President's State of the Union Address. For that reason, I am disappointed. I believe our country can do better. I believe our country can do better. I believe the U.S. Congress can do better, and I hope that we will.

THE PRIVATE PROPERTY FAIRNESS ACT OF 1999

Mr. HAGEL. Mr. President, I have introduced S. 246, the Private Property Fairness Act of 1999. This bill will help ensure that when the Government issues regulations for the benefit of the public as a whole, it does not saddle just a few landowners with the whole cost of compliance. This bill will help enforce the U.S. Constitution's guarantee that the Federal Government cannot take private property without paying just compensation to the owner.

Recent record low prices received by American agricultural producers has prompted great concern about the future of family farmers and ranchers. What we must remember is that government regulations are unfairly burdening this vital sector—hitting family farmers the hardest.

The dramatic growth in Federal regulation in recent decades has focused attention on a very murky area of property law, a regulatory area in which the law of takings is not yet settled to the satisfaction of most Americans.

The bottom line is that the law in this area is unfair. For example, if the Government condemns part of a farm to build a highway, it has to pay the farmer for the value of his land. But if the Government requires that same farmer stop growing crops on that same land in order to protect endangered species or conserve wetlands, the farmer gets no compensation. In both situations the Government has acted to benefit the general public and, in the process, has imposed a cost on the farmer. In both cases, the land is taken out of production and the farmer loses income. But only in the highway example is the farmer compensated for his loss. In the regulatory example, the farmer, or any other landowner, has to absorb all of the cost himself. This is not fair.

The legislation I am introducing today is an important step toward providing relief from these so-called regulatory takings. My bill is a narrowly tailored approach that will make a real difference for property owners across America. It protects private property rights in two ways. First, it puts in place procedures that will stop or minimize takings by the Federal Government before they occur. The Government would have to jump a much higher hurdle before it can restrict the use of someone's privately owned property. For the first time, the Federal Government will have to determine in advance how its actions will impact the property owner, not just the wetland or the endangered species. This bill also would require the Federal Government to look for options other than restricting the use of private property to achieve its goal.

Second, if heavy Government regulations diminish the value of private property, this bill would allow the landowners to plead their case in a Federal district court, instead of forcing them to seek relief. This bill makes the process easier, less costly, and more accessible and accountable so all citizens can fully protect their property rights.

For too long, Federal regulators have made private property owners bear the burdens and the costs of Government land use decisions. The result has been that real people suffer.

Joe Jeffrey is a farmer in Lexington, NE. Like most Americans, he is proud of his land. He believed his property was his to use and control as he saw fit. So, after 12 years of regulatory struggles, Mr. Jeffrey got fed up and decided to lease out his land. The Central Nebraska Public Power and Irrigation District now has use of the property for the next 17 years. The Government's regulatory intrusion left Mr. Jeffrey few other options.

Joe Jeffrey first met the U.S. Fish and Wildlife Service and the Army Corps of Engineers in 1987. Mr. Jeffrey's introduction to the long arm of the Federal bureaucracy was in the form of wetlands regulations. Mr. Jeffrey was notified that he had to destroy two dikes on his land because they were constructed without the proper permits. Nearly 2 years later, the corps partially changed its mind and allowed Mr. Jeffrey to reconstruct one of the dikes because the corps lacked authority to make him destroy it in the first place.

Then floods damaged part of Mr. Jeffrey's irrigated pastureland and changed the normal water channel. Mr. Jeffrey set out to return the channel to its original course by moving sand that the flood had shifted. But the Government said ''no.'' The corps told him he had to give public notice before he could repair his own property.

Then came the Endangered Species Act.

Neither least terns nor piping plovers—both federally protected endangered species—have ever nested on Mr. Jeffrey's property. But that didn't stop the regulators. The U.S. Fish and Wildlife Service wanted to designate Mr. Jeffrey's property as ''critical habitat'' for these protected species.

The bureaucrats could not even agree among themselves on what they wanted done. The Nebraska Department of Environmental Control wanted the area re-vegetated. But the U.S. Fish and Wildlife Service wanted the area kept free of vegetation. Mr. Jeffrey was caught in the middle.

This is a real regulatory horror story. And there's more.

Today—12 years after his regulatory struggle began—Mr. Jeffrey is faced with eroded pastureland that cannot be irrigated and cannot be repaired without significant personal expense. The value of Mr. Jeffrey's land has been diminished by the Government's regulatory intrusion—but he has not been compensated. In fact, he has had to spend money from his own pocket to comply with the regulations. The Fish and Wildlife Service asked Mr. Jeffrey to modify his center pivot irrigation system to negotiate around the eroded area—at a personal cost of $20,000. And the issue is still not resolved.

Mr. President, we do not need more stories like Joe Jeffrey's in America. Our Constitution guarantees our people's rights. Congress must act to uphold those rights and guarantee them in practice, not just in theory. Government regulation has gone too far. We must make it accountable to the people. Government should be accountable to the people, not the people accountable to the Government.

What this issue comes down to is fairness. It is simply not fair and it is not right for the Federal Government to have the ability to restrict the use of privately owned property without compensating the owner. It violates the principles this country was founded on. This legislation puts some justice back into the system. It reins in regulatory agencies and gives the private property owner a voice in the process. It makes it easier for citizens to appeal any restrictions imposed on their land or property. It is the right thing to do. It is the just and fair thing to do.

THE SAFE SCHOOLS, SAFE STREETS AND SECURE BORDERS ACT OF 1999

Mr. DASCHLE. Mr. President, I am pleased to join Senator LEAHY and several other Democratic Senators in introducing the Safe Schools, Safe Streets and Secure Borders Act of 1999. Thanks in large part to the legacy of success that Senate Democrats have had in the area of anti-crime legislation, the crime rate in this country has been going down for six consecutive years. This is the longest such period of decline in 25 years, and the comprehensive crime bill that we are introducing will build on this success and reduce crime even further.

Despite the decrease in crime throughout the last six years, juvenile crime and drug abuse continue to be problems that weigh heavily on the minds of the American people. In my home state of South Dakota, there has been a particularly alarming increase in juvenile crime, and I have been working extensively with community leaders and concerned parents to focus public attention on this issue. Now is the time when we must target the real needs of American families and communities, and I believe that the Safe Schools, Safe Streets and Secure Borders Act of 1999 will do just that. This bill will reduce crime by targeting violent crime in our schools, reforming the juvenile justice system, combating gang violence, cracking down on the

sale and use of illegal drugs, strengthening the rights of crime victims, and giving police and prosecutors more tools and resources to fight crime. In addition, this bill would build on one of the most successful initiatives of the 1994 Crime Act by extending the authorization for the COPS program so that an additional 25,000 police officers can be deployed on our streets in the coming years. We will soon meet the commitment that we made in the 1994 Crime Act to put 100,000 new police officers on the beat across America—under budget and ahead of schedule—and we should build on that success. Putting more police officers on the streets, however, is not enough.

Unfortunately, in the last few years, our schools have been plagued by tragic shootings far too many times. These senseless tragedies must be stopped, and the Safe Schools, Safe Streets and Secure Borders Act of 1999 targets violent crime in schools by providing technical assistance in schools, reforming the juvenile justice system, assisting states in prosecuting and punishing juvenile offenders and reducing juvenile crime, while also protecting children from violence.

Moreover, we must stop street gangs from spreading fear in our neighborhoods and interfering with our livelihoods. A recent report by the Department of Justice indicates that more than 846,000 gang members belong to 31,000 youth gangs in the United States, and the numbers appear to be growing. The ramifications of this trend could be disastrous. For this reason, an important provision of the Safe Schools, Safe Streets and Secure Borders Act of 1999 would crack down on gangs by making the interstate ''franchising'' of street gangs a crime. It will also double the criminal penalties for using or threatening physical violence against witnesses and contains other provisions designed to facilitate the use and protection of witnesses to help prosecute gangs and other violent criminals. The Act also provides funding for law enforcement agencies in communities designated by the Attorney General as areas with a high level of interstate gang activity.

We can also do more to keep our children off the street and out of trouble. The Safe Schools, Safe Streets and Secure Borders Act of 1999 will do just that by providing additional funding for proven prevention programs in crime-prone areas and creating after school ''safe havens'' where children are protected from drugs, gangs and crime with activities including drug prevention education, academic tutoring, mentoring, and abstinence training. In this way, we can provide kids with coaches and mentors now, so that they will not need judges and wardens later. This makes sense for our children, this makes sense for our communities, and this makes sense for our future.

There are many other provisions in the Safe Schools, Safe Streets and Secure Borders Act of 1999 that will make a real difference—a positive difference—in the lives of the people of this country. This comprehensive bill is a vital part of our ongoing effort to secure the safety of our schools, streets and citizens, and I encourage my colleagues on both sides of the aisle to give it their full support.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SERIOUS SITUATION IN KOSOVO

Mr. WARNER. Mr. President, I would like to address the Senate for a few minutes about this very serious situation unfolding in Kosovo.

Last fall I gave a series of remarks regarding the increasing problems relating to Kosovo. On September 3, 1998, having just returned from Kosovo at that time, and subsequently on October 2, October 8 and October 20, I stood at this very desk and said it was my belief that the types of atrocities that the world has witnessed in the past few days would quickly unfold, unless NATO placed in the Pristina region a ground force to serve as a deterrent. That may not be a popular position, but it is a realistic one, and I expressed it to the Supreme Allied Commander of NATO, General Clark, just a few days ago. I reiterated the fact that we simply had to put in place a deterrent force.

Now, there is the complexity that Kosovo is a sovereign part of Yugoslavia—a sovereign nation. However, if we are using the threat of air operations against that sovereign country, it seems to me that short of taking that step, we could make it very clear to Milosevic, who unquestionably is responsible for these atrocities, that it is absolutely essential to have this ground force in place. Currently, over 800 individuals—unarmed verifiers—are in Kosovo, trying to help the people of this tragic region sort out their lives and receive the basics of food and shelter. Now, those people are at risk.

Mr. President, I also say that if that NATO force were to be placed in the Pristina region, as I so recommend, a part of that force would have to be a U.S. component. General Clark, Supreme Allied Commander of NATO, is an American officer. In my judgment, we could not in clear conscience have a NATO force in place without some representation of American servicemen and women. I recognize the risks, but there is a direct parallel, Mr. President, between the disintegration in Kosovo, the threat of atrocities and, indeed, conflict between the KLA and the Serbian forces. Conflict, which in the estimate of those on the scene, is looming just weeks ahead. There is a direct correlation between Kosovo and Bosnia. Although I personally was initially opposed to the deployment of U.S. ground troops in Bosnia, once done, I have been a strong supporter of getting it done correctly. This Nation has contributed a very significant investment, first, of men and women in the Armed Forces serving as an integral part of the NATO forces in Bosnia, and second, with respect to billions of dollars of the taxpayers' money.

In my judgment, there has been very little progress of late in Bosnia because of the political factions still tenaciously holding on to their fractious relationships between Serbs and Croats, Muslims and Croats, and Muslims and Serbs—all of the ethnic, deep-rooted problems which brought about this conflict many years ago. But we could lose that investment; what little gain has been achieved in Bosnia could be lost and, indeed, in all probability, any ability to advance toward an independent nation—one that is militarily and economically able to stand on its own feet so that we can get our forces out, together with other allies involved. That is in jeopardy with this instability in Kosovo because those various factions are going to watch Kosovo and say, ''NATO is not going to do anything there, so let's just wait it out in Bosnia. Wait it out, and we will have that opportunity some day to go back and fight amongst ourselves to achieve our respective goals.''

So, Mr. President, I so recommend to our President and other leaders in NATO today, other nations, examine very carefully, indeed, the suggestion to place a ground force as a deterrent force in the Pristina region as quickly as possible.

I yield the floor.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, parliamentary inquiry. It is my understanding that from 12 o'clock to 1 o'clock there is 1 hour on our side under the control of myself or a designee.

The PRESIDING OFFICER. The Senator is correct.

THE REPUBLICAN AGENDA FOR THE 106TH CONGRESS

Mr. COVERDELL. Mr. President, day before yesterday, our conference introduced our agenda for the 106th Congress. We all know that the Senate is in a very stressful period. But we have said time and time again that the people's business is going to continue. If anything, the presence of all Members of the Senate has accelerated our attention—the Presiding Officer and I talked about that earlier today—accelerated the work of the people's business. But the outlining of this agenda is extremely important and says volumes about our view of what is good