Certainly, the distinguished chairman of the subcommittee, Senator STEVENS, along with Senator KERRY, Senator HOLLINGS, Senator BREAUX, Senator LOTT—everyone worked so hard to do something that I think really will be for the benefit of all of the people who care about our waters, and use them either for commercial use or for recreation and conservation. Kudos to all.

I yield the floor.

MORNING BUSINESS

Mr. LOTT. Mr. President, we do have one issue we need to get resolved on this bill. While that is being worked on, I ask unanimous consent that there be a period of morning business for the next 30 minutes with time limited to 5 minutes each.

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

Mr. LOTT. 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.

Mr. DORGAN. 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 President, I ask unanimous-consent that the order for the quorum call be rescinded.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. DORGAN. Mr. President, is the Senate now in a period of morning business?

The PRESIDING OFFICER. The Senate is in a period of morning business, with a unanimous consent order limiting the time of each Senator to 5 minutes.

Mr. DORGAN. I ask unanimous consent that I be allowed to speak for 8 minutes.

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

GUNS IN SCHOOLS

Mr. DORGAN. Mr. President, this morning I was watching a morning television show and heard a report that was dumbfounding to me. It was a report on a decision by an appellate court of New York State dealing with a young man who had brought a gun to school. The gun had been discovered and taken from the youth. The boy was expelled from school. This case has made its way through the New York court system to the appellate court, which ruled Tuesday that the security guard had acted improperly in removing the gun from the boy who was in a school.

I came to the office this morning after hearing that report and asked for some information about the appellate court decision and got it. I read through it and there are times when you scratch your head and wonder why there are people serving in public office in any branch of government who are so completely devoid of common sense. I read this decision and wondered how anyone could really have decided that it is all right for a boy to carry a gun in school and not be punished for it.

There is a law on the books now, the Gun-Free Schools Act, that says schools must have zero tolerance for guns in our Nation's classrooms and hallways. I wrote it. I, along with the Senator from California, Senator FEINSTEIN, wrote this legislation that is now law. It says with respect to the issue of guns in schools, we are sending a message that is very clear anywhere in America.

The message ought to be clear to every student and every parent: There is zero tolerance for guns in schools. Do not bring a gun to school. If you do, you will face certain punishment. Now, that is law.

In the report I heard today about the court case in New York regarding the young man, identified as Juan, in the Bronx, at William Howard Taft High School, a security guard testified that he spotted what looked like the handle of a gun inside Juan's jacket. A search turned up the weapon, which was loaded. Juan was suspended for a year, and criminal charges were filed against him. A Bronx family court kicked out the charges, ruling that the outline of the gun was not clearly visible. The slight bulge was not, in any particular shape or form, remotely suspicious, so the security guard had conducted an unreasonable search. The appellate court went a step further and said, since the guard improperly removed the gun, the boy should not have been suspended from school.

I think that is nuts. When I get on an airplane to fly to North Dakota, I have to walk through a metal detector. They want to know whether I have a weapon on my person. They also have a right to search my briefcase and my luggage, and they have a right to determine that the people who board that airplane have no guns or weapons on them.

This court says that a security guard, or teachers, or principals have no right to determine whether a student with a suspicious bulge in his clothing has a gun in his pocket or in his jacket as he walks down a hallway or sits in a classroom at a school in the Bronx. Where is the common sense here? Of course, we have a right to determine that no kids in schools have guns. When a court says that a school has no right to expel a student who was caught with a gun by a security guard who saw a bulge in the student's pocket, then there is something fundamentally wrong with that court.

Now, as I said, I wrote the provision 2 years ago that says there is zero tolerance for guns in schools, and there are certain penalties for every student who brings a gun to school anywhere in this country. That does not vary from New Mexico to Indiana to North Dakota. If you bring a gun, you are expelled—no ifs, ands, or buts. This court decision, along with some background on other court decisions that I just heard about this morning on television, so angered me—to believe that we have the capacity in a country like this to prevent people from bringing guns onto airplanes but we can't expel a kid who is caught with a gun in school.

I have a young son in school today. He is 9 years old. He is sitting in a classroom in a wonderful school. I, just like every other parent in this country, want to make certain that if there is any kid that comes into that school, or any other school, with a gun, our children are safe, and that someone can intercept those students, and if they find a gun, they are going to remove the gun and the student. We have every right to expect that to be the case in our schools.

This court decision, as I said, denies all common sense. I fully intend to pursue additional Federal legislation, if necessary, in order to remedy this sort of circumstance. A country that can decide that people who board airplanes can be searched—and we can make certain that people will not take guns in airplanes—ought to be able to decide that children in school will be free from having another child in a classroom or in the hallway packing a .45 or a .38.

Parents ought to be able to believe that security guards who intercept people with guns in schools will be able to remove those students. Not too long ago, at a school about 2 miles from where I stand, a young boy was shot. I had visited that school about a month before the young boy was shot. I went to a school with nine students in the senior class, in a town of 300. But I wanted to tour this inner-city school and see what it was like. As I walked in, I went through a metal detector, and I saw security guards. I went into a school that is in a lockdown state when the school day begins. When the students are in, the doors are locked. They have metal detectors and security guards to try to make certain there are no students bringing in weapons and no unauthorized people are coming through the doors. Frankly, the security was pretty good at that school. They felt that there was a need to have substantial security.

About a month or so after I toured that school, a young boy was in the basement of that school in the lunch room at a water fountain. Another young boy named Jerome bumped him at the water fountain. For bumping the boy at the water fountain, Jerome was shot four times. I just read about it in the papers. I didn't know Jerome. He was shot four times and he lay on the floor critically wounded. He survived those wounds. He graduated from school. I visited with Jerome a couple of times, just trying to understand what is happening in these schools. It was prior to my passing legislation here dealing with the issue of zero tolerance and guns in schools. I found it unusual that a school with that security still had a boy in the cafeteria with a gun—a gun available to shoot