK, 0000
*COLLEEN A. MC GOWAN, 0000
*TERI J. MC GRATH, 0000
JAMES H. MC GUIRE, 0000
*MATTHEW R. MC GUIRE, SR., 0000
ANDREW MC INTYRE, 0000
PATRICK J. MC KEEVER, 0000
PAUL M. MC KENNA, 0000
TONY H. MC KENZIE, 0000
BONNIE A. MC KEON, 0000
MICHAEL MC KEON, 0000
*LISA A. MC KINNEY, 0000
TIMOTHY J. MC LAIN, 0000
GAYLA MC LAUGHLIN, 0000
PHILIP M. MC NAIRY, 0000
FRANK R. MC NAMARA, 0000
BRUCE R. MC NAUGHTON, 0000
ROBERT C. MC NEIL, 0000
SAMUEL L. MC NIEL, 0000
*DANIEL S. MC NULTY, 0000
NATHANIEL K. MC NURE, 0000
*SHERRINA L. MC QUAIN, 0000
FRANK A. MC VAY, 0000
MARC C. MC WILLIAMS, 0000
CHARLES R. MEADOWS, 0000
*DEBORAH E. MEADOWS, 0000
BRUNO A. MEDIATE, 0000
*VICKY R. MEDLEY, 0000
JAMES M. MEEK, 0000
KURT W. MEIDEL, 0000
JEAN A. MEINK, 0000
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MICHAEL A. MENDOZA, 0000
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JEFFERY P. MESERVE, 0000
CONSTANCE M. MESKILL, 0000
CHARLES E. METROLIS, JR., 0000
EDWARD A. MEYER, 0000
GREGORY S. MEYER, 0000
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KEVIN W. MILLER, 0000
LARRY CALVIN MILLER, 0000
MARIE A. MILLER, 0000
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JOHN K. MILLHOUSE, 0000
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*RICHARD D. MINK, 0000
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JIMMIE L. MITCHELL, JR., 0000
MAX B. MITCHELL, 0000
CHRISTOPHER R. MOCK, 0000
JOHN H. MODINGER, 0000
DAVID W. MOHR, 0000
CHARLES W. MOINETTE, 0000
OSCAR MOJICA, 0000
MATTHEW C. MOLINEUX, 0000
MITCHELL A. MONROE, 0000
WAYNE R. MONTEITH, 0000
KENNETH S.S. MONTGOMERY, 0000
NATHAN COOKS MOONEY II, 0000
CHARLES E. MOORE, JR., 0000
*MARY E. MOORE, 0000
*MICHAEL H. MOORE, 0000
ERIN R. MORAN, 0000
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CAIL MORRIS, JR., 0000
MICHAEL E. MORRIS, 0000
WILLIAM F. MORRISON II, 0000
LINDA E. MOSCHELLE, 0000
SCOTT E. MOSER, 0000
WADE A. MOSHIER, 0000
DEBORA E. MOSLEY, 0000
GERARD A. MOSLEY, 0000
RAY A. MOTTLEY, 0000
DANIEL R. MOY, 0000
ROBERT J. MOZELESKI, 0000
MATTHEW D. MRZENA, 0000
KEVIN M. MUCKERHEIDE, 0000
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RONALD J. MUNDSTOCK, 0000
JAMES A.V. MUNDY, 0000
KENNY K. MUNECHIKA, 0000
DEBORAH A. MUNLEY, 0000
KAY A. MUNOZ, 0000
PORFIRIO H. MUNOZ, JR., 0000
BRIAN C. MURPHY, 0000
MARK C. MURPHY, 0000
MIMI MURPHY, 0000
IVAN D. MURRAY, 0000
LANCE T. MURRAY, 0000
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DAVID S. MYERS, 0000
LEMUEL R. MYERS, JR., 0000
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MARGARET M. MYERS, 0000
NICHOLAS S. MYERS, JR., 0000
MYLES M. NAKAMURA, 0000
JOSEPH J. NARRIGAN, 0000
TRACY A. NEALWALDEN, 0000
JOSEPH D. NEDEAU, 0000
ELLEN D. NEELY, 0000
JOHN S. NEHR, 0000
JAMES A. NEICE, JR., 0000
JEFFREY D. NEISCHEL, 0000
BRETT J. NELSON, 0000
MICHAEL S. NELSON, 0000
MARK N. NEULANDER, 0000
CARL A. NEWHART, JR., 0000
DAVID J. NEWTON, 0000
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CLIFTON E. NICHOLS, 0000
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*DONNELL NICKS, 0000
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BRIAN P. NOEL, 0000
JAMES R. NOETZEL, JR., 0000
BYRON K. NOLAN, 0000
STEVEN P. NOLL, 0000
WILLIAM R. NOLTE, 0000
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WESLEY S. NORRIS, 0000
DEBRA A. NORTH, 0000
SHAWN A. NORTHROP, 0000
CAROL S. NORTHRUP, 0000
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MICHAEL T. OBERBROECKLING, 0000
JOHN S. OBRIEN, 0000
BRIAN M. OCONNELL, 0000
MARY J. OCONNOR, 0000
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MARK J. OECHSLE, 0000
*ANGELA MARIE OGAWA, 0000
*JOHN W. OGDEN, JR., 0000
MARC C. OHMER, 0000
DAVIS S. OISHI, 0000
KEVIN K. OLEEN, 0000
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KEVIN C. OLESEN, 0000
RAFAEL E. OLIVA, 0000
KEVIN A. OLIVER, 0000
KRIS D. OLIVER, 0000
TODD M. OLLER, 0000
MARY M. OLOUGHLIN, 0000
FORREST O. OLSON, 0000
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JAMES P. ONEILL, 0000
DANIEL ONIELL, JR., 0000
RICHARD J. ONKEN, 0000
DOUGLAS A. OPERSTENY, 0000
TROY D. ORWAN, 0000
ERIC R. OSTENDORF, 0000
DEAN R. OSTOVICH, 0000
MARK J. OSTROV, 0000
ERIC J. OSWALD, 0000
LAWRENCE J. OTT, 0000
WILLIAM J. OTT, 0000
WALTER W. OTTO, 0000
MICHAEL R. OUTLAW, 0000
JENNIFER R. OWENS, 0000
RONALD G. OWENS, 0000
ALFRED J. OZANIAN, 0000
DANIEL A. PACHECO, 0000
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DAVID E. PAINTER, 0000
THOMAS E. PAINTER, JR., 0000
JOSEPH T. PALAGANAS, 0000
HANS F. PALAORO, 0000
RICK A. PALO, 0000
DANNY E. PALUBECKIS, 0000
JEFFREY P. PALUMBO, 0000
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JO BETH PARKER, 0000
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LIZA M. PARR, 0000
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KALPESH B. PATEL, 0000
JAMES PATERSON, 0000
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*MARK HOWARD PATTERSON, 0000
DAVID A. PATTON, 0000
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STEPHEN D. PEDROTTY, 0000
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*MARIA H. PETRAS, 0000
GILBERT E. PETRINA, JR., 0000
STEPHEN D. PETTERS, 0000
*JODY B. PETTIS, 0000
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LINDA G. PHELPS, 0000
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BRADLEY R. PICKENS, 0000

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DAYLE B. PIEPER, 0000
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WILLIAM E. PINTER, 0000
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PAUL S. PIRKLE III, 0000
MATTHEW T. PIRKO, 0000
MARK A. PISTONE, 0000
TODD S. PITTMAN, 0000
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DE LEON DANIEL PONCE, 0000
RICHARD T. POORE, JR., 0000
WILLIAM S. PORTER, JR., 0000
CHRISTOPHER J. POSSEHL, 0000
TAMMI LOUISE POTTER, 0000
JERE M. POUND IV, 0000
JAMES R. POWELL, 0000
*VINCENT J. POWELL, 0000
MARK A. POWERS, 0000
OM PRAKASH II, 0000
TYE E. PRATER, 0000
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LAWRENCE E. PRAVECEK, 0000
DEAN L. PRENTICE, 0000
*STERETT R. PREVOST IV, 0000
MILES J. PRICE, 0000
MYLAND E. PRIDE, 0000
*DARA P. PRINCE, 0000
RICHARD D. PROCTOR, 0000
MARK R. PROULX, 0000
CYNTHIA A. PROVOST, 0000
CHARLES A. PRYOR III, 0000
*NEHEMIAH PRYOR, 0000
HOWARD K. PSMITHE, 0000
GARY PUHEK, 0000
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JAY D. PULLINS, 0000
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THOMAS J. QUICK, 0000
PAUL R. QUIRION, 0000
YVETTE S. QUITNO, 0000
ALLEN C. RABAYDA, 0000
WILLIAM M. RADER III, 0000
CRAIG F. RADL, 0000
BRYAN P. RADLIFF, 0000
JOHN G. RAHILL, 0000
CARL W. RAHN, 0000
ALARIC D. RAINEY, 0000
TODD G. RAIRDAN, 0000
ANTHONY J. RAKUS, 0000
LIONEL L. RAMOS, 0000
STEVEN T. RAMSAY, 0000
JOHN F. RAQUET, 0000
JOSEPH R. RARICK, 0000
BENJAMIN A. RASGORSHEK, 0000
KAREN S. RASMUSSEN, 0000
RICHARD J. RASMUSSEN, 0000
GRIFFIN L. RATLEY, JR., 0000
JON C. RATZ, 0000
THOMAS R. RAULS, 0000
FLOYD C. RAVEN, JR., 0000
ERIC D. RAY, 0000
WILLIAM F. RAYNER, 0000
CAROL L. RAYOS, 0000
RICHARD C. RECKER, 0000
CYNTHIA A. REDELSPERGER, 0000
EDWIN H. REDMAN, 0000
MARK A. REDMON, 0000
ROGER C. REDWOOD, 0000
RANDALL REED, 0000
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JON A. REESMAN, 0000
FRED E. REEVES, 0000
DAVID J. REGA, 0000
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*DOREEN F. REMIGIO, 0000
TERRI A. RENSCH, 0000
MARK E. RESSEL, 0000
*DEBORAH C. REY, 0000
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RANDY L. RIVERA, 0000
SCOTT W. RIZER, 0000
ADRIENNE L. RIZZO, 0000
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LORI A. ROGERS, 0000
ABDON ROJAS, JR., 0000
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*ROSS W. ROMER, 0000
MICHAEL A. ROMERO, 0000
MARK D. ROOSMA, 0000
ARMANDO L. ROSALES, 0000
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JULIE A. ROSELLIRAYA, 0000
LISA R. ROSS, 0000
KIM A. ROTH, 0000
MICHAEL F. ROTHERMEL, 0000
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RALPH A. SANDFRY, 0000
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TAMMY M. SAVOIE, 0000
GLEN A. SAVORY, 0000
RHON R. SAY, 0000
BONNIE A. SAYLOR, 0000
VINCENT J. SCANNELLI, 0000
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ROD B. SCHACK, 0000
MICHAEL A. SCHAEFBAUER, 0000
ELLEN MARIE SCHAFF, 0000
GEORGE W. SCHANTZ, JR., 0000
PAUL A. SCHANTZ, 0000
MICHAEL P. SCHAUB, JR., 0000
LYNN I. SCHEEL, 0000
GEORGE J. SCHERER, 0000
RAYMOND D. SCHERR, 0000
JOSEPH H. SCHERRER, 0000
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PAMELLA A. SCHILLAR, 0000
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*NEAL W. SCHNEIDER, 0000
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*MARLESA K. SCOTT, 0000
*DEBORAH A. SCOTTON, 0000
BRADLEY S. SEARS, 0000
THOMAS J. SEBENS, 0000
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JOHN T. SELDEN II, 0000
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EUGENE R. SELLERS, 0000
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GARY L. SERFOSS, 0000
MARK W. SERGEY, 0000
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*WINSTON J. SHAFFER II, 0000
*MAYAN SHAH, 0000
SAMUEL J. SHANEYFELT, 0000
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MICHAEL D. SHEPHERD, 0000
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DAVID W. SILVA II, 0000
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MICHAEL E. SIMMONS, 0000
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PAUL J. SIMONICH, 0000
JON M. SINCLAIR, 0000
WILLIAM P. SINGLETARY, 0000
DALE P. SINNOTT, 0000
PAUL M. SKALA, 0000
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KEITH A. SKINNER, 0000
THOMAS J. SKROCKI, 0000
GARY C. SLACK, 0000
DENETTE L. SLEETH, 0000
MARK A. SLIMKO, 0000
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JOHN H. SNELLING, JR., 0000
MARK W. SNIDER, 0000
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GORDON D. SNOW, 0000
*EILEEN M. SNYDER, 0000
JUDY A. SNYDER, 0000
KATHERINE O. SNYDER, 0000
WILLIAM H. SNYDER, 0000
TIMOTHY J. SODERHOLM, 0000
PETER M. SOLIE, 0000
JEFFREY L. SORENSEN, 0000
RHONDA M. SOTO, 0000
MOSELEY O. SOULE, JR., 0000
STEVEN V. SOUTHWELL, 0000
STEVEN N. SPANOVICH, 0000
STEVEN J. SPECKHARD, 0000
FAY T. SPELLERBERG, 0000
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RICHARD K. SPILLANE, 0000
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WILLIAM A. STAHL, JR., 0000
MARK J. STALNAKER, 0000
*CRAIG S. STANALAND, 0000
DAVID W. STANEK, 0000
TIMOTHY R. STANEK, 0000
ROBERT W. STANLEY II, 0000
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ALESSANDRA STOKSTAD, 0000
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JULIE M. STOLA, 0000
MICHAEL A. STOLT, 0000
*JEFFERY A. STONE, 0000
KEVIN J. STONE, 0000
JOHN J. STOREY, 0000
*JENNIFER C. STOUT, 0000
TODD J. STOVALL, 0000
MICHAEL R. STRACHAN, 0000
RUSSELL F. STRASBURGER III, 0000
ROBERT M. STRESEMAN, 0000
ROBERT M. STRICKLAND, JR., 0000
DOUGLAS E. STROPES, 0000
CARL A. STRUCK, 0000
TIMOTHY A. STRUSZ, 0000
ERIK A. STRYKER, 0000
*JOHN W. STUBLAR, 0000
JOSEPH L. STUPIC, 0000
JAMES G. STURGEON, 0000
JAMES A. STURIM, 0000
ANTONIO R. SUKLA, 0000
ANNATA RAE SULLIVAN, 0000
JEFFRY W. SULLIVAN, 0000
WILLIAM C. SUMMERS, 0000
DARRYL J. SUMRALL, 0000
*CHRISTOPHER MARC SUPERNOR, 0000
RICHARD E. SURDEL, 0000
ROGER P. SURO, 0000
ROBERT V. SURPRENANT, 0000
RICHARD J. SUSAK, JR., 0000
SONIA J. SUTHERLAND, 0000
JEFFREY L. SWANSON, 0000
ROBERT C. SWARINGEN II, 0000
DAWN MARIE SWEET, 0000
MARK S. SWEITZER, 0000
MARK F. SWENTKOFSKE, 0000
STEFANIE A. SWIDER, 0000
MICHAEL A. SWIFT, 0000
MARK J. SYNOVITZ, 0000
THADDEUS D. SZRAMKA, JR., 0000
*ANGELA D. TADY, 0000
CHRISTIAN J. TAFNER, 0000
BRET C. TALBOTT, 0000
JEFFREY B. TALIAFERRO, 0000
KEVIN C. TALIAFERRO, 0000
MARK S. TALPAS, 0000
KERRY L. TARR, 0000
ALLEN D. TATE, 0000
KATHRYN FORREST TATE, 0000
TRENT J. TATE, 0000
EDWARD E. TATGE, 0000
KENNETH R. TATUM, JR., 0000
CHARLES M. TAYLOR, 0000
*CHARLES R. TAYLOR, 0000
HAROLD A. TAYLOR, JR., 0000
JOSEPH A. TAYLOR, JR., 0000
KAREN L. TAYLOR, 0000
MICHAEL T. TAYLOR, 0000
SYLVIA C. TAYLOR, 0000
*TISHLYN ESTELLE TAYLOR, 0000
SCOTT G. TENNENT, 0000
*DEVONNIA MARIA TENTMAN, 0000
GARIN P. TENTSCHERT, 0000
MICHAEL K. TEPLEY, JR., 0000
KEVIN M. TESSIER, 0000
GARY M. TESTUT, 0000
JOHN R. THAYER, 0000
KIM E. THEIN, 0000
DAMON M. THEMELY, 0000
THEO THEODOR, JR., 0000
DONALD G. THIBEAULT, 0000
DAVID T. THIBODEAUX, 0000
BOB F. THOENS, 0000
DAVID E. THOLE, 0000
JOAN M. THOLE, 0000
ANTHONY J. THOMAS, 0000
DWAYNE E. THOMAS, 0000
JACQUELINE D. THOMAS, 0000
*TRENT A. THOMAS, 0000
GREGORY F. THOMPSON, 0000
HOLLY E. THOMPSON, 0000
JENNIFER THOMPSON, 0000
RICKY L. THOMPSON, 0000
STEPHEN B. THOMPSON, 0000
RANDALL L. THOMSEN, 0000
JEFFREY S. THORBURN, 0000
ROSEMARY L. THORNE, 0000
JENNIFER J. THORPE, 0000
KEVIN J. THRASH, 0000
RICHARD G. THUERMER, 0000
PAUL W. TIBBETS IV, 0000
THOMAS J. TIMMERMAN, 0000
DANIEL W. TIPPETT, 0000
*DAVID TOBAR, 0000
PAUL D. TOBIN, 0000
SCOTT D. TOBIN, 0000
*KATHLEEN F. TODD, 0000
MICHAEL A. TODD, 0000
LANCE S. TOKUNAGA, 0000
LESA K. TOLER, 0000
WADE G. TOLLIVER, 0000
KAREN L. TORRACA, 0000
ANMY D. TORRES, 0000
RAYMOND G. TOTH, 0000
CHRISTIAN T. TOTTEN, 0000
GREGORY J. TOUSSAINT, 0000
GAVIN B. TOVREA, 0000
TIMOTHY J. TRAUB, JR., 0000
JEROME T. TRAUGHBER, 0000
PETER J. TREMBLAY, 0000
LARRY J. TRENT, 0000
*NANETTE L. TREVINO, 0000
RICK J. TRINKLE, 0000
*JEFFREY D. TRIPP, 0000
LISA M. TUCKER, 0000
PIERCE E. TUCKER, 0000
DONALD J. TUMA, 0000
*GREGORY H. TUREAUD, 0000
DANIEL J. TURNER, 0000
WESLEY A. TUTT, 0000
RUSSELL J. TUTTY, 0000
*DONALD L. TWYMAN, JR., 0000
THOMAS W. TYSON, 0000
BLAKE P. UHL, 0000
JOHN F. UKLEYA, JR., 0000
SCOTT G. ULRICH, 0000
WILLIAM K. UPTMOR, 0000
STEVEN J. URSELL, 0000
DAVID E. UVODICH, 0000
SANTIAGO A. VACA, 0000
JOHN M. VAIL, 0000
PAUL J. VALENZUELA, 0000
HOVE JOHN C. VAN, 0000
ZUIDEN TRACY L. VAN, 0000
GREGG D. VANDERLEY, 0000
SAMUEL B. VANDIVER, 0000
DALE J. VANDUSEN, 0000
STEPHEN E. VANGUNDY, 0000
BRUCE J. VANREMORTEL, 0000
DAVID A. VANVELDHUIZEN, 0000
JOHN E. VARLJEN, 0000
*MICHAEL G. VECERA, 0000
*BILLY R. VENABLE, JR., 0000
MATTHEW L. VENZKE, 0000
*RAFAEL VILA, 0000
RUBEN VILLA, 0000
ROMMEL B. C. VILLALOBOS, 0000
*JERRY A. VILLARREAL, 0000
TERRY W. VIRTS, 0000
KURT A. VOGEL, 0000
ROBERT J. VOLPE, 0000
CONSTANCE M. VONHOFFMAN, 0000
BENEDICT R. VOTIPKA, 0000
*FRED N. WACKYM III, 0000
MARK I. WADE, 0000
JAMES D. WAGGLE, 0000
JAMES D. WAGNER, 0000
MARGARET M. WAGNER, 0000
RAYMOND J. WAGNER, 0000
ALLAN P. WAITE, JR., 0000
CHARLES E. WAITS, 0000
TRESSIE L. WALDO, 0000
ELIZABETH S. WALDROP, 0000
CURTIS D. WALKER, 0000
DAVID W. WALKER, 0000
JOHN M. WALKER, 0000
JON W. WALKER, 0000
WILLIAM N. WALKER, 0000
SCOTT F. WALTER, 0000
VALERIE J. WALTER, 0000
JERROLD A. WANGBERG, 0000
DOUGLAS K. WANKOWSKI, 0000
ANTHONY W. WANN, 0000
DEAN A. WARD, 0000
PAUL F. WARD, 0000
WILLIAM W. WARD, 0000
HERBERT N. WARDEN IV, 0000
JOHN A. WARDEN IV, 0000
ELAINE R. WASHINGTON, 0000
MICHAEL E. WASHINGTON, 0000
ALFRED E. WASSEL, 0000
PERNELL B. WATSON, 0000
CHRISTIAN G. WATT, 0000
KATHLEEN E. WEATHERSPOON, 0000
ROBERT F. WEAVER II, 0000
RICHARD E. WEBB, JR., 0000
BRUCE S. WEBER, 0000
GREGORY A. WEBER, 0000
*MICHAEL H. WEEMS, 0000
TERI L. WEIDE, 0000
BRIAN D. WEIDMANN, 0000
LESTER A. WEILACHER, 0000
MONTE T. WEILAND, 0000
KIRK K. WEISSENFLUH, 0000
BRIAN L. WELCH, 0000
PATRICK T. WELCH, 0000
CHRISTOPHER M. WELLBORN, 0000
ROBERT G. WELLINGTON, 0000
JASON S. WERCHAN, 0000
DARA C. WERNER, 0000
DAWN D. WERNER, 0000
JOHN F. WERNER, 0000
STEVEN W. WESSBERG, 0000
CHARLES N. WEST, 0000
DANE P. WEST, 0000
*STEVEN E. WEST, 0000
WILLIAM P. WEST, 0000
FREDERICK H. WESTON, 0000
SEABORN J. WHATLEY III, 0000
JOLEEN M. WHEELER, 0000
PAUL A. WHEELESS, 0000
AUBREY D. WHITE, 0000
KENT B. WHITE, 0000
*FRANK A. WHORTON, 0000
*NICOLE M. WICKHAM, 0000
RICHARD T. WICKUM, 0000
RONALD J. WIECHMANN, 0000
STEVEN W. WIGGINS, 0000
CRAIG A. WILCOX, 0000
ZACHARY W. WILCOX, 0000
DWAYNE B. WILHITE, 0000
SHEILA H. WILHITE, 0000
HENRY T. WILKENS, JR, 0000
JOHN M. WILKENS, 0000
BRIAN A. WILKEY, 0000
*SCOTT J. WILKOV, 0000
ALLAN D. WILL, 0000
*BRUCE W. WILLETT, 0000
*ANDREW S. WILLIAMS, 0000
ANTHONY B. WILLIAMS, 0000
CHARLES E. WILLIAMS, 0000
DALE R. WILLIAMS, 0000
FREDERICK D. WILLIAMS, 0000
JAMES B. WILLIAMS, 0000
KENNETH A. WILLIAMS, 0000
*LINDA A. WILLIAMS, 0000
LYNDON J. WILLIAMS, 0000
MARK C. WILLIAMS, 0000
MARK D. WILLIAMS, 0000
*MICHAEL R. WILLIAMS, 0000
NEICKO C. WILLIAMS, 0000
ROBERT T. WILLIAMS, JR., 0000
ROBIN B. WILLIAMS, 0000
STEPHEN C. WILLIAMS, 0000
MICHAEL D. WILLIAMSON, 0000
JOHNDAVID W. WILLIS, 0000
MATTHEW B. WILLIS, 0000
DANIEL A. WILLSON, JR., 0000
ALEXANDER M. WILSON, 0000
BETH L. WILSON, 0000
CHRISTOPHER S. WILSON, 0000
KELCE S. WILSON, 0000
KIRK G. WILSON, 0000
*MONTE S. WILSON, 0000
WILLIAM F. WILSON, 0000
GLENN J. WINCHELL, 0000
STEVEN E. WINNER, 0000
MICHAEL F. WINTHROP, 0000
ERIC C. WINTON, 0000
MICHAEL N. WIRSTROM, 0000
RICHARD J. WISSLER, JR, 0000
THOMAS J. WITTERHOLT, 0000
JEROME E. WIZDA, 0000
THOMAS E. WOLCOTT, 0000
CAROLYN E. WOLFER, 0000
JOSEPH L. WOLFER, 0000
JOHN C. WOMACK, 0000
CHRISTOPHER L. WOOD, 0000
DAVID M. WOOD, 0000
JOHN M. WOOD, 0000
ROBERT L. WOOD, 0000
STEPHEN D. WOOD, 0000
*WILLIAM R. WOOD, 0000
RIPLEY E. WOODARD, 0000
ANDREW D. WOODROW, 0000
THOMAS L. WOODS, 0000
*JAMES R. WOODSON, 0000
JOHN G. WORLEY, 0000
TODD A. WORMS, 0000
CHARLES A. WRIGHT, 0000
CYNTHIA K. WRIGHT, 0000
JACK D. WRIGHT, JR., 0000
KURTIS L. WRIGHT, 0000
PATRICK W. WRIGHT, 0000
SAMUEL A. WRIGHT, 0000
JOHN D. WROTH, 0000
ANTHONY J. WURMSTEIN, 0000
JAMES E. WURZER, 0000
CHRISTOPHER M. WYATT, 0000
*MATTHEW C. WYATT, 0000
TROY YAMAGUCHI, 0000
FRANK D. YANNUZZI, JR., 0000
EDITH J. YASSO, 0000
JOSEPH E. YATES, 0000
MONIQUE M. YATES, 0000
MARYANNE C. YIP, 0000
DAVID L. YOCKEY, 0000
*JON E. YOST, 0000
ANTHONY C. YOUNG, 0000
CHRISTOPHER L. YOUNG, 0000
GEORGETTE J. YOUNG, 0000
RICHARD A. YOUNG, 0000
TODD M. YOUNG, 0000
GARY L. YOUNT, 0000
GREGORY J. YUEN, 0000
CURTIS J. ZABLOCKI, 0000
TIMOTHY ZADZORA, 0000
JEFFREY M. ZELLER, 0000
*MICHELE R. ZELLERS, 0000
*PATRICK L. ZEMAN, 0000
JAMES P. ZEMOTEL, 0000
KAREN K. ZEPP, 0000
*GARY J. ZICCARDI, 0000
MICHAEL P. ZICK, 0000
MICHAEL J. ZIGAN, 0000
MARK A. ZIMMERHANZEL, 0000
DAVID R. ZOOK, 0000
MICHAEL J. ZUBER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE MEDICAL SERVICE CORPS (MS) UNDER TITLE 10, U.S.C., SECTIONS 531, 624, AND 3064:

To be major

MANESTER Y. BRUNO, 0000 MS

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DEBRA A. ANDERSON, 0000
JOHN C. ANNESS, 0000
DIEGO J. BARELA, 0000
MICHAEL E. BEAN, 0000
RICHARD D. BETSINGER, 0000
MARSHALL R. BOURGEOIS, 0000
LAWRENCE D. BUTTS, 0000
ROBERT J. CORNELIUS, 0000
JORGE E. CRISTOBAL, 0000
TIMOTHY D. EATON, 0000
ROBERT D. ELLIS, 0000
DONALD Q. FINCHAM, 0000
ERIC H. FOLSOM, 0000
STEVEN P. GEORGE, 0000
JAMES E. GLICK, 0000
CURTIS L. GOYETTE, 0000
ROBBIE GRIGGS, JR., 0000
DAVID B. GROVES, 0000
SCOTT T. HANSEN, 0000
JAMES J. HORZEMPA, 0000
STEVE E. HOWELL, 0000
FREDERICK D. HYDEN, 0000
KRISTEN S. KARNETSKY, 0000
JOHN M. LITTLE, 0000
BRYAN M. MAKI, 0000
JEFFREY C. MC CARTNEY, 0000
WILLIE E. MC COY, 0000
MICHAEL T. MC GLYNN, 0000
ROBERT F. MC KINNEY, JR, 0000
WILLIAM H. MC NUTT, 0000
TODD P. OHMAN, 0000
JOHN A. POLANCO, 0000
JAIME J. QUINONESGONZALEZ, 0000
RICHARD K. ROHR, 0000
WALTER SHIHINSKI, 0000
JOSE E. SIMONSON, 0000
CARL G. SMALL, 0000
MICHAEL A. VALADEZ, 0000
KATHY L. VELEZ, 0000
BRUCE T. VINCENT, 0000
ROBERT M. WELBORN, 0000
SCOTT C. WHITNEY, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To Be Lieutenant Commander

THOMAS B. LEE, JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES A. ARMIN, 0000
STEPHEN L. COOLEY, 0000
DONALD C. DRAPER, 0000
DOUGLAS W. HEILMAN, 0000
MARK D. PYLE, 0000

WITHDRAWAL

Executive message transmitted by the President to the Senate on April 25, 2000, withdrawing from further Senate consideration the following nomination:

DEPARTMENT OF STATE

THOMAS P. FUREY, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF NEPAL, WHICH WAS SENT TO THE SENATE ON MARCH 2, 2000.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2817–S2888

Measures Introduced: Eight bills and three resolutions were introduced, as follows: S. 2455–2462, and S. Res. 294–296. **Page S2865**

Measures Reported: Reports were made as follows:

Reported on Thursday, April 20, during the adjournment:

H.R. 3707, to authorize funds for the construction of a facility in Taipei, Taiwan suitable for the mission of the American Institute in Taiwan, with an amendment in the nature of a substitute.

S. Res. 271, regarding the human rights situation in the People's Republic of China, and with an amended preamble.

Reported today:

S. 1608, to provide annual payments to the States and counties from National Forest System lands managed by the Forest Service, and the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands managed predominately by the Bureau of Land Management, for use by the counties in which the lands are situated for the benefit of the public schools, roads, emergency and other public purposes; to encourage and provide new mechanism for cooperation between counties and the Forest Service and the Bureau of Land Management to make necessary investments in federal lands, and reaffirm the positive connection between Federal Lands counties and Federal Lands; and for other purposes, with an amendment in the nature of a substitute. (S. Rept. No. 106–275) **Page S2865**

Victims Rights: Senate resumed consideration of the motion to proceed to consideration of S.J. Res. 3, proposing an amendment to the Constitution of the United States to protect the rights of crime victims. **Pages S2818, S2820–32, S2835–51**

During consideration of this measure today, Senate also took the following action:

By 82 yeas to 12 nays (Vote No. 86), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to S.J. Res. 3 (listed above). **Pages S2835–36**

Senate will continue consideration of the motion to proceed to S.J. Res. 3 (listed above), on Wednesday, April 26, 2000.

Marriage Tax Penalty Relief Act—Cloture Vote—Agreement: A unanimous-consent agreement was reached providing that upon adoption of the motion to proceed to S.J. Res. 3, Victim's Rights, the Senate vote on the motion to close further debate on Lott (for Roth) Amendment No. 3090 to H.R. 6, to amend the Internal Revenue Code of 1986 to eliminate the marriage penalty by providing that the income tax rate bracket amounts, and the amount of the standard deduction, for joint returns shall be twice the amounts applicable to unmarried individuals.

Nominations Received: Senate received the following nominations:

Brian Dean Curran, of Florida, to be Ambassador to the Republic of Haiti.

Sharon P. Wilkinson, of New York, to be Ambassador to the Republic of Mozambique.

Mark D. Gearan, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term of two years. (New Position)

Linda B. Riegle, of Nevada, to be United States District Judge for the District of Nevada vice Johnnie B. Rawlinson, elevated.

Laura Taylor Swain, of New York, to be United States District Judge for the Southern District of New York vice Thomas P. Griesa, retired.

Daniel G. Webber, Jr., of Oklahoma, to be United States Attorney for the Western District of Oklahoma.

Jose Antonio Perez, of California, to be United States Marshal for the Central District of California for the term of four years vice Michael R. Ramon, resigned.

Russell John Qualliotine, of New York, to be United States Marshal for the Southern District of New York for the term of four years.

7 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

2 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. Pages S2880–88

Nominations Withdrawn: Senate received notification of the withdrawal of the following nomination:

Thomas P. Furey, of Oregon, to be Ambassador to the Kingdom of Nepal, which was sent to the Senate on March 2, 2000. Page S2888

Messages From the House: Page S2862

Communications: Pages S2862–64

Petitions: Pages S2864–65

Statements on Introduced Bills: Pages S2866–70

Additional Cosponsors: Pages S2870–72

Amendments Submitted: Pages S2874–75

Notices of Hearings: Pages S2875–76

Authority for Committees: Page S2876

Additional Statements: Pages S2857–62

Text of S. 1627, as Previously Passed: Pages S2876–77

Record Votes: One record vote was taken today. (Total—86) Page S2836

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:19 p.m., until 10 a.m., on Wednesday, April 26, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2877.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—ARMY

Committee on Appropriations: Subcommittee on Defense concluded hearings on proposed budget estimates for fiscal year 2001 for the Army, after receiving testimony from Louis Caldera, Secretary, and Gen. Eric K. Shinseki, Chief of Staff, both of the Department of the Army.

FEDERAL MASS TRANSIT GRANT PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine issues relating to the Transportation Equity Act for the 21st Century (TEA-21) transit grant program, focusing on the Department of Labor's process for issuing certifications for grant applications, the length of the process, and its potential to delay or change mass transit projects, after receiving testimony from John H. Anderson, Jr., Director, Transportation Issues, Resources, Community and Economic Development Division, General Accounting Office; Bernard E. Anderson, Assistant Secretary of Labor for Employment Standards Administration; Nuria I. Fernandez, Acting Administrator, Federal Transit Administration, Department of Transportation; James La Sala, Amalgamated Transit Union, and Charles Moneypenny, Transport Workers Union of America, both of Washington, D.C.; Roger Snoble, Dallas Area Rapid Transit Authority, Dallas, Texas; Lee G. Gibson, Regional Transportation Commission of Clark County, Nevada, Las Vegas; and James Stoetzel, Transit Safety Management, Boston, Massachusetts.

ENDANGERED FISH RECOVERY

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded hearings on S. 2239, to authorize the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado River and San Juan River basins, after receiving testimony from Senator Allard; Eluid L. Martinez, Commissioner, Bureau of Reclamation, Department of the Interior; Leslie James, Colorado River Energy Distributors Association, Tempe, Arizona; Greg Walcher, Colorado Department of Natural Resources, Denver; L. Randy Kirkpatrick, San Juan Water Commission, Farmington, New Mexico; Tom Pitts, Water Consult, Loveland, Colorado, on behalf of the Colorado Water Congress, Utah Water Users Association, and Wyoming Water Development Association; and Daniel F. Luecke, Environmental Defense, Boulder, Colorado.

U.S. EAST ASIA AID PROGRAMS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded hearings to examine issues relating to U.S. aid programs and priorities in East Asia, focusing on how USAID is promoting U.S. national and foreign policy interests, after receiving testimony from Robert C. Randolph, Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development.

PAIN RELIEF PROMOTION

Committee on the Judiciary: Committee concluded hearings on H.R. 2260 and S. 1272, bills to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, after receiving testimony from Senators Nickles, Wyden, and Gordon Smith; Eric Chevlen, St. Elizabeth Medical Center Cancer Care Center, Youngstown, Ohio; Arthur L. Caplan, University of Pennsylvania Center for Bioethics, Philadelphia; Rabbi J. David Bleich, Benjamin Cardozo School of Law, Washington, D.C., on behalf of the Union of Orthodox Jewish Congregations of America; Kathleen M. Foley, Memorial Sloan-Kettering Cancer Center, New York, New York; and Walter R. Hunter, VistaCare Hospice, Scottsdale, Arizona.

House of Representatives

Chamber Action

The House was not in session today. The House will next meet at 12:30 p.m. on Tuesday, May 2.

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. *D344)*

H.R. 1374, to designate the United States Post Office building located at 680 U.S. Highway 130 in Hamilton, New Jersey, as the ''John K. Rafferty Hamilton Post Office Building''. Signed April 13, 2000. (P.L. 106–183)

H.R. 3189, to designate the United States post office located at 14071 Peyton Drive in Chino Hills, California, as the ''Joseph Ileto Post Office''. Signed April 14, 2000. (P.L. 106–184)

CONGRESSIONAL PROGRAM AHEAD

Week of April 26 through April 29, 2000

Senate Chamber

On *Wednesday,* Senate will continue consideration of the motion to proceed to S.J. Res. 3, Victim's Rights. Upon adoption of the motion to proceed to S.J. Res. 3, Senate will vote on the motion to close further debate on Lott (for Roth) Amendment No. 3090 to H.R. 6, Marriage Tax Penalty Relief Act.

During the remainder of the week, Senate expects to consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: April 27, to hold hearings on the nomination of Michael V. Dunn, of Iowa, to be a Member of the Farm Credit Administration Board, Farm Credit Administration; and on proposed legislation on agriculture concentration of ownership and competitive issues, 9 a.m., SR–328A.

Committee on Appropriations: April 26, Subcommittee on Defense, to hold hearings on proposed budget estimates for fiscal year 2001 for the Department of Defense, 10 a.m., SD–192.

April 26, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings on stem cell research, 11 a.m., SH–216.

Committee on Armed Services: April 26, Subcommittee on Readiness and Management Support, to hold hearings on proposed legislation authorizing fund for fiscal year 2001 for the Department of Defense and the Future Years Defense Program, focusing on acquisition reform efforts, the acquisition workforce, logistics contracting and inventory management practices, and the Defense Industrial Base, 10 a.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: April 26, Subcommittee on Securities, to hold oversight hearings on competition and transparency in the financial marketplace of the future, 10 a.m., SD–538.

April 27, Subcommittee on International Trade and Finance, to hold oversight hearings on the International Monetary Fund and International Financial Institutions, 9:30 a.m., SD–538.

Committee on Energy and Natural Resources: April 26, Subcommittee on Forests and Public Land Management, to hold hearings on S. 2273, to establish the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area; and S. 2048, to establish the San Rafael Western Legacy District in the State of Utah, 2:30 p.m., SD–366.

April 27, Full Committee, to resume hearings on S. 282, to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; S. 516, to benefit consumers by promoting competition in the electric power industry; S. 1047, to provide for a more competitive electric power industry; S. 1284, to amend the Federal Power Act to ensure that no State may establish, maintain, or enforce on behalf of any electric utility an exclusive right to sell electric energy or otherwise unduly discriminate against any consumer who seeks to purchase electric energy in interstate commerce from any supplier; S. 1273, to amend the Federal Power Act, to facilitate the transition to more competitive and efficient electric power markets; S. 1369, to enhance the benefits of the national electric system by encouraging and supporting State programs for renewable energy sources, universal electric service, affordable electric service, and energy conservation and efficiency; S. 2071, to benefit electricity consumers by promoting the reliability of the bulk-power system; and S. 2098, to facilitate the transition to more competitive and efficient electric power markets, and to ensure electric reliability, 9:30 a.m., SH–216.

April 27, Subcommittee on National Parks, Historic Preservation, and Recreation, to hold hearings on S. 1438, to establish the National Law Enforcement Museum on Federal land in the District of Columbia; S. 1921, to authorize the placement within the site of the Vietnam Veterans Memorial of a plaque to honor Vietnam veterans who died after their service in the Vietnam war, but as a direct result of that service; S. 2231, to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech; H.R. 2879, to provide for the placement at the Lincoln Memorial of a plaque commemorating the speech of Martin Luther King, Jr., known as the ''I Have A Dream'' speech;

S. 2343, to amend the National Historic Preservation Act for the purposes of establishing a national historic lighthouse preservation program; S. 2352, to designate portions of the Wekiva River and associated tributaries as a component of the National Wild and Scenic Rivers System; H.R. 1749, to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers System; and H.R. 3201, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the Carter G. Woodson Home in the District of Columbia as a National Historic Site, 2:30 p.m., SD–366.

Committee on Foreign Relations: April 26, Subcommittee on International Operations, to hold hearings to review priorities in broadcasting, 3 p.m., SD–419.

April 27, Subcommittee on Western Hemisphere, Peace Corps, Narcotics and Terrorism, to hold hearings on lessons of NAFTA for U.S. relations with the Americas, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: April 26, to hold hearings to examine issues dealing with medical records privacy, 10 a.m., SD–430.

April 27, Subcommittee on Employment, Safety and Training, to hold hearings to examine OSHA's interference with state workers' compensation, 2 p.m., SD–430.

Committee on Indian Affairs: April 26, to hold hearings proposed legislation providing for Indian education, 9:30 a.m., SR–485.

Select Committee on Intelligence: April 27, closed business meeting to markup proposed legislation authorizing funds for fiscal year 2001 for intelligence related programs, 2:30 p.m., SH–219.

Committee on the Judiciary: April 27, business meeting to consider H.R. 2260, to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia; S. 1854, to reform the Hart-Scott-Rodino Antitrust Improvements Act of 1976; and S. 2089, to amend the Foreign Intelligence Surveillance Act of 1978 to modify procedures relating to orders for surveillance and searches for foreign intelligence purposes, 10 a.m., SD–226.

April 27, Full Committee, to hold hearings on pending nominations, 2 p.m., SD–226.

Committee on Rules and Administration: April 26, to hold hearings on citizen participation in the political process, 9:30 a.m., SR–301.

House Chamber

The House is not in session. It will next meet on Tuesday, May 2 at 12:30 p.m.

House Committees

No committee meetings are scheduled.

Next Meeting of the **SENATE**

10 a.m., Wednesday, April 26

Senate Chamber

Program for Wednesday: Senate will continue consideration of the motion to proceed to S.J. Res. 3, Victim's Rights. Upon adoption of the motion to proceed to S.J. Res. 3, Senate will vote on the motion to close further debate on Lott (for Roth) Amendment No. 3090 to H.R. 6, Marriage Tax Penalty Relief Act.

Also, Senate expects to consider the veto message to accompany S. 1287, Nuclear Waste Policy Amendments Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

12:30 p.m., Tuesday, May 2

House Chamber

Program for Tuesday: To be announced.

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