

and filing of the committee report on March 26.

It is time for the Senate to complete its work on S. 331. Many of our constituents are watching and waiting for us to make this bill a law.

In my state, Vermont, 24,355 Social Security disability beneficiaries are waiting for S. 331 to become law. There are 9.5 million people waiting across the country. Under current law, if these people work and earn over \$500 per month, they lose cash payments and health care coverage under Medicaid or Medicare.

This is health care coverage that they simply cannot get in the private sector. S. 331 allows them to work and have access to health care coverage. It also provides them choices regarding job training and placement assistance.

Do Social Security beneficiaries with disabilities really want to work? The answer is a resounding "Yes." Over the last 10 years, national surveys consistently confirm that people with disabilities of working age want to work, but only about one-third are working.

I have heard many compelling stories from individuals with disabilities. Some sit at home waiting for S. 331 to become law, so they can go to work. Others work part-time, careful not to exceed the \$500 per month threshold which may trigger a cut-off of their health care. Each of us has received letters in support of S. 331. Let me share one story with you. Don is a 30 year-old man, who has mild mental retardation, cerebral palsy, a seizure disorder, and a visual impairment. Don works, but only part-time.

At the end of his letter, Don wrote:

The Work Incentives Improvement Act will help my friends become independent too. Then they can pay taxes too. But most of all they will have a life in the community. We are adults. We want to work. We don't need a hand out . . . we need a hand up.

We should give Don and his friends a hand up. Doing so would be good for Don and good for the Nation. The hard facts make a compelling case for S. 331:

As I indicated, there are 9.5 million Social Security beneficiaries. Of those who work, very few make more than \$500 per month. In fact, of working individuals with disabilities on supplemental security income, only 17 percent make over \$500 per month and only 10 percent make over \$1,000 per month. Another 29 percent make \$65 or less per month. Let's assume that S. 331 becomes law, and just 200 Social Security disability beneficiaries in each State work and forgo cash payments. That would be 10,000 individuals across the country out of 9.5 million disability beneficiaries. The annual savings to the Federal treasury in cash payments for these 10,000 people would be \$133,550,000. Clearly, the Work Incentives Improvement Act of 1999 is targeted, fiscally responsible legislation.

It enables individuals with disabilities to enter the workforce for the first time, re-enter the work force, or avoid leaving it in the first place.

These individuals would not need to worry about losing their health care if they choose to work a 40-hour week, to put in overtime, or to go for a career advancement. Individuals who need job training or job placement assistance would get it. S. 331 reflects what individuals with disabilities say they need. It was shaped by input across the philosophical spectrum. It was endorsed by the President in his State of the Union Address. S. 331 will give us the opportunity to bring responsible change to Federal policy and to eliminate a perverse dilemma for many Americans with disabilities—if you don't work, you get health care; if you do work, you don't get health care. S. 331 is a vital link in making the American dream an accessible dream, for Americans with disabilities. In closing, I would like to tell you about a young constituent of mine. Her name is Maria, and she faces many daily challenges as a result of her disability. She recently contacted my office to let me know that she is counting on S. 331. Maria is a junior majoring in Spanish at a college in Vermont. She plans to graduate to become a bilingual teacher for children and adults from Central and South America.

Maria has her whole life ahead of her. She has dreams and she has contributions to make. Enactment of S. 331 will make Maria's dreams possible. She will be able to pursue a career without fear of losing the health care she needs. Let's enact S. 331 now.

The PRESIDING OFFICER. The time of the Senator has expired. The Senator from Virginia.

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

The Senate continued with the consideration of the bill.

Mr. ROBB. Mr. President, under a previous unanimous consent order, I am to be recognized to speak on an amendment which I plan to offer to the pending legislation.

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBB. Mr. President, I had appeared on two previous occasions today believing that would be the time at which amendments would be accepted only to find that that had changed. Because I, like the Chair, have responsibilities with the defense authorization committee and subcommittee markups, I may be absent when that time eventually arises.

I rise now to discuss, rather than offer, an amendment, which I will offer as soon as we are permitted to do so, that I hope will add an essential component to the larger debate we have begun about school violence and juvenile justice.

Given the last year of school tragedies in Arkansas, Kentucky, Mississippi, Oregon, and now Colorado, discussions about seemingly random acts

of school violence have moved from the school board meeting rooms to the kitchen tables of America. Our dialog has encompassed everything from Internet use and video games to gun control. If anything positive has resulted from these tragedies, it is that we, as a nation, have finally started to focus on school violence by acknowledging that this is a multifaceted problem demanding multifaceted solutions.

Unfortunately, the issue of violence in our schools is not new. Six years ago, I stood in this Chamber to talk about school violence and offered an amendment to create a 2-year commission to study school violence. I acted in response to shootings that involved students and took place in the Norfolk area of Virginia.

When I spoke in 1993 about school violence, I mentioned that we had experienced a cultural change. In fact, I brought this very chart to the floor to illustrate that point.

In 1940, public schoolteachers were asked to cite the top disciplinary problems they dealt with on a routine basis. The list included: Talking out of turn, chewing gum, students making noise, running in the halls, cutting in line, dress code violations, and littering. The same list of routine disciplinary problems in 1990 looked like this: Drug abuse, alcohol abuse, pregnancy, suicide, rape, robbery, and assault.

That was 1990. If the same survey were done today, I suspect assault would rank even higher on the list. In the 1996-1997 school year, 43 percent of our Nation's schools had no incidents of crime at all. For those that did, the vast majority of crime involved theft and vandalism. But despite these facts, in the last year alone, 40 people have died as a direct result of school shootings. The most serious of them, of course, occurred 3 weeks ago today at Columbine High School in Littleton, CO.

The most common questions asked following incidents of school violence are: Why? and, What could have been done to spot the warning signs and intervene before it was tragically too late?

In an effort to better educate school districts across the country about how to develop violence prevention and intervention strategies, the Secretary of Education and the Attorney General last August issued a comprehensive guide entitled "Early Warning, Timely Response." The guide was developed with the help of experts from law enforcement, education, juvenile justice, mental health, and other social services and was based upon extensive research about violence prevention plans. The emphasis of this guide is communitywide involvement.

Our children come into contact every day not only with us as parents, but also with teachers, administrators, pastors, bus drivers, coaches, counselors, and so many others. We all have a responsibility to help parent and guide our Nation's children.

Furthermore, we all know that recognizing the warning signs of stress, depression, substance abuse, and violent behavior starts at home and extends well into our communities. We, as public officials, have a responsibility to work with States and communities to ensure that we are doing all we can to keep our schools safe.

That is the thrust of the amendment I plan to offer. It is about the Federal Government becoming a better, more responsible partner with States and localities to combat school violence in America. I use the word "partner" because there is not a single requirement that States or localities participate at all.

Instead, this proposal is about providing the sources and expert advice to States and communities and schools who worry today about school violence and want to renew their efforts to fight it. For those of us on both sides of the aisle who care deeply about education, this amendment is a recognition that good schools are safe schools.

In this spirit, the amendment I will offer, hopefully later today, establishes a national resource center for school safety and youth violence prevention and authorizes additional funding to communities to develop violence prevention and intervention plans and to expand mental health services and treatment programs.

First, the national center that we envision will serve as an "education FEMA," if you will. In the event of an incident of school violence, the center's experts would be dispatched directly to the school involved to provide emergency response services. The center's team of experts would provide crisis counseling, additional school security personnel, and long-term counseling for students and families who chose to take advantage of these services.

Second, the center will establish a toll-free, anonymous student hotline so that students may report, without fear of retaliation, criminal activity or threats of criminal activity and other high-risk student behavior they witness or of which they become aware. For example, a student could call such a hotline to report another student's substance abuse or gang affiliation. The center would work with the Attorney General to develop guidelines about how to coordinate with law enforcement agencies to both relay the information and protect student privacy.

The importance of this hotline became apparent to me during my own research on this bill, as well as during the visit I made with President Clinton to T.C. Williams High School in Alexandria, VA, just 2 days after the shooting in Littleton. It is clear to me that there has been a void in our legislative approach to promoting school safety.

While we have substantially increased the funding of school safety plans under the COPS program over the last 2 years, we need to do a better

job of encouraging and teaching our children that students themselves also have a responsibility to report high-risk or threatening behavior of which they are aware in themselves or other students. But to effectively encourage this, we have to provide students with safe channels through which to report this information. A student who is aware of a plan to build bombs or knows that another student is suicidal should have a confidential way to report that knowledge.

In the long run, an investment in prevention is an investment not just in the child who may be on the brink of pulling the trigger or throwing the bomb, but an investment in the safety of all our children who can all too quickly become tragic victims.

Third, the center will provide training and technical assistance to teachers, administrators, parents, law enforcement personnel, and others in communities about ways to develop effective school safety strategies. Components include helping schools effectively utilize tip hotlines, assisting with threat assessment, helping create partnerships among police, schools, parents, and social service agencies, developing media and police protocols to handle emergencies and, very important, working with the Departments of Justice, Education, and HHS to help train teachers to learn to identify students at risk of bringing violent behavior into their schools.

Fourth, the center will serve as a clearinghouse of information about model school safety plans across the country, with the center's staff available to offer a wide array of plans to a community seeking assistance, from increased use of surveillance equipment to a community case management process to deal with troubled youths. This includes the operation of a nonemergency, toll-free number for the public to obtain information about school safety.

Finally, the center would conduct research about school violence prevention and the extent to which smaller learning communities help reduce incidents of violence in our schools. We can do all this for less than \$100 million. That is the center's authorization in the legislation that we plan to offer.

From emergency response teams, to the student hotline, to the teacher training to identify violent behavior in school, this small investment in an education FEMA is well worth the expense.

In truth, however, nothing can ever compensate a family for the loss of a child. But we ought to be able to say to all communities throughout this country that we are doing everything we can to prevent these tragedies from happening in the first place.

The second part of this amendment provides direct support to communities as they look for resources to develop or enhance their own school safety and youth violence prevention services. I believe communities will benefit tre-

mendously from this amendment, because it authorizes more funding for comprehensive community-wide school safety plans under the Safe Schools/Healthy Students Program, an existing program that was enacted in response to the tragic incident in Jonesboro, AR.

I will not go into detail about this part of the amendment because I know Senator KENNEDY has been working on these issues for some time now and has particular expertise about the combined work that the Department of Education and the Department of Health and Human Services have done with communities that have come together to improve or establish mental health services for violence-related stress and other types of community efforts. I certainly applaud the Senator for all he has done in this regard. He has been an outstanding advocate for children and families over the years.

Let me conclude by saying as a public official and as a former marine, I have long believed that the first responsibility of the Federal Government is to keep our citizenry safe—safe from enemies both foreign and domestic. Americans have a right to be safe in their homes, on their streets, and in their workplaces. And our children have a right to be safe in their schools.

Fear of violence should not threaten our children's learning environment. The bottom line is this: We cannot have good schools unless we have safe schools. As I said at the outset, there are many components of this debate about school violence and juvenile justice. We need to talk about parenting and values and teaching our children about respecting their lives and the lives of those around them.

We need to talk about how we hold accountable those who endanger or harm our children. We need to talk about guns and the extent to which there are loopholes in existing laws that can be changed to better protect our children. But there is absolutely no question that we need to talk about prevention, and this amendment builds upon the work Congress has already done in the area of prevention.

This amendment will be just one component of a debate that I hope we will all support to help our kids and their families, America's teachers and counselors, our law enforcement officials, and entire communities across our Nation who have one goal in common—to stop school violence before it starts.

Here in Washington we can do our constructive share. We can provide expertise. We can provide resources directly to communities. We can empower communities to better protect America's children. We can, and we should.

As I said on the floor last week, simply going to school should not in and of itself be an act of courage.

With that, Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 322

(Purpose: To make amendments with respect to grants to prosecutors' offices to combat gang crime and youth violence, juvenile accountability block grants, and the extension of Violent Crime Reduction Trust Fund, and for other purposes)

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. HATCH], for himself, Mr. BIDEN, Mr. SESSIONS, and Mr. DEWINE, proposes an amendment numbered 322.

Mr. HATCH. I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 323 TO AMENDMENT NO. 322

(Purpose: To provide resources and services to enhance school safety and reduce youth violence)

Mr. LEAHY. Mr. President, I send an amendment in the second degree on behalf of Mr. ROBB and Mr. KENNEDY.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. ROBB, for himself and Mr. KENNEDY, proposes an amendment numbered 323 to amendment No. 322.

Mr. LEAHY. I ask unanimous consent reading of the amendment be dispensed with.

Mr. HATCH. I have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, I withdraw my objection.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

AMENDMENT NO. 322 WITHDRAWN

Mr. HATCH. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

The amendment (No. 322) was withdrawn.

Mr. HATCH. 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. HATCH. 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. HATCH. It is my understanding the distinguished Senator from New York just wants to speak on the bill.

Mr. SCHUMER. Correct. I have no intention of offering anything today.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Thank you, Mr. President, and I thank the Senators from Utah and Vermont for yielding me time on the floor as we begin to discuss juvenile violence.

First, let me say I appreciate the majority leader making this time available, and at this crucial time, because some say, well, maybe we should wait for the dust to settle in the aftermath of the tragedy in Littleton, CO. But I have found in years that sometimes when a terrible tragedy occurs people are focused on issues that might prevent future terrible tragedies; but if we wait several months, nothing much happens. So I am grateful for the opportunity. I think it is correct legislatively.

This is not a new issue. We have, unfortunately, seen other tragedies—in Springfield, OR, and Arkansas and throughout the country. Most of us have given lots of thought to the issue of how do we deal with violence among juveniles? How do we deal with violence in the schools? I agree with all of those who have said there is no one road to Rome, that there are many, many different approaches. In fact, to me, an argument where one says, well, do A, which means don't do B, C, and D, is wrong. We have to examine all the causes of violence. We have to look at them. To advocate one particular course doesn't gainsay that another course might help as well.

It is obviously a very complicated issue. The question I guess all of America is asking itself is a simple one: Why now? Why all of a sudden have we seen such a rash of violence in our schools?

I have given this a great deal of thought, first in my 18 years in the House where, as a member of Judiciary, I focused on crime issues, and now in the last several months as a new Member of this body. In addition to thinking and reading about this, I also went out and talked to many young people. In fact, I have had conversations, been in classrooms, either directly or by video, with schools across my State—East High School in Rochester; Nottingham in Syracuse; Colony High School in Albany; Rockville Center in West Chester; New Rochelle High School; and two schools in New York City, Tottenville and Hunter High School. In each I sat down with a group of 30 to 50 young men and women and asked them their views, because I think it doesn't make much sense to talk about juvenile violence without talking to the juveniles.

Basically, what I found was quite interesting. I found that they, too, agreed that there were a number of causes, and many were perplexed as to why this happened. But I found some interesting thoughts. In every school, the students talked about two things more than any other that they thought led to this violence. In each school I went to—and these schools were quite varied; one was in an upper-income

neighborhood, one in a poor neighborhood, and the rest were in rather middle-class neighborhoods—there were two common themes:

First, students did stress isolation, that young people do feel isolated and alone. They realized that the adolescent condition sometimes was such that when someone was isolated and alone, instead of reaching out, the inclination was to pick on them. A number of schools had suggestions as to how to deal with this problem. One school had an ombudsman, a young teacher whom the students loved. If someone was in trouble or feeling isolated or lonely, they could go to that ombudsman, and many did. Just as importantly, if it seemed to other students in the school that a young person or a group of young people was headed towards trouble, they could go to the ombudsman and the ombudsman would do what was necessary to try to bring that group of young people into the fold.

In another school up in Albany they had a human relations club. The heads of all the various student activities and the heads of different cliques or groups would get together once a month and discuss things and discuss their differences. It proved a good way of bridging gaps in that high school. Finally, another school, one on Long Island, had a club. It was sort of an elite club; it was hard to get into. I think it was called Smiles. One of the ideas of Smiles was to reach out to others and be inclusive. It was sort of taking the credo of inclusiveness and bringing people together and making it a thing that everyone aspired to do. I thought those ideas were pretty good and pretty interesting. Maybe we should look at some of them this week.

One idea that every classroom I went to seemed to laugh at was the idea that seems to have gained some currency here in Washington, and that is the culture of violence. I, for instance, myself, having seen the video games and seen some of the movies that came out, when I started this process, thought this should be a reason young people would be more violent.

The kids seemed not to feel that way. They laughed at the idea that a video game, a movie, a television show would push somebody to do something awful like at Littleton. I said to them, well, it may not push you, but it might push people who were isolated and alone. They said, no, it would take a lot more than that.

One youngster raised his hand and said to me: When did you grow up? I said in the 1950s. He said: You saw a lot of westerns. I said that, yes, I did. He said: Did that move you to be more violent? I said not at all.

We may disagree with it, but I thought it was interesting that from one end of my State to the other, young people of all economic backgrounds and races and creeds and ethnicities rejected that idea. And again, of course, I come from New York

State, but these schools were spread throughout the State, many in quite conservative areas.

I found the one thing that was virtually universal is kids thought that guns were too available for them. I asked each high school class, if you really wanted to get a gun, would you know where to go or who to ask? And 60 to 100 percent said yes.

My point here today is this: Certainly we should consider other causes of violence among young people. We should look at isolation. Certainly we should look at parental responsibility. I am the father of a 4-year-old. It seems a lot of times she doesn't want to have her parents around her. But most of them wanted parental guidelines, wanted parental responsibility, wanted parental authority. There was no disagreement about that.

If you looked at the one consistent thing that almost everyone agreed with, it was that guns, the availability of guns, was too great; the availability of knowledge of how to make bombs and how to buy guns encouraged and created more violence. And it made me think of a useful parallel, which I just heard Senator LEVIN mention earlier today about his community in Detroit, MI, and I have mentioned in mine in Buffalo and western New York. Both those communities are right across the border from Canada. In both those communities, there is something startling. There is the same culture, same video games, same movies, and they get the same TV stations. People in Windsor, ON, watch the same TV as people in Detroit. People across the Niagara River in Canada, in Fort Erie, watch the same TV as the people in Buffalo and Niagara Falls.

Why are we so much more violent? It is not culture or violence. It is the same in each. It is not really the idea that we have two parents working and single moms and single dads, fewer parents around, less parental responsibility. That is the same in each. It is not the isolation that young adolescents often feel. That is the same in each. What is the difference between the situation in Canada and the situation in America?

The one difference is the gun laws, where Canada's are much tougher than ours.

It seems to me that if we go through this package—and we certainly should consider other issues—but we ignore or short circuit, truncate, a debate on gun violence, we will be making a serious mistake.

I heard one of my friends say this is political. Well, it is no more political to me than talking about Hollywood might be to some others in this. I believe this would make a huge difference.

I thank the Senator from Vermont. He has put together a package of gun amendments that just about everybody in our caucus could support. I am glad he did. I think they will make a difference. A group of us have been meet-

ing, those of us who believe in tougher laws on guns, although we tried to be very mindful of the law-abiding rights of citizens, of gun-owning citizens. We have put together a package of 10 amendments. Each of them meets two criteria: One, that they would do some good; two, that they have a chance of passing, that they are not going to get 25 or 30 votes from people who agree with my position but, rather, that they would be able to garner much greater support.

I say to the majority leader and to my chairman, the Senator from Utah, we do not want to speak on these amendments forever. We do want the opportunity to debate them and to discuss them and to vote on them, because we think some of them have a real chance of passage.

I say to my colleagues that I am appreciative of this opportunity. I know the issue of guns is not the only answer, but it seems to me, because there is a culture of violence, because parents are working, and because adolescents are young and often feel isolated, that none of those gainsay the need for better laws on guns.

As I say, our package is moderate. It is careful. We have not put everything on the floor. Many times I would like to, because I would go further than this body would.

But I welcome the opportunity to discuss these issues. I believe we will do it in a careful, respectful and bipartisan way. Our goal is not to have a Democratic v. Republican division. Our goal is to pass legislation, and if we can do that in a bipartisan and nonrancorous way, I think we will have served America well.

I thank the Senator from Utah and the Senator from Vermont for yielding their time. I look forward to their debate.

I simply ask the majority leader to make sure, provided we are willing to live within the time limits, that we have the time to discuss these 10 amendments—there may be others—and to discuss them, perhaps pass them, and finally do something real about the Littletons that have plagued our Nation over the last year.

I thank the President.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Utah.

Mr. HATCH. Mr. President, as I understand it, the Senator from Massachusetts would like to make a statement for debate only. Am I correct, the senior Senator from Massachusetts would like to make a statement for debate only, and also the distinguished Senator from California would like to make a statement for debate purposes only?

I ask unanimous consent they be permitted to proceed at this point.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, if I could ask the Chair—I appreciate the opportunity to address the Senate—what is the pending matter?

The PRESIDING OFFICER. The pending matter is S. 254.

Mr. KENNEDY. It is open for amendment; is that correct?

The PRESIDING OFFICER. The bill has no amendments pending on it.

Mr. KENNEDY. The bill has no amendments pending at the moment.

The PRESIDING OFFICER. That is correct.

The Senator from Utah.

Mr. HATCH. Mr. President, we were hopeful that we could call up the Hatch-Biden-Sessions amendment and get a vote on that. We would like to cooperate with fellow Senators and be able to do that. We hope the Senator from Massachusetts will defer any amendments until we finish with that.

Mr. KENNEDY. Mr. President, I believe that the Robb amendment is before the Senate, and I intend to speak on behalf of this amendment. I will be glad to follow leadership as to how we should proceed. I do not intend to delay the proceedings.

Mr. HATCH. If the Senator will yield, we are looking at the Robb amendment.

Mr. KENNEDY. I am having difficulty hearing my colleague and friend.

Mr. HATCH. We are looking at the Robb amendment and studying it to determine when and if it is to be brought up. If the Senator wants to speak, it is not before the Senate.

Mr. KENNEDY. Mr. President, with all respect to my friend and colleague, I do not believe that the Senator from Utah can decide if Senator ROBB's amendment can be brought up. It is my understanding that Senator ROBB is perfectly entitled to bring it up.

Mr. HATCH. Will the Senator yield?

Mr. KENNEDY. I yield the floor.

Mr. HATCH. The Senator from Utah understands that. We chatted with Senator ROBB and said we would look at the amendment to see if it is something we can accept. If not, he can bring it up any time he wants to in the regular course of business. He had to go to another meeting, and we will discuss the amendment as soon as he returns.

Mr. LEAHY. If the Senator will yield, I will explain it. The Senator from Virginia, Mr. ROBB, brought up his amendment in the second degree to the Hatch-Biden-Sessions amendment. The distinguished Senator from Utah is one of the sponsors of Hatch-Biden-Sessions. He withdrew it, thus withdrawing the second-degree amendment by Senator ROBB. The distinguished Senator from Virginia is thus waiting for time to bring his amendment back up for consideration.

Mr. KENNEDY. Mr. President, I will speak briefly in support of the Robb amendment. Later, I intend to participate in the debate on the Robb amendment and other provisions underlying the legislation.

Over the next few days, we will have the opportunity to consider how we can best respond to the anxieties and concerns of families and children across

this country. In the wake of the tragedies that have affected a number of our schools over the past few years, it is appropriate that the Senate consider violence and its impact on children and families.

As we begin this debate and discussion in the Senate, we should understand that, in just a few days, we cannot develop a silver bullet capable of responding to all of the complex issues raised by the tragedies that have occurred in Colorado, Paducah, and other communities and other schools across this country.

But even having noted that these are complex issues, we have to ask ourselves: Can we at least evaluate some things that have been done in the fairly recent past that have been helpful to students, that have been helpful to parents, that have been helpful to schools, and that have been helpful to communities? Quite clearly the answer to this is yes.

I am not one of those who says that we don't have all the answers and, therefore, we don't have any of the answers. No one could say that, coming from the City of Boston where we have seen dramatic reduction in youth homicide and youth violence in the country. It has been within the last probably 4 years. Boston has approximately 128 schools. We had only one youth homicide involving a firearm during a 2.5 year period.

As we look at the underlying bill in terms of youth violence, it is appropriate that we also look at the current record to see if there are some ideas that might be of some value and some use.

I think issues dealing with the media—perhaps the various excessively violent video games and others are going to take some time, but these are issues that we must consider. We have a chance to see what has been working out there, and to see whether those efforts should be supported, perhaps enhanced, and if they can be shared in other parts of the country. That is what we are trying to do with the Robb amendment.

There are two important parts to this amendment. One is to establish a resource center that will be a place where either parents or schools or school districts or communities are able to go to find out what is working in other communities around the country. It will be an evaluation of information. It will have a collection of what is working in urban areas and what is working in rural communities, and what the results have been and how communities utilize these efforts.

There have been a number of efforts. Some might be particularly appropriate to Boston. Others might be different and better suited in terms of dealing with the problems in Pocatello. There may be some development of efforts that have involved law enforcement, some that have involved the schools, some that have involved the parents, some that have involved the

students in terms of mentoring, programs of reconciliation. A number of different initiatives that are out there may just have some application in terms of different schools across the country, and those communities might be interested.

In the Robb amendment, we have a proposal for this clearinghouse that will be a resource available to schools, a resource available to communities, a resource available to parents, a resource that will be available to students who have responsibility in their schools, a resource that will be available to the law enforcement officials. It will have other functions such as having available individuals who might be able to respond if there is an immediate danger of violence. This all makes a good deal of sense.

A second provision of the Robb amendment deals with the resources that are out there within the community, within the Department of Justice, the Department of Health and Human Services, and the Department of Education. It is called the Safe Schools/Healthy Students initiative. This was developed in a nonpartisan effort to try to bring together a number of different programs that have a positive impact on reducing youth violence which the schools will be able to draw upon. This program includes aspects to develop a safe school environment, including partnerships with the local law enforcement; it includes aspects to enhance security measures for those schools where it is necessary; it includes aspects to redesign school facilities to get into smaller school units where teachers know the names of every student in the school, and every student knows the name of every teacher.

We have this program being implemented in a number of different communities. In Boston it is being developed in a number of different schools. It has been tried and is being utilized in a number of different communities. It is very interesting and exciting, and we have seen positive results.

Prevention programs and early intervention, in terms of alcohol and drugs—bringing in the mental health, preventive treatment and intervention services that exist in the SAMHSA program which deals with mental health and assistance and targeting help and assistance for children—have been particularly effective.

We know almost a third of all the children who go to the schools in the inner city of Boston, for example, come from completely dysfunctional homes—either with substance abuse or violence, and these children are facing the most extraordinary set of circumstances. We have to understand being young, being a child, and being at school today is no picnic. They are faced with enormous challenges. We don't have, generally, health care centers in these schools; a few of them do, but not many. The importance of mental health counselors, psychologists

and nurses working with the early childhood psychological, social and emotional development services have been included in the second phase of this program. This was basically the result of a very extensive review done by the Department of Justice working with HHS, and the Department of Education, and the resulting recommendations.

This evaluation shows that this kind of approach, with law enforcement and the preventive aspect, has provided some very important help and assistance to the schools.

I look forward to working with a number of our colleagues—Senator BOXER, Senator SCHUMER, Senator DURBIN, Senator LAUTENBERG, Senator FEINSTEIN and others—in terms of responsible ownership regarding weapons. I think that is certainly very important. We ought to expect responsibility in terms of manufacturers making safe guns. We ought to expect dealers are not going to sell to adolescents. We have to expect responsibility of parents in storing their guns separate from the ammunition. We will keep rapid automatic weapons out of the hands of children, extend the Brady bill, and include the background checks at the gun shows. We will have a chance to debate all of those.

We can reduce the occasions when these violent impulses reflect themselves in the use of weapons. One of the most disturbing factors is the continued growth and explosion of youth suicides. Handguns are too easily accessible and available. We will have a chance to debate some of those issues.

It comes back to the recognition that the first responsibility for all of these matters rests in the home and with the parents, or with a single parent, working to provide the guidance to children who need guidance.

What we see in this chart is very disturbing, a gradual decline of the time mothers are spending with their children. This is the percentage of time parents eat dinner with their children from ages 5 to 17 every day. We see the gradual decline in terms of the time mothers are spending with their children; and also the time fathers are spending. The fact is, generally speaking, in the last 15 years there is a third less quality time being spent with parents. Some of that is the result of people working harder and working longer in order to maintain their own income, a tragic reality for those at the lower economic line that have to work one, two, or even three jobs—receiving minimum wage—in order to keep the family together. It is very difficult to see how those people are able to spend any time at all with their family. Some of that is the result of choice, some of that is out of necessity.

On this chart is the percentage of parents in the home who have private talks with their children ages 5-17 almost every day. The number has been cut in half by fathers, and there is an important reduction in terms of the

mothers. Again, we are talking about parental responsibilities.

This is a blowup of "A Guide To Safe Schools". Every school in America has a copy of this particular publication. It was sent out by Secretary Riley and Secretary Reno. It contains a variety of early warning tips for the parents. It has a whole page of action steps for the students. It has suggestions for parents. It has suggestions for teachers. It has suggestions for school boards. It has a series of ideas: what to look for, what to do, early warning signs—it is enormously comprehensive.

It is the result of the work of a number of different organizations that came together and spent weeks and months in developing this publication. If anyone would take the time to go through it, it has an enormous wealth of information from which those involved in schools across the country can benefit. It is a very, very instructive and positive document. It is a guide for schools, students, parents, about some of the concerns they might have.

We may never fully understand the complex factors that led Eric Harris and Dylan Klebold to kill 13 members of the Columbine High School community, but there is one thing we do know—we must do more to prevent future tragedies. The deaths that have occurred at the hands of young people in Littleton, Colorado, Jonesboro, Arkansas, Pearl, Mississippi, and other communities, are national tragedies. They are also a call to action—a call that America must answer.

We have a responsibility to listen to our constituents, to answer the calls for help by our children, and do more to protect the health and welfare of the nation's youth. Children may make up one-eighth of the population, but they are 100 percent of our nation's future.

We know that there is no single, simple solution to this complex problem. The mindless, heartless cruelty in Littleton is symptomatic of the problems that exist in communities throughout America, and we need to find more effective ways to deal with them.

This latest tragedy is another wakeup call to the nation. We have an opportunity to work together to prevent youth violence, and reduce the likelihood of future tragedies like Littleton. We can do more to make schools safer.

We know that school violence is a continuing festering problem. In 1996, 5 percent of all 12th graders reported being injured with a weapon during the previous 12 months while they were at school. Another 12 percent reported that they had been injured at school in an incident that did not involve a weapon. An increasing number of students report feeling unsafe at school, and avoid one or more places at school for fear of their own safety. Clearly, children cannot learn in this kind of environment.

We need to ask difficult questions about our society, the media, par-

enting, peer pressure, and other social forces. We have a shared responsibility as parents, teachers, role models, and concerned, caring adults. Fifty million school children are now in their formative years. We need to think about what kind of society we want these children to grow up in.

In too many cases, television is raising far too many of the nation's children. On a daily basis, close to 20 percent of 9-year-olds watch 6 or more hours of television. Much of what they see is a steady stream of violence and aggression that is presented as legitimate and justified entertainment. By the time children leave elementary school, they will have seen 8,000 murders and more than 100,000 other acts of televised violence. Violent video games which glorify killing are increasingly popular.

The negative influences of violent programming and violent video games are growing stronger, because positive influences—families, schools, churches, synagogues, and communities—are becoming weaker. Parents are the most important influence in their children's lives, but they are being stretched to the limit. We know the importance of strong parental guidance and support for healthy development. Spending time together is a basic ingredient for building strong parent-child relationships. Yet time together is increasingly scarce.

Research indicates that parents are eating fewer meals and having fewer conversations with their children. Between 1988 and 1995, a significant drop took place in parent-child activities. Sixty-two percent of mothers reported eating dinner with their child on a daily basis in 1988, but only 55 percent reported doing so in 1995. Fifty percent of fathers ate a daily dinner with their child in 1988, but this rate dropped to 42 percent in 1995.

Parents and families want to spend more time together, but there simply aren't enough hours in the day. We must pursue initiatives to give parents the opportunity to spend more time with their children, and ensure that all parents have the skills they need to be strong mentors, role models, and caregivers for their children. We should support family-friendly work policies and flexible work hours, so that parents can eat dinner with their children, and talk to their children.

Yesterday, I spent time in Boston talking to students about youth violence and the tragedy in Colorado to try and get some insight into what is going on with our youth. I asked them for a show of hands of how many of them feel that their parents are too busy to talk to them—over 3/4ths of the students raised their hands.

This lack of communication is unacceptable and the American people agree. A recent Newsweek poll asked "How important is it for the country to pay more attention to teenagers and their problems." 89 percent of those polled replied that it is very important.

If we as parents are not raising our children, then we must worry about who is.

In the coming days, we will have a unique opportunity to begin to reverse the culture of youth violence. There are no quick fixes to this problem—no easy solutions. We need a long-term strategy, and we must work together to find appropriate remedies. To meet this challenge, we must consider provisions that (1) promote healthy children and youth in safe communities; (2) help parents with parenting skills from birth through adolescence; (3) equip teachers and school officials with tools to intervene before violence occurs; (4) give law enforcement the tools needed to keep guns away from children; and (5) promote responsible media programming for children and youth.

There are also immediate steps that we can take. Congress has a responsibility to act, to stop allowing the NRA to dictate what is right and what is wrong on guns. Surely, without threatening the activities of honest sports men and women, we can agree on ways to make it virtually impossible for angry children to get their hands on guns. We can give schools the resources and expertise they need to protect themselves, without turning classrooms into fortresses. We can make gun dealers responsible for selling guns to adolescents, and make gun owners responsible for locking up firearms in their homes. We can insist that gun manufacturers be smart enough to develop "smart" guns with effective child safety locks. We can do more to dry up the interstate black market in guns. We can crack down harder on assault weapons.

Surely, we can take sensible steps like these to reduce the tragedy of gun violence. America does more today to regulate the safety of toy guns than real guns—and it is a national disgrace. When we see and hear what gun violence has done to the victims in Pearl, MS—West Paducah, KY—Jonesboro, AR—Edinboro, PA—Fayetteville, TN—Springfield, OR—and now Littleton, CO, we know that action is urgently needed.

Practical steps can clearly be taken to protect children more effectively from guns, and to achieve greater responsibility by gun owners, gun dealers and gun manufacturers. The greatest tragedy of the Columbine High School killings is that these earlier tragedies did not shock us enough into doing everything we can to prevent them. By refusing to learn from such tragedies, we have condemned ourselves to repeat them. How many wake-up calls will Congress and the nation continue to ignore?

We can act now to provide communities and schools with more information and resources to prevent these tragedies. We can provide the training needed to recognize the daily warning signs, long before actual violence occurs. Last year the Departments of Education and Justice jointly created a

“Guide to Safe Schools—Early Warning: Timely Response.” This guide has extensive helpful information to assist parents, children, schools, and communities in keeping children and young people safer. The guide tells what to look for, and what to do. It lists Characteristics of Schools that are Safe and Responsive for all children. It has Tips to Schools, Tips to Parents, and Tips to Children.

This guide is part of an overall effort to make sure that every school in the nation has a violence prevention plan in place. This guide is available to every school, every parent, and every community leader. You can download it from the Internet if you go to www.usdoj.gov, and click on to “early warning, timely response”

We also need to invest in services that ensure Safe Schools and Healthy Students. That means quality afterschool programs, accessible mental health services for youth, and grassroots models that successfully target youth violence. Results occur when there is a cooperative effort.

Boston has a remarkable program that has enabled the city to go from July 1995 to December 1997 with only one juvenile death that involved a firearm. This program works because it involves the entire community—police and probation officers, community leaders, mental health providers, and even gang members themselves. The strategy is based on three components: (1) tough law enforcement; (2) heavy emphasis on crime prevention (including drug treatment); and (3) effective gun control.

The Safe Schools/Healthy Students Initiative can make such initiatives a reality in many more communities. This cooperative effort by the Departments of Education, Justice, and Health and Human Services draws on the best practices of the education, law enforcement, social service, and mental health communities to achieve a realistic framework for communities to prevent youth violence.

We must answer the call that children across the nation are so desperately making. We have the knowledge, the skill, and the resources to make a difference.

The nation’s children need us. And they need us now. We cannot afford to let them down. If we are to remain the strongest and fairest nation on earth, we must deal with these festering problems. We cannot afford to abandon children to despair and depression. We can no longer allow children to have virtually unrestricted access to guns. We must reduce the tide of violent images washing over children on a daily basis. We must lead this nation into the next century by providing a safe, secure, and gun free environment for children to grow and learn and thrive.

Our mission is clear. Let us work together to save our children, and by so doing, we will save our nation too.

PRIVILEGE OF THE FLOOR

Mr. President, I ask unanimous consent that Heather Bullock, Connie Gar-

ner, Kathleen Curran, David Goldberg, David Pollack, and Angela Williams, fellows in my office, be granted the privilege of the floor during the course of the debate.

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

Mr. HATCH. Mr. President, before the Senator from California speaks, I ask unanimous consent that immediately following her speech I be given recognition.

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

Mrs. BOXER. Mr. President, I thank the Senator from Utah and the Senator from Vermont for their kindness in allowing me to take the floor at this time. I hope to be succinct in my comments. I feel so strongly about this bill and the opportunity we have to do something good for the American people.

I wanted to have the chance to make some general comments on what I hope a good bill will do. I think a good juvenile justice bill would have a good piece for prevention, a good piece for tougher penalties, and a good piece for strong enforcement. If we come out with that balance we will have done a good job.

I really think this is a chance to make life better for our children and our families. I am glad it looks like we will have an open debate in order to put forward our ideas.

I think we have an emergency on our hands when the majority of parents are worried about the safety of their children at school. I think those of us here, thinking back to the years that we went to elementary school and either junior high or high school, do not have any memory of being fearful. Yet that is the circumstance today, where the majority of parents are now saying they are fearful for their children.

I think we have an emergency on our hands when many children tell us they see the kind of hostility and isolation that evidenced itself in Columbine—they see that in their schools.

We have an emergency on our hands when 31 percent of teenagers know someone their age who carries a weapon—who carries a weapon, not who just owns a weapon, but who carries a weapon. An article appeared last weekend in the San Diego Union Tribune which reported that 138 out of 150 of the brightest students in this country said they had seen guns at their high school.

We have an emergency on our hands when teachers say they do not feel safe. We have an emergency when a million kids are looking for afterschool programs and they cannot get in because there is no room.

Let’s take a look at when juvenile crime occurs. This is a juvenile justice bill. Let’s look at when juvenile crime occurs. This chart shows it very clearly. Juvenile crime spikes up at 3 p.m., and it starts going down after 6 p.m. So you do not need a degree in criminology or child psychology or sociology or any “ology” to know that juvenile

crime occurs after school lets out. One million of our children are waiting in line for afterschool programs. I will be offering an amendment similar to the one I offered during the budget debate to allow those 1 million children to get into afterschool programs.

Again, I want to bring us back. This is a juvenile justice bill. It is no secret juvenile crime occurs after school. I think the first thing we ought to be looking at, what ought to be included in this bill, is a piece on afterschool. I want to give some credit to Senators BIDEN, LEAHY, and HATCH, because in their amendment they will be offering soon they do a little bit for afterschool. In essence, they take the block grant and they set aside 25 percent of it; that is about \$115 million. One of the uses local districts can avail themselves of, one of the uses, is afterschool programs. But it is not specifically an afterschool program. So we will be offering that and giving our colleagues a chance to really act on the information we have had for so many years.

I know the Senator from Utah understands this very clearly. After school the kids get in trouble. We need to help them. I would like to do even a little more than he has done in his amendment.

We have an emergency when schools cannot afford metal detectors. Some of them have them and they are broken. Or they cannot afford community police on their campuses. We have an amendment, of which I am very proud, on this side of the aisle, which will allow us to put more community police in the schools. I think it is about 25,000 additional police would be added to community policing and we would waive the match, the local required match, if people put these community police on school campuses. We know we do not have enough school counselors. We know we do not.

By the way, there was a little press conference today with some schoolchildren and one of them had done this cartoon. This is a cartoon of a youngster from an elementary school. It shows a little boy and he has a gun in his hand—very crudely drawn by this young girl—and he is thinking out loud. The little cartoon says, “I’m going after So-and-So because she tortured me all year, verbally.” And the little girl is thinking, “Don’t do that. Go to your counselor and talk it out. Go to an adult.”

That is good advice from this youngster. But, unfortunately, in many of our schools we are seeing one counselor for 500 kids, for 1,000 kids, for 1,500 kids. So we ought to do something to change this and change the culture of violence by giving our kids grownups who care about them during the school hours to whom they can take their problems.

I agree with the President, there is not one particular thing we can point out and say this is the problem. There are a number of problems in our society. We have to deal with all of them,

and every one of us is responsible. Anytime someone stands up, wherever that person is from, whatever industry, and says, oh, it's not my problem, it's somebody else's problem, I simply lose respect for that person who is saying that. I don't care whether he is from the gun lobby or makes videos; if that person says, I have nothing to do with the problem, I don't give him any credibility, because every one of us has responsibility, including every one of us in this Chamber, in our private lives, as parents, as grandparents, and in our public lives as Senators.

Too many children are not getting enough support, love, and guidance from their parents, or from their community. Too many are using drugs and alcohol, too many are seeing violent images on computer and TV and in the culture. A lot of those images affect certain children more than others. We know that. But it has an impact just as everything has an impact, a cumulative impact on our children.

Let me be very clear. If those two boys at Columbine High School had knives instead of guns, we would not have seen such devastating results. In Jonesboro, AR, if those two boys had used baseball bats instead of guns, that number of people certainly would not have died.

I do not want us to tiptoe around the gun issue. I know it is hard. I know it steps on powerful toes, but we cannot tiptoe around the gun issue. It is not the only cause of the problem; it is one of the causes of the problem. Angry kids and guns add up to death. As a matter of fact, angry people with guns add up to death.

I want to show you this chart which gives this issue a sense of reality. Many of us came into politics after the Vietnam war, and we saw this country fall to its knees over that war. It was such a difficult time. We lost 58,168 Americans in the Vietnam war, every one of them a grievous loss, a tragic loss, a loss that can never be replaced for so many families; their potential gone on the battlefield.

In an 11-year period, 396,572 Americans have been shot down by guns, every one of those a horrible, deep, tragic loss to a family, to a mother, to a father, to a grandmother, to children. As a matter of fact, every single day in America there is a Columbine High School. Thirteen children are killed every day, an ordinary day. Yet, we tiptoe around the gun issue.

We have to deal with it, I say to my colleagues, in a fair way, not saying this is the only problem, but it is one of the problems.

People say, oh, in Columbine, there were laws; they just didn't work.

Not true. The young woman who transferred two guns to juveniles can stand behind the law. That was legal. I say it should not be legal to give juveniles guns. That is one example of a gun law we ought to pass.

Let's look at our laws concerning 18-year-olds in this country. If you are

under 18 in this country, you cannot buy cigarettes, you cannot buy beer or wine. If you are under 18, you cannot buy whiskey and you cannot buy a handgun. But if you are under 18, you can buy any one of these long guns—a shotgun, a rifle, an assault weapon. You can.

That should not be the case. Oh, if a grandma or a grandpa or a mom or dad wants to give you a hunting rifle, that is OK. But they should have to buy it and supervise you. They should not be able to say: Here's some money, go to the gun show and pick up a long gun, if you are 15 or you are 14 or you are 13 or even 12, 11, 10, 9, 8, 7. I cannot believe people say we do not need any more gun laws when a juvenile can walk in and buy a deadly weapon when they cannot buy cigarettes, beer, whiskey or a handgun, but they can buy these long guns.

You say to me, oh, Senator BOXER, there's no interest in youth owning guns and the gun manufacturers don't peddle to the youth.

Let me show you an ad. We took this off the Internet. This is a Beretta, a painted gun which is part of their youth collection. I want to tell you what they say in the catalog about their painted gun in their youth collection. Think about what I am saying and what it invokes in your mind. This is what they say in their catalog:

An exciting, bold designer look that's sure to make you stand out in a crowd.

"An exciting, bold designer look that's sure to make you stand out in a crowd." What crowd are they talking about? It is surely not you and your grandma and your grandpa going out on a family hunting trip. That is not what it means. You decide what it means.

Anyone who tells you that the gun manufacturers are not looking at the youth, just take a look at this Internet page, the Beretta youth collection, and read what they say about standing out in a crowd. They are playing to the psychology of a young person: How can they be seen as different, special, more important.

There are some things we can do to address this. I want to reiterate a point. In our bill, we say, yes, if a parent—I say this to the Senator from Vermont—if a parent or a grandparent wants to give their child a rifle for hunting, in our amendment we say fine. But we do not want that 15-year-old or 14-year-old walking in and buying these guns or, for that matter, buying a used gun which would be more affordable on the street.

We have an opportunity to do something that is relevant to the lives of our people. Our people are looking to us. Yes, I think the Robb-Kennedy amendment is good. I am glad Senator HATCH is looking at it. There are good, important things in there: a national center for school safety and youth violence that will help our children, because it will provide a rapid response to violent shootings. It will establish

anonymous tiplines for kids to call in if there is some trouble spotted by a youth but he or she is afraid to come forward and go public with the information. All schools will have safety plans. Senator KENNEDY talked about his contribution to that amendment which deals with conflict resolution and violence prevention, very important issues that we need to take care of.

I hope Senator MURRAY will offer her amendment to put more teachers in the schools. If we have these huge class sizes, these kids get lost in the shuffle. If we have smaller class sizes, we can pick out those kids who cause trouble.

There are just two more points I wish to make, and then I will yield the floor to my friends.

Senator DURBIN is leading an effort in the Appropriations Committee to add some emergency funding for our children: more cops in schools, more metal detectors, more afterschool programs, et cetera. I hope he will be successful. We have billions going for the military. We have billions for other purposes. What is more important than the safety of our children, or certainly as important as these other important needs. I hope we will do some of that. But if we do not, this bill becomes even more important, because it is our only hope for the future.

So what we will be seeing is a series of amendments, I assume from both sides of the aisle—I will be working on some of those—on the gun issue. I have talked about 18-year-olds. Also, I will be working with Senator KOHL on locks, child safety locks that would have to be sold with handguns. We need to reestablish the 3-day Brady waiting period. We need to increase the age at which you can buy an assault weapon to 21.

I close on this point. The majority in the Senate has shown a lot of compassion for business. They brought up the Y2K bill. Who will that help? Big business. They showed a lot of compassion for business when they brought the Financial Modernization Act to the floor. Who does that help? Big business—the big banks, the big securities companies, the insurance companies. They want to bring the bankruptcy bill to the floor. Who does that help? The big credit card companies.

That is fine. I do not have any problem with that as long as we in the process take care of the consumers, the people who use these services. But the other side has shown tremendous compassion for big business. I am asking them to show equal compassion for our children.

This is our chance. We just celebrated Mother's Day, and Father's Day is coming. What a perfect moment for us to seize this time—after the Columbine tragedy, after the Arkansas tragedy—and say enough is enough, and to vote out a well balanced bill that gives us the prevention, gives us the treatment, gives us the enforcement, gives us the tougher penalties,

addresses the gun issue in a sensible way, and we can all come out of here in a bipartisan way feeling that we have done something for our children and our families.

Once again, I thank my colleagues.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I am going to propound a unanimous consent request in just a minute.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 322

(Purpose: To make amendments with respect to grants to prosecutors' offices to combat gang crime and youth violence, juvenile accountability block grants, and the extension of Violent Crime Reduction Trust Fund, and for other purposes)

Mr. HATCH. Mr. President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] for himself, Mr. BIDEN, Mr. SESSIONS and Mr. DEWINE, proposes an amendment numbered 322.

Mr. HATCH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Utah is recognized. The yeas and nays—

Mr. HATCH. I have another amendment.

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

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

AMENDMENT NO. 324 TO AMENDMENT NO. 322

(Purpose: To maximize local flexibility in responding to the threat of juvenile violence through the implementation of effective school violence prevention and safety programs)

Mr. HATCH. I send another amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] for Mr. GREGG, proposes an amendment numbered 324 to amendment No. 322.

Mr. HATCH. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

SEC. —. SAFE STUDENTS.

(a) SHORT TITLE.—This section may be cited as the "Safe Students Act."

(b) PURPOSE.—It is the purpose of this section to maximize local flexibility in responding to the threat of juvenile violence through the implementation of effective school violence prevention and safety programs.

(c) PROGRAM AUTHORIZED.—The Attorney General shall, subject to the availability of appropriations, award grants to local education agencies and to law enforcement agencies to assist in the planning, establishing, operating, coordinating and evaluating of school violence prevention and school safety programs.

(d) APPLICATION REQUIREMENTS.—

(1) IN GENERAL.—To be eligible to receive a grant under subsection (c), an entity shall—

(A) be a local education agency or a law enforcement agency; and

(B) prepare and submit to the Attorney General an application at such time, in such manner and containing such information as the Attorney General may require, including—

(i) a detailed explanation of the intended uses of funds provided under the grant; and

(ii) a written assurance that the schools to be served under the grant will have a zero tolerance policy in effect for drugs, alcohol, weapons, truancy and juvenile crime on school campuses.

(2) PRIORITY.—The Attorney General shall give priority in awarding grants under this section to applications that have been submitted jointly by a local education agency and a law enforcement agency.

(e) ALLOWABLE USES OF FUNDS.—Amounts received under a grant under this section shall be used for innovative, local responses, consistent with the purposes of this Act, which may include—

(1) training, including in-service training, for school personnel, custodians and bus drivers in—

(A) the identification of potential threats (such as illegal weapons and explosive devices);

(B) crisis preparedness and intervention procedures; and

(C) emergency response;

(2) training of interested parents, teachers and other school and law enforcement personnel in the identification and responses to early warning signs of troubled and violent youth;

(3) innovative research-based delinquency and violence prevention programs, including mentoring programs;

(4) comprehensive school security assessments;

(5) the purchase of school security equipment and technologies such as metal detectors, electronic locks, surveillance cameras;

(6) collaborative efforts with law enforcement agencies, community-based organizations (including faith-based organizations) that have demonstrated expertise in providing effective, research-based violence prevention and intervention programs to school age children;

(7) providing assistance to families in need for the purpose of purchasing required school uniforms;

(8) school resource officers, including community police officers; and

(9) community policing in and around schools.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$200,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 through 2004.

(g) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Attorney General shall prepare and submit to the appropriate committees of Congress a report concerning the manner in which grantees have used amounts received under a grant under this section.

Mr. LEAHY. I ask for the yeas and nays.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SMITH of Oregon). Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent to speak for 15 minutes.

Mr. LEAHY. Mr. President, reserving the right to object, I assume, unless the rules have been changed, there would be an equal amount of time on this side. Is that all right?

Mr. GREGG. Mr. President, I ask unanimous consent that there be 30 minutes of debate on my amendment, 15 minutes equally divided.

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

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. GREGG. Mr. President, the amendment, which has been offered graciously by the Senator from Utah on my behalf, is an amendment which reflects action which this Senate has already taken which has been extremely positive in the area of dealing with the issue of how we protect our schools and our children who are in school.

Last year, this Senate, with great foresight, in the appropriations bill from the committee which I chair passed a funding proposal which I called the safe school proposal, which was bipartisanly agreed to and which was worked out through our subcommittee. Senator HOLLINGS, my ranking member, worked very hard on this. Senator CAMPBELL had a special role in this. Senator KOHL from Wisconsin had a special role in this.

We produced this piece of legislation, which is a step in the right direction, funded at the level of \$210 million, for the purposes of setting up a grant program to allow schools to apply to the Justice Department for grants in order to address the issue of safety in schools.

Basically the grants were broken into three main goals. The first was for allowing police officers to work with schools as resource officers or as actual security officers within the school systems so there could be a merger of the law enforcement atmosphere and the teaching community in a way that was constructive and reinforced the positive nature of law enforcement within the school community.

The second function of this language was to fund technology basically to allow schools to put in place technology in order to identify hazardous things that might come into the schools such as weapons.

The third was to initiate prevention programs, which schools might come up with, which they felt would positively respond to the needs of the school community. This program, which a fair amount of work went into, was part of a larger program which our subcommittee has been undertaking to try to address the issue of safety and children. In fact, our subcommittee has been aggressively funding the National Center for Missing and Exploited Children, the Innocent Image Program the FBI has been running to catch child predators, Boys and Girls Clubs of America, Parents Anonymous, violence against women programs, safe school programs, Big Brother, Big Sister.

We have been funding a large number of initiatives. Programs which we found were working well we have tried to put money into, rather than reinventing the wheel.

The amendment I have offered today basically takes the ideas that we put into last year's appropriation bills, codifies them, authorizes them, and expands them to some degree, but basically works on the same framework, the initiative here, the Safe Schools Initiative. The concept of it is not for us at the Federal Government level to tell the local communities how they should protect their schools and how they should do a better job of addressing the issue of safety in schools. Rather, we wanted the local communities to come to us, the Federal Government, and say here is an idea we have. This is a creative, imaginative idea. We need some money to run it. Can you help us out with it?

Basically, it is a philosophy of giving flexibility to the local school districts in applying for these grants. We anticipated that these grants will be used for a lot of different things. There will be a lot of different ideas that come forward. We expect there will be proposals where money will be used to assist in training of parents, teachers, and law enforcement personnel in order to recognize early warning signs relative to the children who may have violent dispositions. We expect there will be funding that will be used for the basis of innovative research-based initiatives relative to delinquency and violence prevention in school programs. We expect there will be programs to assist schools, for example, if they decide to

put in a uniform code. That is a local school district's decision. Where this grant will be of assistance is if a local school decides to go to a uniform code and it needs money in order to help folks in the school system who can't afford those uniforms, they can apply for these grants.

It will also support collaborations between community-based organizations, including faith-based organizations, which are doing a good job and have a demonstrated success rate of dealing with troubled youth. This is an area where we think there is tremendous fertile ground. We, of course, already are funding aggressively the Girls and Boys Clubs and Parents Anonymous and Violence Against Women and initiatives such as Big Brothers and Big Sisters, but there are a lot of other great ideas out there. There are people in Boston who have good ideas. There are people in New York who have good ideas, people out in California and the Midwest who have good ideas. These local community initiatives—grants have to come in through a school system—are tied into the school systems and are going to be assisting the school systems.

Those are proposals which we think will be very, very positive, and here is a place where they can get some funding to make them successful.

We actually, in this proposal, also give preference to proposals that come forward that are a joint effort between the law enforcement community in the town and the school system in the town. I think it is very important when we can join those two mainstays of the community together in a joint effort to try to address the issue of violence in our schools and especially how we deal with troubled children. Those types of programs we would expect to be funded and, in fact, get preference.

We also would expect that you will see funding for training people, people who work in the school systems, like teachers, bus drivers, janitors, to identify potential threats they might come across in the school system. We would expect that money might be used here for the purposes of hiring officers who would be resource individuals, police officers, resource individuals within the schools in order to help out and in order to bring safety into the classroom and into the hallways.

We also expect that money would be used for assessing security needs or for the cost of making improvements within school systems in order to address their security needs.

There are a lot of different initiatives which can result from this proposal. The point is that we already have the money in place. This is not a pie-in-the-sky, theoretical proposal. This is not something that is going to be authorized and not be funded. We have already funded this program to the tune of \$210 million.

I regret, quite honestly, that the administration so far has not been able to get that money out to the commu-

nities. In fact, at last check, none of the \$210 million which was appropriated last year and which was specifically addressed to safe school issues, such as putting police officers in the classroom, getting equipment to make sure schools are more secure, helping out with prevention programs, has actually been distributed. This is too bad. It reflects maybe a lack of attention to this issue by the administration. However, with the horrendous events that occurred in Littleton, we are now seeing that a lot of applications are forthcoming. Maybe there will be a higher level of awareness of this problem.

Basically, this is a proposal which I think obviously makes a lot of sense. This Senate actually already thought it made a lot of sense, because we voted for the money to be spent on this type of proposal. This authorizing language now makes the money that is already in the pipeline more specifically directed and puts in place authorization which properly accounts for how we proceed relative to the appropriations process.

It is obviously, in my opinion, a good step, an appropriate step, and something that should not be at all controversial.

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

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. I have a question for my colleague. Would the Senator be willing to add this Senator from California as a cosponsor of his amendment?

Mr. GREGG. I would be honored to have the Senator from California as a cosponsor.

Mrs. BOXER. It is a good amendment, because I think it takes from some wonderful ideas that a lot of us around here have. I appreciate the Senator's offer.

The PRESIDING OFFICER. Who yields time?

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

Mr. LEAHY. Mr. President, it is very similar to what the Senator from New Hampshire and I worked on in the Appropriations Committee. This incorporates a number of things in an amendment I have planned for this bill.

I also ask unanimous consent to be added as a cosponsor.

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

Mr. GREGG. Mr. President, I thank the Senator very much, as the ranking member of the committee, for cosponsoring the amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HATCH. Mr. President, I ask unanimous consent that following the debate on amendment No. 324, the Gregg amendment, that amendment be set aside, and Senator ROBB or his designee be immediately recognized to offer an amendment, the text of which is amendment No. 323, and that there be up to 30 minutes of debate. I also ask unanimous consent that at the conclusion or yielding of time, the Senate resume the Hatch-Biden-Sessions amendment No. 322 and the time be limited to 30 minutes equally divided; following that debate, the Senate proceed to vote on or in relation to the Gregg amendment, to be followed by a vote on or in relation to the Robb amendment, to be followed by a vote on or in relation to the Hatch amendment; and no other amendments or motions be in order prior to the three votes just identified.

Finally, I ask unanimous consent that following those votes, Senator DEWINE be recognized for up to 20 minutes, and then Senator LEAHY be recognized to offer an amendment, and no amendments be in order prior to a motion to table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, my understanding is that the distinguished Senator from Ohio is not seeking recognition to offer an amendment but simply to speak.

Is that correct?

Mr. HATCH. That is correct.

Mr. LEAHY. That was the basis of the unanimous consent request.

Mr. HATCH. That is my understanding. That is right.

Will the Senator yield back the time?

Mr. LEAHY. Mr. President, I yield the time on this side in relation to the Gregg-Boxer-Leahy, et al, amendment.

Mr. HATCH. Mr. President, as I understand it, we will now proceed to the Robb amendment.

AMENDMENT NO. 325 TO AMENDMENT NO. 322

(Purpose: To provide resources and services to enhance school safety and reduce youth violence)

Mr. LEAHY. Mr. President, I send to the desk an amendment on behalf of Mr. ROBB and Mr. KENNEDY.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. ROBB and Mr. KENNEDY, proposes an amendment numbered 325 to amendment No. 322.

Mr. LEAHY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LEAHY. Mr. President, under the unanimous consent agreement, what is the situation now?

The PRESIDING OFFICER. There is one-half hour equally divided.

Mr. LEAHY. Thank you, Mr. President.

Does the distinguished Senator from Virginia wish to yield any of his time at this point?

I yield the control of time on this side of the aisle to the distinguished Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. I thank the Senator from Vermont. I had an opportunity prior to the offering of this amendment to make a statement about the amendment. I will give the other side an opportunity to speak.

Mr. HATCH. Mr. President, we have \$1.1 billion a year in this bill, for law enforcement, for prevention, for safe schools, for parental empowerment. The distinguished Senator from Virginia wants to add each year an additional \$1.4 billion on top of that. This is another marathon Federal bureaucratic solution to a local problem.

The first title creates a so-called National Resource Center for School Safety to the tune of \$100 million. The director of this center is appointed by the head of the Department of Education, the Attorney General, and the head of Health and Human Services. This sounds to me very much like we are creating another Federal agency in a way that is duplicative of what is going on at the State level, something we have been trying to avoid in the whole 2 years we debated the juvenile justice bill.

For example, the funds of this center include such things as:

No. 1, an emergency response to do such things as helping communities meet urgent needs such as long-term counseling for students, faculty, and family.

No. 2, a national anonymous hotline. Many local areas are already establishing hotlines to accept calls from local students and other parties. Why on earth do we need a Federal hotline on top of the local community hotlines, a Federal hotline which is supposed to then relay the urgent messages to the local hotlines and officials? We are going to spend \$100 million of taxpayer money in this bill for something already taken care of. Why not help the States establish their own hotlines, if they even need that help? This bill does that.

No. 3, training and assistance. This proposal has this new \$100 million Federal bureaucracy helping local agencies develop a school safety plan—as if they can't do it themselves.

First, most local agencies already have school safety plans and they know how to provide for school safety a lot better than the bureaucrats here in

Washington or, I might add, anybody standing or sitting here in the Senate. Most local agencies, since they already have school safety plans, don't need help from us.

Second, if a national model is needed, the Department of Education can identify a local education agency's particularly affected plan and send it out to the local jurisdictions so they can carry it out. That way, we have 50 State laboratories or in every school district a State laboratory rather than bureaucrats back in Washington telling us what to do. That ought to cost just a few thousand dollars compared to \$100 million provided in this particular instance.

No. 4, the new \$100 million Federal bureaucracy is supposed to act as a clearinghouse for research and evaluation. This information is readily available on the Internet. We do not need a Federal bureaucracy to administer this.

The bottom of this chart lists the number of Federal programs we already have in each of these particular areas: Training and assistance, 62; counseling, 62; research and evaluation, 55; violence prevention, 53; parental and family intervention, 52; support service, 51; substance abuse prevention, 47; planning and program development, 47; self-sufficiency skills, 46; mentoring, 46; job training assistance, 45; tutoring, 35; substance abuse treatment, 26; clearinghouse, 19; and capital improvement, 10. There are similar services in several department and agency programs funded in fiscal year 1998. The source of this information is the General Accounting Office as of 1999.

Under title 2 of this amendment, as I read this, this is a marathon new grant program to the tune of \$722 million for areas such as educational reform. As you can see, we are already doing that. "The review and updating of school policies." Can you imagine that? Why would anybody want to do this, when the State and local school board directors know exactly what they are doing? Why would we spend \$722 million more on this? I might add, "to review for the review and updating of school policies," whatever that means.

Title 3 in this bill includes alcohol and drug abuse prevention. That is already part of our bill. We have worked on this for 2 solid years. We have made every dime count and we have added plenty of money for prevention. Better than half of this bill is prevention money. It makes you wonder; you would never be able to outspend some of these people around here. It doesn't make any difference what is in the best interests of taxpayers; it is what is in the best interests of the political people who push these things.

Mental health prevention and treatment and early childhood development is something they want to do. This proposal includes a grant to address violence-related stress. Another element includes grants to "the development of

knowledge on best practices for treating disorders associated with psychological trauma."

Mr. President, mental health treatment is a very important area and one in which a lot of Members, including myself, have done a lot of work through the years. However, I have a concern about using this bill on school violence for a major new Federal mental health system at a cost of hundreds of millions of dollars when we have better than half of the bill now going for prevention purposes.

The final title of this bill is a \$600 million increase in afterschool programs. I am not categorically opposed to directing more Federal resources to promote afterschool programs. I am concerned that this section is overly bureaucratic. We can better help schools by freeing them up from regulatory hoops. I think that is what we ought to do instead of doing this. I have been around here for 23 years. When committees work 2 solid years on this matter, the way we have, and we work with a leader on crime issues such as Senator BIDEN and with others on the committee in a bipartisan way to come up with prevention moneys that actually exceed the money for law enforcement itself, and do so to the tune of well over a half billion dollars a year, there is no need for this type of amendment which is just "let's throw money at it" and call it nice things—general things at that, if you will—even though almost everything this amendment proposes to do we already do in our bill and we do it in a fiscally responsible way and in a fiscally restrained way.

I am almost amazed that this amendment has been brought forth. At first I thought I might support it, because I thought they were talking about doing these things within the framework of what we have already done. But when I look at it and read it and understand it, it is just another way of throwing more money and beating our breasts, saying we have done something for prevention in the juvenile justice area when in fact we are doing plenty for prevention.

It needs to be known there is already \$4 billion in the pipeline on prevention now, without the bill we have brought to the floor, the bipartisan bill we have brought to the floor. Now they want to add another \$1.4 billion for these generalized programs that, literally, the States are taking care of in most instances, and if they have not, we have taken care of them in the underlying bill.

So I hope my colleagues will vote against this amendment, and at the appropriate time I will make a motion to table.

Mr. President, I yield the floor.

Mr. SESSIONS. Mr. President, I thank the Senator from Utah for his steadfast leadership, his skill, and efforts on behalf of this legislation on which we have been working for 2 years. I hope now we are at a point

where we can bring it to a conclusion. It passed last year out of committee with bipartisan support, 12 to 6.

We continue to have problems getting the bill up. I believe we will this time. There is support across the aisle. But I know there are those who believe we can somehow pass out a few billion dollars and we can prevent all crime in America. That is an awfully broad category, just to say "prevention." What does that mean? How do you spend that money wisely?

My concept, as a prosecutor of 15 years, was to try to have the money where, first of all, our first focus would be to make sure the juvenile judges, who are seeing these kids come before them, have a full panoply of options with which to deal with them. They need to be able to drug test them. They need to be able to have them get drug treatment if need be. If they need to go to work camps, they ought to go to work camps or weekend work programs. If they need to have a boot camp, they ought to have that option. If they need to have detention, they should have that. Some do. I wish it were not so. So we have helped craft a bill to have the judge intervene effectively in the life of those youngsters when they first start getting arrested, when they first get in trouble with the law.

We have had a lot of talk and created this dichotomy, saying those kinds of programs are not prevention. I believe they are. I believe a program which has a school-based boot camp, like the one in my hometown of Mobile, that I have visited where kids go and have physical exercise, they have discipline, and they have intensive schoolwork on their level—it is working for them. They have after-care to make sure they do not slide back into bad habits after they leave. So I think we have a lot of good things going. I believe that is prevention.

We, in this legislation, have half the money going for what they, on the other side of the aisle, would say is prevention.

I want to show this chart. It says some things that are important. It was done by the University of Maryland at the behest of the U.S. Department of Justice. They did a prevention evaluation report. We have billions of dollars being spent on programs for high-risk youth to try to keep them from heading down the road of a life of crime. A lot of those programs work. A lot of them are not very effective. Our bill, Senator HATCH's bill, has \$40 million to research programs to see if they are working.

They have already done some research. This is the study the Department of Justice, President Clinton's Department of Justice, did. They found most crime prevention funds are being spent where they are needed least. Is that not a horrible thing to say? We do not have unlimited budgets. I have learned that here. We talk in big numbers but there is a limit to how many

millions of dollars we can spend on projects. The conclusion of their own study was, these prevention moneys are being spent where they are needed least. Second, they concluded most crime prevention programs have never been evaluated. Third, among the evaluated programs, some of the least effective receive the most money.

That is a real indictment of us. I hope this research and evaluation money we have put in this legislation will help confront that problem.

The amendment that has been offered to spend over \$1 billion more on prevention—that effort is pretty troubling to me. There have not been intensive hearings on these proposals, as the Senator from Utah noted. We have not evaluated them carefully. In effect, it appears to me we would be throwing money at the problem. Our history tells us that is precisely what we ought not to do.

What we have found is there are \$4.4 billion now in juvenile prevention money from 117 different programs, according to the General Accounting Office study done very recently on our behalf—117 programs. I used to be in the 4-H Club. Being in the 4-H Club was probably a good thing for me. I got to go to Auburn one time. That was big for me. I had the award for the best hog in Wilcox County. But now they have 4-H Club programs in inner cities, for crime prevention. It may work. But the Department of Agriculture has programs to build 4-H Clubs in the inner cities as some sort of crime prevention program. I have my doubts about whether those are the best ways to spend that money. We need to evaluate these programs.

What we found is that money actually dedicated to law enforcement programs for juvenile justice, a juvenile justice system which is in a state of collapse in America, is zero.

The PRESIDING OFFICER. All time for the Senator has expired.

Mr. SESSIONS. I ask unanimous consent for 2 extra minutes.

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

Mr. SESSIONS. Mr. President, this is what we are doing today. The juvenile justice system in America really does need to be strengthened. When young people are being picked up on burglaries, small-time offenses, they are treated as if they are in a revolving door. The court systems are overwhelmed. There is no detention. There is no alternative to schools. There is no treatment for many of them. As a result, we are not intervening effectively in these young peoples' lives. To say money spent—as we do in about half of this bill—to strengthen the court system and strengthen its ability to intervene effectively with young people is not prevention is an error. It is prevention. Almost every one of these mass-murdering young people who has gone into these schools—not almost, I believe every single one of them, because I have watched it—has had some prior

criminal record. Had they been effectively dealt with then, maybe they would not have gone on to these more serious offenses.

That is where we are. I wish we could afford to spend as much as the Senator would like to on this panoply of prevention programs. We simply are not able to do that. We battled for every dollar we could as the bill is today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, this bill is designed to address problems that are not being met at this particular point. The distinguished Senator from Utah makes the point that there are duplicative programs. There are many programs in many areas of the country, some statewide, some local, some in jurisdictions that can afford to provide the kind of services that this Senator would provide, but what this bill attempts to do and would do, if approved, is provide a national center which will provide the hotline services that many school districts simply cannot afford.

Many States are indeed putting hotlines together.

In my State yesterday, the Governor announced the establishment of a hotline, but a number of States do not have them; many local jurisdictions do not have them. This will provide for the States that do not have the resources to meet these needs, not only with respect to the hotline, but with respect to providing technical assistance, providing any kind of help that the particular school or students who recognize a need for assistance might designate.

It will not require anything. It will not compel any jurisdiction to take on any new responsibilities, nor use any of the facilities that are available. But it will provide at one place the kind of technical response which can respond to these emergencies when they occur so that we have the expertise immediately available in terms of emergency response, we have the type of expertise that can assist school systems and other districts in putting together their own plans to deal with problems that fall into this particular area.

With respect to the other part of the bill, I yield now to the distinguished Senator from Massachusetts, who is the author of that particular provision.

Mr. KENNEDY. Mr. President, as the Senator from Virginia has pointed out, this particular proposal reflects a total of less than a billion dollars. It will be another \$722 million. It has in it the National Resource Center for School Safety and it also has the Safe Schools and Healthy Students Program.

There are Members of this body who think the solution to the challenges we are facing in our schools can be solved by putting more kids in prison and keeping them there. That may be the view of some Members of this body, but it is not the view of those law enforcement officials who are working in school districts across the country who are making meaningful progress.

We have not heard from those people in the Judiciary Committee because they have not been asked to testify. We ought to at least be willing to look at the results of some of the cities and communities across this country that have reduced violence, not only in schools, but in the communities and ask them what has worked. That might be a useful test around here for a change. That is just what Senator ROBB and I have done. We have asked what has worked, and we have tried to make a recommendation to this body about programs that work, that are supported by students, supported by parents, supported by teachers, and supported by law enforcement officials.

If this body does not want to invest in those programs, if it thinks that we can just provide more cops and they are going to provide the answers to the problems in our schools, vote this amendment down. But if you want to look at the experiences of cities and communities like we have seen in our own city of Boston where there has been only one youth homicide with a gun in the last 2½ years in 128 schools—that is the record—these are the programs that are working. It is very easy to listen to our colleagues talk about bureaucracy, saying: we don't want to have programs; we don't want to deal with all these other issues; let's just throw them in jail and throw away the key.

One of the most profound comments I heard yesterday in the Jeremiah Berg School in Boston, MA, is one of common sense and one that everybody in this body understands: You either pay for it early on or you pay for it later on. That is the question: Are we going to support those programs that are tried and tested and are working in our schools and working in our communities, or are we going to say, no, we are just going to dismiss them because they deal with mental health, because they deal with violence protection, because they deal with mediation, because they deal with things that are happening in schools that can make a difference in reducing violence.

The proposal we have offered, with the Leahy proposal and the one that Senator ROBB has suggested, tries to combine those programs that are going to be effective in law enforcement, as well as those that are going to be supporting children.

I have heard a number of young people in the last several days say, "We are not interested in someone telling us and yelling at us. We want parents and we want our teachers to talk with us, to listen to us and to give us an opportunity to work with counselors to provide for some of the needs of people in our schools and in our communities."

This particular amendment is targeted. It is based on an evaluation of programs that are working. The Safe Schools and Healthy Students Program provides for 50 school districts. We have expanded it to 200. I think we can expand it further.

One may say, why 200? Because that is the judgment we made based upon the quality of applications we have had in the Justice Department. That is how we reached these figures.

I reject the arguments made by the Senator from Utah about this program. I reject the suggestion that we are going to solve all these problems just by law enforcement alone, because that is the alternative. I think that is a viewpoint that has been demonstrated to be a vacant attitude based upon where the progress has been made in recent times in the communities that have done something about youth violence.

I hope we will accept the Robb amendment. I withhold the time. How much time do we have?

The PRESIDING OFFICER. The Senator has 6½ minutes.

Mr. HATCH. Mr. President, I ask unanimous consent that the distinguished Senator from Virginia be given 2 extra minutes.

Mr. ROBB. Mr. President, I will be happy to yield 2 minutes for a response.

Mr. HATCH. There were 2 extra minutes taken on our side.

Mr. ROBB. The Senator from Minnesota would like to respond as well.

I will say, again, to address the specific concern raised by the Senator from Utah with respect to the duplication, this is an effort to provide one-shot, one-stop assistance to States, localities, individuals and others who need assistance who are currently uncovered by any of the programs that are in effect.

If this program is as effective as we believe it can and will be, it may be that some of the other programs will ultimately be folded into this protection. We do not need 100 or several hundred different hotlines. They are desirable if the local jurisdiction can afford them. In this case, we will have a national clearinghouse, a national hotline. We will have the coordination of the Department of Justice and the Department of Education. That is what we are trying to accomplish in a single bill.

Mr. HATCH. Will the Senator yield on this point?

Mr. ROBB. I am pleased to yield to the Senator from Utah.

Mr. HATCH. Let me respond to my colleague from Massachusetts. Fifty-five percent of the \$1.1 billion that we already have in this bill—keep in mind there is already \$4.4 billion out there for prevention—is for prevention, and one of the major uses, discretionary uses, is mental health. What I do not want to do is create a whole bunch of new bureaucracies back here that are just duplicative with what is already going on. That is where I have my difficulty with what the Senator from Massachusetts does.

Mr. KENNEDY. Will the Senator yield?

Mr. HATCH. I will be happy to, but let me make one more comment. Go ahead. I yield.

Mr. KENNEDY. How do you think we administer SAMHSA? We are using existing programs. We are not creating new programs. This is the SAMHSA authorization, SAMHSA funding.

Mr. HATCH. Right, and we have well over one-half billion dollars for these purposes now.

Mr. KENNEDY. Under the SAMHSA program?

Mr. HATCH. No, discretionary use. The Substance Abuse and Mental Health Service Administration is to be reauthorized this year. As I understand it, Dr. FRIST, Senator FRIST from Tennessee, and Senator MIKULSKI—

Mr. KENNEDY. And Senator KENNEDY had reauthorized that.

Mr. HATCH. And I am sure Senator KENNEDY will be helping, too. These people have been working on a bipartisan bill—

Mr. KENNEDY. As a proud supporter of that, this is what is going to work.

Mr. HATCH. S. 976, the SAMHSA reauthorization, is cosponsored not only by Senators FRIST and MIKULSKI but by Senators JEFFORDS, KENNEDY, DODD, DEWINE and COLLINS.

Now, S. 976 is the bill to consider these changes on substance abuse and mental health. I do not want to see juvenile justice go down because we start tinkering around with it here, when we have mental health as one of the permissible uses of this money, by throwing another \$1.4 billion at it.

The PRESIDING OFFICER. The Senator from Virginia now controls the time.

Mr. HATCH. I ask unanimous consent that the distinguished Senator from Minnesota be given 2 minutes, and then we will move on to the next amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. Two minutes will be added.

Mr. WELLSTONE. Mr. President, just very briefly, let me thank Senator ROBB and Senator KENNEDY and say to my colleague from Utah, I look forward to that reauthorization. My focus has been on mental health services. But I tell you, for the last 8½ years I have been in a school about every 2 weeks, and students talk all the time about the need to have more support services.

We can no longer view mental health services as icing on the cake. It is part of the cake. If we are serious about juvenile justice and we are serious about prevention, then we need to focus on what we can do.

When I meet with teachers and principals and education assistants, they all say to me, many children, in their very small lives, I say to Senator KENNEDY, even by first grade have been through so much that even the smallest class size, best teachers, and best technology will not do the job.

This effort, at the community level, to put a focus on mental health services and to have the coordination and make sure this is part of our approach to juvenile justice is right on target.

My final point. I have said it a thousand times on the floor of the Senate,

and I will shout it one more time from the mountaintop: You can build all the prisons you want to and physical facilities; you will fill them all up, and you will never stop this cycle of violence unless you invest in the health and skills and intellect and character of children.

That is what this has to be about. That is what this amendment speaks to. And the vast majority of people in this country understand that essential truth. That is what this amendment is about. That is what this vote is about. I yield the floor.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Is all time yielded back? Has the Senator from Virginia yielded back their time?

Mr. ROBB. How much time remains under the control of the Senator from Virginia?

The PRESIDING OFFICER. The Senator from Virginia has 3 minutes 20 seconds.

Mr. ROBB. I yield to the Senator from Massachusetts such time as he may need of that 3 minutes 20 seconds.

Mr. KENNEDY. Mr. President, I once again thank Senator WELLSTONE and others who have spoken on this. I just want to share with the Members of this body what has been happening in my home community with the implementation of the kinds of programs we have supported here, the programs that have been recommended by the chiefs of police in my town and in towns across the country.

Here we have the firearm homicides of people under 24 years of age in Boston: 51 in 1990; 38 in 1991; 27 in 1992; 35 in 1993; 33 in 1994; 32 in 1995. Then, with the implementation of these programs in the Robb amendment, in 1996, down to 21; 7 in 1997; 16 in 1998; and one in 1999.

Are we going to take what is working, what has been requested by law enforcement officials, what is demonstratively effective, or are we going to listen to the same old voices that say what we have to do is spend more time in locking up kids? That is the choice.

We need to say we are going to invest in and provide the kinds of programs that are supported by teachers, parents, schools, and law enforcement officials—programs that are effective and working. That is what the Robb amendment has done, and that is what it will do. It deserves the support of the Members.

We reserve our time.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. I see the Senator from Delaware approaching. Does he desire to speak on this?

In that case, I think the differences have been explored. Once again, I suggest to you that this is an attempt to codify and collect in one place the wisdom of those professional agencies and institutions which we look to for guid-

ance in this particular area to address the problem the distinguished Senator from Massachusetts has related to us and which all of us know in terms of our personal experience is a very serious problem that cannot be ignored and simply cannot be solved solely by locking people up, no matter how much we might think that actually addresses the problem.

So I would again observe that this is a desire to make a collective opportunity available for those institutions that may not have the resources to take advantage of the various provisions of this bill and to provide additional funding for a program that has been demonstrated to work.

With that, I yield back—

Mr. KENNEDY. Will the Senator yield?

Mr. ROBB. I yield whatever time remains to the Senator from Massachusetts.

Mr. KENNEDY. I hope the Senator from Utah will refer specifically to what provisions in his legislation refer to mental health, because we have not been able to find them. If he has them there, I would like to hear from him on it.

The PRESIDING OFFICER. All time on both sides has expired.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 322

The PRESIDING OFFICER. There will now be 30 minutes, equally divided, on the amendment of the Senator from Utah.

Mr. HATCH. Mr. President, there are three of us who are going to speak as proponents of the Hatch-Biden-Sessions amendment: Senator BIDEN, Senator SESSIONS and myself.

This amendment contains three major provisions and reflects a hard fought, bipartisan compromise among Senator BIDEN, Senator SESSIONS and myself. It demonstrates that S. 254, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act, is a bipartisan bill in every sense of the word.

Before I describe the amendment, I remind the Senate of other provisions in S. 254 that are also the product of compromise and concession.

For example, in title I of the bill we included the reverse waiver provision in section 5032, at Senator LEAHY's request. This provision ensures that Federal district judges have the ultimate authority to decide whether a juvenile is tried as an adult in Federal cases.

Another major compromise is the juvenile delinquency challenge grant in title III of the bill. This block grant provides \$200 million a year to the States for prevention programs. This provision was included in S. 254 to satisfy demands from some Members for additional funds for prevention programs.

Another compromise in S. 254 concerns the juvenile felony records provision. Last year's juvenile crime bill, S.

10, required States to improve and share juvenile felony records in order to qualify for the accountability block grant. At the urging of Senators BIDEN and LEAHY, we removed the record-keeping provision as a requirement for the accountability block grant. Instead, there is a separate grant for juvenile criminal records for States that choose to upgrade and share their juvenile felony records.

The first provision of the Hatch-Biden-Sessions amendment earmarks 25 percent of the accountability block grant in title III for drug treatment and crime prevention programs. These drug treatment funds will complement and reinforce the drug testing provisions in the accountability block grant.

In addition, this earmark provides funds for additional prevention programs, such as afterschool activities and gang prevention programs. This amendment, by earmarking 25 percent of the accountability block grant for prevention and drug treatment, demonstrates our commitment to prevention funding and ensures a balanced juvenile crime bill.

The second provision of the Hatch-Biden-Sessions amendment provides a \$50 million grant to the States to hire prosecutors to prosecute juvenile offenders. The hiring of juvenile prosecutors was a permissible use of grant funds in S. 254 since the bill was introduced. Our amendment merely provides a guaranteed source of funds for State and local prosecutors to target juvenile crime.

The third and last provision of the Hatch-Biden-Sessions amendment extends the Violent Crime Reduction Trust Fund until the year 2005. By extending the Violent Crime Reduction Trust Fund, we will ensure that the Federal Government continues to provide valuable assistance to the States in the war against crime.

Programs such as the truth-in-sentencing grant, the local law enforcement block grant, the COPS program, are funded from the Violent Crime Reduction Trust Fund. I am proud to propose the extension of this trust fund.

I want to personally thank Senator BIDEN for the hard work he has done on this bill and in working with us in a bipartisan and good way. I am very proud to have him on this bill, because he has been a major participant in every crime bill since I have been in the Senate, as have I. I just want to make that clear on the record.

I also particularly express my gratitude and appreciation to Senator SESSIONS, the Youth Violence Subcommittee chairman. He has done a great job on this bill, and I believe he has more than earned his spurs with regard to his work on anticrime matters.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 11 minutes 10 seconds.

Mr. LEAHY. How much time is remaining on this side?

The PRESIDING OFFICER. Fifteen minutes.

Mr. HATCH. I am happy to yield to the distinguished Senator from Vermont.

Mr. LEAHY. I thank the distinguished Senator for yielding, on my time, not on the time of the distinguished Senator from Utah.

Just so the distinguished Senator from Utah can hear this, I appreciate the fact that he has included many of the provisions in this bill I had argued for in the last Congress. I compliment him on that. I did that earlier today when I spoke, referring to the Hatch-Biden-Sessions amendment. I tell the distinguished chairman that as he and I are both people who believe in redemption, and I would say this is a long way from redemption, going from 1997 to 1999, but hope springs eternal, and he has included some of my provisions in this bill. I appreciate it.

I note that the original bill provided \$15 million for primary prevention. This amendment would earmark another \$112.5 million.

I understand the distinguished Senator from California, Mrs. FEINSTEIN, would like to be added as a cosponsor. Mr. President, I ask unanimous consent for that.

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

Mr. HATCH. Mr. President, if the Senator will yield, I am proud to have her as a cosponsor.

Mr. LEAHY. I think this is a positive step, by earmarking the other \$112.5 million. I commend Senators HATCH and SESSIONS and BIDEN for this. It shows that our efforts over the last 2 years really have made a difference. Let us put this in context.

The rest of the bill also allocates over \$330 million for law enforcement, \$75 million for juvenile criminal history records, \$20 million for gang fighting, and \$50 million for prosecutors. In context, that is a total of \$482.5 million for law enforcement compared to \$112.5 million for primary prevention. S. 254 also provides \$400 million for intervention programs after juveniles come into contact with the juvenile or criminal justice system. It is intervention money, not primary prevention money. It is important money, but it is not directed to primary prevention.

There is \$50 million in the prosecutors grant fund. That is a proposal that was accepted in 1997 by the Judiciary Committee. My only concern is the money goes only to prosecutors, not to anyone else in the juvenile system. It doesn't go to counselors. It doesn't go to public defenders. It doesn't go to corrections officers. It doesn't go to juvenile judges. We have to examine closely the effects of this new prosecutors grant.

I want to make sure it doesn't exacerbate overcrowding in the juvenile system and the system does not break down; I pledge to now work with the Senator from Utah to see if there is a possibility of balancing the system in a fair way.

Overall, Mr. President, I thank the distinguished Senator from Utah, as I said, and the distinguished Senator from Alabama, the distinguished Senator from Delaware for adding the things we have requested for a couple years. I did want to point out, however, as I said earlier, anybody who has ever been in law enforcement will always tell you, if you can prevent the crime from happening, you are a lot better off in what you do after it happens. I wish there was more money for prevention. Money for law enforcement is well spent. I wish there was more money for prevention.

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

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. As I recall, I have 11 minutes remaining.

The PRESIDING OFFICER. Will the Senator restate the question?

Mr. HATCH. As I understand it, I have 11 minutes remaining.

The PRESIDING OFFICER. The Senator is correct.

Mr. HATCH. Let me say, prior to sending my amendment to the desk, I had agreed to drop some change that was of concern to the Appropriations Committee. The amendment at the desk does not contain this technical change.

AMENDMENT NO. 322, AS MODIFIED

Mr. HATCH. I ask unanimous consent to amend my amendment to reflect the change I promised Senator LEAHY and others I would make. The modification is at the desk.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. HATCH. Mr. President, I yield 8 minutes to the distinguished Senator from Delaware and the remaining 3 minutes to the distinguished Senator from Alabama.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, I apologize. I did not. Did the Senator yield me a specific amount of time?

The PRESIDING OFFICER. Yes, sir. He yielded you 8 minutes.

Mr. BIDEN. I thank the Senator.

Mr. President, there are a number of revisions that have been worked out here in the core bill that is before us. As the ranking member, Senator LEAHY, knows, and as the chairman knows, this began over 2½ years ago. We have come a long way. We have narrowed the gap between the position held by Senator HATCH and myself and by Senator SESSIONS and myself and many others. Primarily what the Hatch-Biden-Sessions amendment does, it takes the underlying bill and it does three or four, I think, very important things.

No. 1, it adds prevention uses to permissible uses of the so-called accountability block grant. When I am home

sometimes watching this on TV, I wonder how the people understand anything we are saying. What is an accountability block grant? What it means is that there is \$450 million in this bill that we give to given States to be able to use for various purposes. One of those chunks of money, the \$450 million, prior to the Hatch-Biden amendment, did not allow the money to be used for prevention. This allows, earmarks, requires 25 percent of it to be used for prevention. You have about \$113 million that is to be used for prevention out of that grant.

In addition to that, it adds other allowable uses that we hope the States will do. That is, it allows them to use money for drug treatment, alcohol treatment, drug and alcohol treatment, school counseling, school-based prevention programs. Then, in addition, what it does is—in the Biden crime bill, which became the crime law of 1994, what we didn't do was we did not put in money for prosecutors. We found out, as the former Governor of Nebraska knows, what happens in a lot of these courts is we add more cops and they arrest a lot more people. There are not enough prosecutors, there are not enough judges, and there are not enough facilities. So the cops do their job, but the process gets bottlenecked. So we have \$50 million in here, which was initially resisted, \$50 million for prosecutors at a State level, State prosecutors, money for the States to hire prosecutors to prosecute juvenile justice cases and for the States to train them to in fact prosecute crimes in juvenile court, because that always takes the hind quarter of these cases. One of the things is, there is not enough resources devoted to pursuing these cases.

The prosecution of the case doesn't mean we are just putting more prosecutors here to send kids to jail. We are putting more prosecutors in here to resolve these sets of graduated sanctions the States have set up so there is a prosecutor following through and saying, this kid is going to go on a work project, this kid is going to go to the State reform school, this kid is going to have to pay restitution for what he did, this kid is going to, in fact, follow through on the sanction that the court is imposing on him. And we, the State, are going to be able to pursue this—we, the prosecutor in such-and-such a county or such-and-such a State.

Finally, and perhaps most important of all, I think the best thing we did in the crime bill we passed in 1994, the thing that people paid the least attention to but the thing I worked the hardest on was setting up a crime trust fund, a violent crime trust fund.

I remind everybody that we made a commitment with this administration and when the crime bill passed we would reduce the workforce of Federal employees. We would reduce that workforce, but instead of taking their paycheck and returning it to the Treasury,

we were going to put it in a trust fund. So we reduced the Federal workforce by 300,000 people—the smallest Federal workforce since John Kennedy was President of the United States of America. We took that money and we put it in a trust fund that can only be used for the purposes outlined in the crime bill—for prevention, for enforcement, and for incarceration. It stopped us from bickering over how we are going to fund the programs.

We are not raising any new taxes to pay for this. We are not giving money back. We can. We could take this money that we are no longer paying the Federal employees in the Department of Education, or in the Department of Energy, or wherever—we could take their paycheck and give it back in terms of a tax cut, or we could take it and put it in this trust fund.

That is what has kept the funding of the 100,000 cops, that is what has kept the funding of the prison system, and that is what has kept the funding of the prevention programs. That expires in the year 2000. This will extend that violent crime trust fund to the year 2005.

Once we cut through all the specific things we could legislatively do, it is probably the single most significant thing we will do.

I thank my colleagues for agreeing to the compromise which includes extending that trust fund.

There are a number of pieces of this legislation that understandably—because this is a moving target—have in fact confused people.

My friend from Nebraska asked me the question about whether or not this federalizes juvenile crime, whether or not it sets a Federal aid limit at which you could try a young person as an adult that preempts State law. No, we don't do that.

It does say that in a Federal court, if a Federal prosecutor brings a case within Federal jurisdiction against a minor, they can in fact seek to try that minor as an adult under a certain set of circumstances. But it doesn't go in and say to the State of Nebraska or Delaware that you must in your State treat minors in terms of whether or not they can be tried as adults the same way the Federal system treats them. Some States try minors as adults at a much younger age. Some States don't allow minors under the age of 18 to be tried as adults unless it is under the most extraordinary circumstances.

The original legislation in iteration of four or five bills ago probably did do that. But we are not federalizing this notion of under what circumstances a person under the age of 18 can be tried as an adult. We are not allowing for Federal preemption where there is State and Federal jurisdiction. It is not an automatic preemption to the State by the Federal Government. We have built into this legislation a rational way of approaching that.

In the interest of time, I am not going to take the time to explain that now.

The PRESIDING OFFICER (Mr. CRAPO). The Senator's time has expired.

Mr. BIDEN. Let me sit down and thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama has 3 minutes.

Mr. SESSIONS. Thank you, Mr. President.

I want to say that I am excited about where we are at this point with this legislation. It has been a 2-year struggle. Senator BIDEN is a great advocate and strong believer in his views. I have some strong views about it. I believe that at this point we have made a compromise, an agreement that both of us can live with, which will allow us to effectively respond at this time to assist State and local governments, State and local court systems and juvenile systems, and educational systems to better focus and better prevent and deter crime by young people.

I firmly believe we have seen over the last 20 years an extraordinary increase in the amount of juvenile crime in America. Hopefully, it will plateau out a bit. But between 1993 and 1997, juvenile crime was up another 14 percent and has been increasing even more rapidly than prior thereto. What we have is a piece of legislation which I believe will allow us to effectively deal with that.

Prevention: What is prevention?

A good, consistent court system that has credibility and respect among young people helps prevent crime. A court system that is known for not being credible does not prevent crime. Police officers tell me: They are laughing at us. They know we can't do anything to them. We have no place to put these kids. We have no detention, no punishment that we can impose. Nothing happens to them. We arrest them and they are let go.

That is what is happening too often in America. This bill will begin to turn the tide on that.

We will spend more money also on trying to prevent crime. I think we are making a good step forward. The House passed this bill. We passed it with bipartisan support last year in committee. I believe we will have a strong vote this time.

Thank you, Mr. President.

I again congratulate Senator HATCH for the outstanding leadership he has given as chairman of the Judiciary Committee and for his efforts to make this bill a reality. I thank him for his leadership.

Mr. HATCH. I thank the Senator.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Utah has 20 seconds.

Mr. HATCH. How much time in the opposition?

The PRESIDING OFFICER. Ten minutes 38 seconds.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I am not aware of anybody on this side who wishes to speak further. I am willing to yield back our time.

The PRESIDING OFFICER. All time is yielded.

Mr. HATCH. Mr. President, parliamentary inquiry: As I understand it, you have the yeas and nays on the Gregg amendment and on the Hatch-Biden-Sessions amendment but you do not have it on the Robb amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. HATCH. When we get the yeas and nays on the Robb amendment, the amendments will be voted on, first the Gregg amendment, then Robb, and then Hatch-Biden-Sessions?

The PRESIDING OFFICER. That is correct.

Mr. HATCH. I move to table the Robb amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The motion to table will then be the second vote.

The first vote is on the amendment of the Senator from New Hampshire.

VOTE ON AMENDMENT NO. 324

The question is on agreeing to the amendment of the Senator from New Hampshire. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "aye."

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

The result was announced—yeas 94, nays 5, as follows:

[Rollcall Vote No. 106 Leg.]

YEAS—94

Abraham	Byrd	Edwards
Akaka	Campbell	Enzi
Allard	Chafee	Feingold
Ashcroft	Cleland	Feinstein
Baucus	Cochran	Fitzgerald
Bayh	Collins	Frist
Bennett	Conrad	Gorton
Biden	Coverdell	Graham
Bingaman	Craig	Gramm
Bond	Crapo	Grams
Boxer	Daschle	Grassley
Breaux	DeWine	Gregg
Brownback	Dodd	Hagel
Bryan	Domenici	Harkin
Bunning	Dorgan	Hatch
Burns	Durbin	Helms

Hollings	Lincoln
Hutchinson	Lott
Hutchison	Lugar
Inouye	Mack
Jeffords	McCain
Johnson	McConnell
Kennedy	Mikulski
Kerrey	Murkowski
Kerry	Murray
Kohl	Reed
Kyl	Reid
Landrieu	Robb
Lautenberg	Roberts
Lautenberg	Rockefeller
Leahy	Roth
Levin	Santorum
Lieberman	

NAYS—5

Inhofe	Thomas	Voinovich
Nickles	Thompson	

NOT VOTING—1

Moynihan

The amendment (No. 324) was agreed to.

Mr. HATCH. Mr. President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HATCH. Mr. President, so everybody will know, I ask unanimous consent that the remaining votes in this series be limited to 10 minutes each in length.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. There will be 10 minutes per vote.

Mr. HATCH. Also, so everybody will know, immediately after the ending of the votes, Senator LEAHY will call up his amendment. That will be the pending amendment we will start on tomorrow.

VOTE ON AMENDMENT NO. 325

The PRESIDING OFFICER (Mr. ENZI). The question is on agreeing to the motion to table amendment No. 325. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "no."

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 107 Leg.]

YEAS—55

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Coverdell	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	Mack	Warner
Enzi	McCain	
Fitzgerald	McConnell	

NAYS—44

Akaka	Edwards	Levin
Baucus	Feingold	Lieberman
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Breaux	Inouye	Reid
Bryan	Johnson	Robb
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Schumer
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	

NOT VOTING—1

Moynihan

The motion was agreed to.

VOTE ON AMENDMENT NO. 322, AS MODIFIED

The PRESIDING OFFICER (Mr. BROWNBACK). The question is on agreeing to amendment No. 322, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I announce that the Senator from New York (Mr. MOYNIHAN) is necessarily absent.

I further announce that, if present and voting, the Senator from New York (Mr. MOYNIHAN) would vote "aye."

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

The result was announced—yeas 96, nays 3, as follows:

[Rollcall Vote No. 108 Leg.]

YEAS—96

Abraham	Edwards	Lincoln
Akaka	Enzi	Lott
Allard	Feingold	Lugar
Ashcroft	Feinstein	Mack
Baucus	Fitzgerald	McCain
Bayh	Frist	McConnell
Bennett	Gorton	Mikulski
Biden	Graham	Murkowski
Bingaman	Gramm	Murray
Bond	Grams	Nickles
Boxer	Grassley	Reed
Breaux	Gregg	Reid
Brownback	Hagel	Robb
Bryan	Harkin	Roberts
Bunning	Hatch	Rockefeller
Burns	Helms	Roth
Byrd	Hollings	Santorum
Campbell	Hutchinson	Sarbanes
Chafee	Hutchison	Schumer
Cleland	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kennedy	Snowe
Craig	Kerrey	Specter
Crapo	Kerry	Stevens
Daschle	Kohl	Thomas
DeWine	Landrieu	Thurmond
Dodd	Lautenberg	Torricelli
Domenici	Leahy	Warner
Dorgan	Levin	Wellstone
Durbin	Lieberman	Wyden

NAYS—3

Kyl	Thompson	Voinovich
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NOT VOTING—1

Moynihan

The amendment (No. 322), as modified, was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. HATCH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 327

(Purpose: To promote effective law enforcement)

Mr. LEAHY. Mr. President, I send to the desk an amendment on behalf of myself, Mr. DASCHLE and Mr. ROBB.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont (Mr. LEAHY), for himself, Mr. DASCHLE, and Mr. ROBB, proposes an amendment numbered 327.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. LEAHY. Mr. President, I understand that under the previous unanimous consent request, when we come in tomorrow morning this will be the pending amendment. Is that correct?

The PRESIDING OFFICER. The amendment is now the pending question.

Mr. LEAHY. Mr. President, I understand that when the Senate reconvenes in the morning, the Leahy amendment be the pending amendment with 1 hour equally divided with no other amendments in order. Mr. President, I understand this will be agreed to by unanimous consent in closing tonight.

I ask unanimous consent the pending amendment now be set aside.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PRIVILEGE OF THE FLOOR

Mr. DEWINE. Mr. President, I ask unanimous consent that Pete Levitas, a fellow assigned to the Antitrust Subcommittee from the Justice Department, be granted the privilege of the floor during the Senate's consideration of S. 254, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act.

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

Mr. DEWINE. Mr. President, I rise this evening in strong support of the bill before us. This juvenile justice legislation is a product of bipartisan work and bipartisan compromise. I believe it is a very valuable and long overdue measure that will tackle a major national problem.

Last week I spoke on the Senate floor on the need to find ways to reach out to young people and to hopefully save young lives. I said at that time that youth violence presents us with very difficult issues, really, for a public official to talk about because people,

once you start talking about this issue, may think you, as the person who is talking, believe that you have "the" answer. So let me say again, right up front, I do not claim to have the answer. Evil is a mystery that exists deep in the human heart.

But if we do not have all the answers for the problems we see—what we saw happening in Littleton, for example—that should not stop us from trying to do something. I believe the juvenile justice bill we have before us, as well as many of the amendments which will be offered, will in fact save lives. The fact, the brutal fact of human existence, that we cannot come up with the answer does not excuse us from our moral responsibilities—our moral responsibilities, as legislators, as parents, as citizens. In fact, it increases our responsibilities. If we do not have "the" answer, we have to work harder to find answers, things we can do to make a difference, child by child by child.

This juvenile justice bill provides the Senate the opportunity to find some of these answers. Some of the things in the bill before us are certainly not glamorous, but I believe they will all be helpful. I believe they will save lives. In essence, the bill before us is designed to make sure our juvenile justice system and those who make decisions in that system have the tools they need to meet the challenge of a juvenile population that, tragically, is becoming more violent. I will focus briefly on some of the provisions I have been most involved in putting together this bill and highlight how I believe they will make a real difference, addressing real problems facing juvenile justice systems across this country.

First, Senator SESSIONS and I have worked long and hard, along with the chairman, to provide \$75 million to help States upgrade their juvenile felony record systems. I believe this is an especially important provision. As a former county prosecuting attorney, I can tell you, the decisions made by judges in our juvenile courts on juvenile offenders are only as good as the information on which they are based. The same is certainly true for judges in our adult criminal system. The problem is, the information that is available is not as complete, many times, as it should be. In fact, many times the information about the offender, about what the offender has done in the past, is simply nonexistent.

What am I talking about? We have had a tradition in this country that juvenile courts would all operate behind closed doors and the records of those courts would never be available. The reason, the rationale, was we wanted to protect young people; that young people could change and they should have a second chance, sometimes a third chance. All that makes sense and there is nothing wrong, even today, 1999, with that basic philosophy.

That philosophy, though, does not work when we are dealing with a 17-

year-old, who is still a juvenile, who has committed a violent crime—let's say a rape—or a 16-year-old who has committed an aggravated robbery. It makes no sense to say that information about that individual will always be hidden.

Let me give Members of the Senate, my colleagues, a specific example. Let's say a 15-year-old in Xenia, OH, commits a serious offense. Let's say it is a violent offense. That 15-year-old is dealt with by the court and later moves, at the age of 17, to Adams County, Ohio. That juvenile then commits another offense. Under our current system, there is really no effective central depository of that information. There is one, but there is very little information in it. So the arresting officials in Adams County might not know that individual, several years before, had committed a serious offense in Greene County.

Let's take another example. Let's say the juvenile is 16 and commits an offense in Cincinnati, OH; several years later moves to Indiana and, as an adult, commits another violent offense in Indiana. The Indiana authorities may not necessarily know that juvenile—the person who was a juvenile, who is now 18, an adult—committed a violent crime several years before across the State line in bordering Ohio.

What this bill does is commit \$75 million to local law enforcement agencies, to States to help them develop their criminal record system for juveniles.

We are not, by this provision, saying what a State should do. What we are saying, though, is that the State, by putting that information into a central computer system, will enable another State where that juvenile shows up, 2, 3, 5, or 10 years later, to be on notice as to what type individual this is, or at least they will know what crime, what serious crime, what violent crime this juvenile has committed. It simply makes sense.

It has been my experience that when we read about what I call horror stories in the newspapers, where we see someone who has been picked up by the police, and he is let out on bond, or she is let out on bond, and that person commits another offense or has been charged with an offense and has been convicted and gets a light sentence, and they commit another offense, most of those horror stories come from the fact that the police or the judge or the probation officer or the parole officer did not have the available information, didn't know what they were dealing with, didn't know what the criminal record was of that individual. Our bill goes a long way to address this problem. It gives local law enforcement the tools, it gives the judge the tools, so he or she can make a rational decision about bond or a rational decision about sentencing.

We need to make these records more accessible so law enforcement can keep closer track of kids who have been convicted of violent crimes. The tracking

provision I wrote, along with Chairman HATCH and Senator SESSIONS, will help do this.

If a State uses Federal funds to upgrade their juvenile records under this bill, all records of juvenile felonies will have to be accessible from the National Criminal Information Center. When it comes to making key decisions about juvenile offenders, judges, probation officers, police officers, need to make judgments based on the best possible information, and that is what this bill will give them.

One of my key priorities as a Senator, and as someone who started his career as a county prosecuting attorney in Greene County, Ohio, one of my priorities is to make sure the Federal Government does more to help law enforcement. That is where the action is. Mr. President, 95 to 96 percent of all Federal prosecutions is done at the local level by counties and States. They are the ones who do it—the police, the sheriffs' deputies, the local prosecutors. Anything we can do to help them will make a difference.

Helping set up a good system of records, good information on juvenile felons is one of the most important things we can possibly do to help them do their jobs more effectively, and this bill does it.

Let me turn to a second provision. We need to provide incentives to local governments to coordinate the services they offer to the kids who are most at risk, kids who may have already gotten into a little trouble, but who we believe can still be saved. This is prevention, and it is very, very important.

Here is the problem. Many times, juveniles who find themselves in juvenile court have multiple problems. Some of these problems may not come to the attention of the juvenile court judge, or if they do come to his or her attention, many times that judge does not have the resources, does not have the ability to treat that young person.

For example, a child may have both a psychiatric disorder and a substance abuse problem. A child may have been sexually abused, a child may have been physically abused, or any combination of four or five things. Many times, juvenile courts do not have the resources to detect or appropriately address these types of multiple problems. As a result, for too long, many children have been falling between the cracks of the court system. Many times these children are identified as the "juvenile court's child." Many times we refer to them as a "children services' child," or a local protection services agency child or maybe the child is under the auspices of the mental health system and sometimes the substance abuse system.

What we aim to do under this provision is allow the local community to come together with the juvenile judge and coordinate all of these services so that we can help these children. It is cost-effective and it is the right thing to do.

My proposal, which is included in this bill, will promote all across this

country an approach that has been very successful in Hamilton County, Ohio, near Cincinnati; an approach that gives our most problematic children the multiple services they need under the overall coordination of the court system. These kids should not fall victim to bureaucratic turf conflicts. All of these children are our children.

The purpose of this initiative is to leverage limited Federal, State and local agencies and community-based adolescent services to help fill the large unmet need for adolescent mental health and substance abuse treatment in the juvenile justice system.

One of the things I learned when I started as a county prosecutor was that there is, in fact, many times a turf battle. There is a turf battle that occurs between the criminal justice system, in this case the juvenile justice system, the judge, his probation officer or her probation officer, and the social services agency—children's service is what we call it in Ohio—that protects children, or maybe the local mental health agency or maybe the local substance abuse agency. We have made progress in breaking down these walls, but what our provision in this bill does is accelerates that process and that progress.

If you talk to the judges, if you talk to the substance abuse counselors in most counties, they tell you there is a finite number of children who they have already identified who are the most problematic, who have the most problems, who need the most resources, who, if we do not deal with them now at the age of 13 or 14 or 15, are going to grow up and graduate into our adult system and are going to pose monumental problems for society for the rest of their lives.

Bringing the resources of the community together in a coordinated fashion to address the needs of these children is the right thing to do. We will not save all of them. We know that. But many of them can, in fact, be saved, and they can be saved if we care and if we approach this issue from an intelligent point of view.

The juvenile judge is key because the juvenile judge has the ability to get the attention of that young person. The juvenile judge has the ability to use the carrot and the stick in the sense of simply saying to the young person: Fine, if you don't want to go into drug treatment, I am going to commit you to the department of youth services for an indefinite period of time; I am going to put you, in essence, in prison. Or that judge can say to that young person: If you don't stay free of drugs for the next 2 years, and we are going to monitor you every 2 weeks and we are going to know whether you are on drugs or not on drugs—that type of approach where the juvenile court works with the substance abuse people, the experts in the field, or works with the mental health people. That coordination is absolutely es-

sential when we deal with our most problematic children.

The idea for this, as I indicated, came from Hamilton County, Ohio. They have tried this. It works. They have identified 200, 300, 400 of the most problematic children. They meet regularly to talk about these kids and what they can do to get services to them. There is only so much money available. There are only so many services that can be provided. What we do with this provision is encourage local communities to get together and use that money in the most efficient and most effective way. It is the right thing to do. It is the most cost-effective thing to do.

In bringing this piece of legislation to the floor—and I congratulate Senator HATCH, Senator LEAHY, Senator SESSIONS, Senator BIDEN, and all those who have worked on this bill—we are making an important contribution to meeting a major challenge facing our communities.

I have mentioned just two key initiatives that will help our communities meet these challenges. Over the last several days, I have been working with several of my colleagues, including the Senator from Colorado, Mr. ALLARD; the Senator from Alabama, Mr. SESSIONS; the Senator from Idaho, Mr. CRAIG, and others on other initiatives that will help these children. These initiatives will be offered in the form of amendments over the next few days. These amendments will help, I believe, those people who are closest to troubled children—parents and teachers in particular.

I look forward to working on this bill and passing it and seeing it signed into law. Will it solve all the problems with juveniles? Of course not. Will it prevent all the Littletons that may occur or other tragedies that we have seen? No, there is no guarantee of that, but we do know, just to take one statistic, that the Littletons are replicated every single day in this country, quietly, silently, but tragically, because on average 13 children die every day just because of contact with guns. Most of them are homicides, a few of them are suicides, and some are accidents. That does not include all the other children who die violent deaths.

Our objective in this bill should be to try to reduce the number of children who die and who die needlessly. I believe we can do it. I believe we can make a difference.

We should not judge this bill, nor every amendment that is offered, by the test of would it have prevented one of the tragedies that is foremost in our minds. Some of the amendments would have, I think, but we will never know.

A more rational approach and more logical approach is simply this: Will the amendment that is being debated or the provision we are talking about or the bill itself save lives? I think the evidence is abundantly clear that this bill, as is written right now, will save lives. It will make a difference. I think we can improve it in the course of the next several days.

Mr. President, I yield the floor and 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. DEWINE. 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. FRIST. Mr. President, much of the Robb amendment (#325) to S. 254 is based on S. 976, the Youth Drug and Mental Health Services Act, which I introduced this past Thursday, May 6, 1999. Furthermore, the Robb amendment does not include S. 976 in its entirety, but rather includes portions of S. 976 along with several new provisions which I have not yet had a chance to carefully consider in the context of other provisions of S. 976. Therefore, I voted to table this amendment. As chairman of the Subcommittee on Public Health which has jurisdiction over these Public Health Service programs, my intent is to allow the Committee on Health, Education, Labor, and Pensions full consideration of S. 976.

I look forward to moving S. 976 through the normal legislative channels to ensure that we pass a balanced, commonsense measure to provide for greater flexibility in treatment services for children.

STATE DMV DIRECTORS' VIEWS ON TITLE BRANDING LEGISLATION

Mr. LOTT. Mr. President, the American Association of Motor Vehicle Administrators recently provided me with letters it has received from state motor vehicle administrators across the country on title branding legislation. As a collective group, DMV directors are looking to Congress to enact a balanced and responsible measure to combat title fraud. Legislation that is based on real world experience. Legislation that they can implement.

As my colleagues know, I reintroduced the National Salvage Motor Vehicle Consumer Protection Act, S. 655 back in March. This legislation is similar to the bipartisan title branding bill Senator Ford and I coauthored during the 105th Congress. Legislation that received 57 cosponsors and which overwhelmingly passed the House of Representatives with some modifications last October.

S.655 is an appropriate legislative solution to a growing national problem. A problem that costs millions of unsuspecting used car buyers billions of dollars and places motorists in every state at risk. Everyday, severely damaged cars are put back together by unscrupulous rebuilders who sell these vehicles without disclosing their previous damage history. They are able to shield the vehicle's history due to significant advances in technology and, in large part, because there is a hodgepodge of titling rules throughout the nation.

They take repatched vehicles, or their titles, to states that have minimal or no salvage vehicle rules and have them retitled with no indication that the vehicle previously sustained significant damage.

The National Salvage Motor Vehicle Consumer Protection Act would help curtail title washing by encouraging states to adopt a model title branding program for salvage, rebuilt salvage, flood, and nonrepairable vehicles. The bill provides states with incentives to establish minimum titling definitions and standards. This is key. It is particularly aimed at those states which need to bring their rules and procedures to a universally accepted minimum standard.

In 1992, as part of the Anti-Car Theft Act, Congress mandated the establishment of a Motor Vehicle Titling, Registration, and Salvage Advisory Committee to devise a model salvage vehicle program. The Salvage Advisory Committee, led by the U.S. Department of Transportation, issued its findings in February 1994. Its report recommended specific uniform definitions and standards for severely damaged passenger vehicles. It included a 75% damage threshold for salvage vehicles, anti theft inspections for salvage vehicles before they could be placed back on the road, and the permanent retirement of vehicles that are unsafe for operation and have no value except as a source of scrap or parts. The report recommended the branding of titles as the most appropriate method for disclosing a severely damaged vehicle's prior history.

Mr. President, Senator Ford and I simply drafted legislation that would largely codify the Salvage Advisory Committee's recommendations. Recommendations that encompassed the wisdom of all of the experts on titling matters. This committee of key stakeholders, led by the U.S. Department of Transportation, provided real world solutions to address title fraud and automobile theft. Solutions based on state motor vehicle titling trends—uniform titling definitions and standards that states would be willing to accept.

Senator Ford and I introduced a sound, reasonable, and appropriately balanced measure during the 105th Congress. It did not take sides. It did not codify the recommendations of one particular interest group. It did not benefit one group at the expense of another. Instead, it reflected a balanced, bipartisan consensus. Even so, a number of significant changes were incorporated during the last Congress to accommodate the concerns raised by certain State Attorneys General, consumer groups and others. I would like to highlight some of the revisions made by me in a good faith effort to satisfy the concerns expressed and to advance the bill.

The "Salvage" vehicle threshold was lowered from 80% to 75%—so that if a late model vehicle has sustained damage exceeding 75 percent of its pre-acci-

dent value, it would be branded "salvage." The bill also allowed a state to cover any vehicle regardless of its age.

The original bill did not allow conforming states to use synonymous terms. That has been stricken from the bill—so now states may use additional terms to define damaged vehicles. For example, a state can use the bill's "nonrepairable" definition and can also use another term such as "junk" if it wants to have a different definition to describe parts only vehicles.

The revised bill included a new provision granting state attorney's general the ability to sue on behalf of citizens victimized by fraud and to recover monetary judgements for consumers.

It included two new prohibited acts—failure to make a flood disclosure and moving the vehicle or its title into interstate commerce to avoid the bill's requirements.

Another new provision makes it clear that the bill will not affect any private right of action available under state law.

The bill clearly established that states could provide additional disclosures beyond those identified in the legislation.

At the request of Senator HOLLINGS, a new provision was added regarding the Secretary of Transportation advising automobile dealers of the prohibition on selling vans as school buses.

Instead of penalizing states for non-participation by withholding National Motor Vehicle Titling Information System (NMVTIS) funding, my bill now provides states with incentive grants to encourage their participation. This was a very good recommendation offered by the U.S. Department of Transportation. It takes into account the fact that 20 or more states will have received their NMVTIS funding by the time the bill becomes effective. These new grants can be used by participating states to issue new titles, establish and administer theft or safety inspections, and enforce titling requirements.

This voluntary approach also gets around the very real concerns that states and the Supreme Court have raised about Congress requiring states to legislatively adopt federal regulations. Remember, motor vehicle titling has been, up to this point, almost exclusively a state function. This revised approach also overcomes the strong possibility that preemptive federal titling rules and procedures would impose a significant federal unfunded mandate on states.

The revised bill also incorporates a change made by the House of Representatives last year which allows states to adopt an even lower salvage threshold if it chooses. It simply does not start the threshold at 65% which, while advocated by some, has been expressly rejected by states. I think it would be irresponsible for Congress to establish a minimum federal salvage threshold that is not in use anywhere and which states have maintained that