The PRESIDING OFFICER. All time having expired, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The yeas and nays resulted—yeas 63, nays 37, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—63

Abraham	Fitzgerald	Mack
Allard	Frist	McCain
Ashcroft	Gorton	Murkowski
Baucus	Graham	Nickles
Bayh	Gramm	Reid
Bond	Grams	Roberts
Breaux	Grassley	Rockefeller
Brownback	Gregg	Roth
Bunning	Hagel	Santorum
Burns	Hatch	Sessions
Campbell	Helms	Shelby
Cleland	Hollings	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Coverdell	Inhofe	Specter
Craig	Johnson	Stevens
Crapo	Kyl	Thomas
DeWine	Landrieu	Thompson
Domenici	Lincoln	Thurmond
Enzi	Lott	Voinovich
Feinstein	Lugar	Warner

NAYS—37

Akaka	Edwards	McConnell
Bennett	Feingold	Mikulski
Biden	Harkin	Moynihan
Bingaman	Inouye	Murray
Boxer	Jeffords	Reed
Bryan	Kennedy	Robb
Byrd	Kerrey	Sarbanes
Chafee, L.	Kerry	Schumer
Conrad	Kohl	Torricelli
Daschle	Lautenberg	Wellstone
Dodd	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 37.

Two-thirds of the Senators duly chosen and sworn not having voted in the affirmative, the resolution is rejected.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, last fall I became the 21st or 22nd person in the history of this body to cast 10,000 votes. When somebody asked me about those votes, whether they were all important, I said: No, a lot of them were merely procedural votes that we all cast, but some were important. Some of those 10,000 were.

Certainly this vote, whatever number of votes I might be privileged to cast on the floor of the Senate, will go down as one of the most important votes, as it will for all Senators. Whether they voted for or against the amendment, it will be one of the most important votes they will cast in their career.

I take a moment to commend the Senate for its actions this afternoon. It protected the Constitution, the Bill of Rights, in particular our first amendment freedoms. This has been an emotional debate, as one would expect, about a highly charged political issue. I believe the Senate fulfilled its constitutional responsibility to both debate and then vote on this proposed 28th amendment to the Constitution.

I thank Senators on both sides of the aisle, Democrats and Republicans, and on both sides of this issue—those who voted, in my estimation, to protect the Constitution as it presently stands and those who used their constitutional right to vote to amend the Constitution. There were thoughtful and heartfelt statements on both sides.

The distinguished Senator from Wisconsin, Mr. FEINGOLD, who is ranking Democrat on the Constitution subcommittee, spoke eloquently on the floor, as he has in committee. He has been a leader on constitutional issues since he arrived in the Senate. I thank him for all he has done.

We heard from Senator KENNEDY. We heard from Senator MOYNIHAN, one of 11 Senators in this body who fought in World War II. We heard from Senator DODD, Senator DORGAN, Senator CONRAD, Senator DURBIN, Senator WELLSTONE, and so many others. All were thoughtful and constructive contributors to the debate.

In particular, I commend my dear and very special friend, TOM DASCHLE, Democratic leader, for his remarks closing this debate and also for his leadership throughout this debate.

Over the last 24 hours, we heard compelling statements—if I may single out a couple—from Senator BOB KERREY, Senator CHUCK ROBB, and Senator JOHN KERRY. Each of these men was an heroic veteran of the Vietnam war. Each was decorated for his bravery, and one had the highest decoration of this country, the Congressional Medal of Honor. Each of them rose to the defense of our freedoms. We have heeded their counsel. We have heeded their service, as we have our former colleague, Senator John Glenn, another American hero; Gen. Colin Powell, another American hero; our late colleague, Senator JOHN CHAFEE; and the many veterans who testified and contacted us urging that we preserve, protect, and defend the Constitution by not amending the first amendment to the Bill of Rights for the first time in the history of our great Nation.

I recognize the courage shown by the distinguished senior Senator from West Virginia, Mr. BYRD—Senator BYRD gave us a history lesson which will be studied long after all of us are gone—and the distinguished Senator from Nevada, Mr. BRYAN, who, during the course of consideration of this proposal, looked inside themselves, looked to the principles of this country and changed the position they had held before. I commend them for that. I thank them. Their legacy will include their dedication to the Constitution and their vote to uphold, protect, and defend it.

I thank Prof. Gary May, Keith Kruel, James Warner, Rev. Nathan Wilson, Prof. Robert Cole, the American Bar Association, People for the American Way, and the ACLU for their views.

I thank Maj. Gen. Patrick Brady and Lt. Gen. Edward Baca for their testimony opposed to the position I have taken today.

I commend Senate staff on both sides of the aisle, those for the amendment and those opposed. I think in this case I may be allowed to thank Bruce Cohen and Julie Katzman of my staff, who spent far more hours than this Senator had any right to ask them to spend on this in answering every question I ever asked, anticipating those I was not wise enough to ask, and always giving me good counsel. Bob Schiff, Andrea LaRue, Michaela Sims, and Barbara Riehle, they should be proud of their work and of the Senate's action today.

I would also like to thank my friend and Chairman, Orrin HATCH, who has fought so hard for this amendment over the years.

Mr. President, I see other Senators seeking recognition. I will yield the floor in one moment. Again, I thank all Senators on both sides of the issue for their dedication to this issue.

I yield the floor.

Mr. WARNER. Mr. President, we respect the comments of our colleague from Vermont. Recognition should also go to Senator HATCH. I realize Senator LEAHY also was about to speak on behalf of Senator HATCH. I want to recognize his efforts in working with the Senator from Vermont on this issue. The final vote was 63, and that is well beyond 50 percent of the Senate by which most issues are decided.

Mr. President, at this time, I notice the senior Senator from South Carolina on the floor. I ask unanimous consent that I be recognized following his presentation.

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

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MORNING BUSINESS

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

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

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THE PLIGHT OF ANDREI BABITSKY

Mr. KENNEDY. Mr. President, I welcome this opportunity to express my concern about Andrei Babitsky, the accomplished Russian journalist who still faces serious charges in Russia after being held captive first by Russian authorities, then by Chechens, and now again by Russian authorities.

Mr. Babitsky has worked for the last 10 years for the U.S. government-funded broadcasting service, Radio Free Europe/Radio Liberty. He is well-known as one of the most courageous reporters who has covered the conflict in Chechnya. The skill and courage he demonstrated in his coverage of the conflict are clearly the major reasons for his continuing plight.

Russian authorities repeatedly expressed displeasure with Mr. Babitsky's reporting of Russian troop casualties and Russian human rights violations against Chechen civilians in the weeks leading up to his arrest. On January 8, his Moscow apartment was ransacked by members of the Federal Security Service, the FSB, which is the successor organization to the KGB. They confiscated film alleged to contain photos of dead Russian soldiers in Chechnya.

On January 16, Mr. Babitsky was seized by Russian police in the Chechen battle zone. After first denying that he was in their custody, Russian authorities claimed that Mr. Babitsky had been assisting the Chechen forces and was to stand trial in Moscow.

On February 3, the Russian government announced that Mr. Babitsky had been handed over to Chechen units in exchange for Russian prisoners, a violation of the Geneva Convention to which Russia is a party. Subsequently, Russian authorities claimed to have no knowledge of Mr. Babitsky's whereabouts. As it turns out, he was taken to a so-called ''filtration camp'' for suspected Chechen collaborators, then held at an undisclosed location by Chechen forces loyal to Moscow.

On February 25, Mr. Babitsky was taken to the Republic of Dagestan and told he was about to be freed. But authorities said he was carrying false identity papers, and they arrested and jailed him. Mr. Babitsky says the papers were forced on him by his captors in Chechnya and used to smuggle him over the border.

Facing international pressure to account for Mr. Babitsky's whereabouts since his disappearance, Russian authorities flew Mr. Babitsky to Moscow and released him on his own recognizance.

The allegations of assisting Chechen forces and carrying forged identity papers still stand against Mr. Babitsky. If convicted, he faces at least two years in prison on the identity papers charges alone. The State Department would like to see this case resolved. Radio Free Europe/Radio Liberty is seeking to have all charges against Mr. Babitsky dropped, and I strongly support this effort.

Article 19 of the Universal Declaration of Human Rights guarantees the right to seek and to impart information through the media, regardless of frontiers. Taking into custody any reporter, and transferring him to the custody of hostile forces, is a serious human rights violation and behavior unbefitting a democracy.

I urge the newly-elected Russian President, Vladimir Putin, to demonstrate his commitment to the principles of democracy and respect for human rights and freedom of the press by seeing to it that the trumped-up charges against Mr. Babitsky are dropped.

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THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 28, 2000, the Federal debt stood at $5,733,741,907,422.83 (Five trillion, seven hundred thirty-three billion, seven hundred forty-one million, nine hundred seven thousand, four hundred twenty-two dollars and eighty-three cents).

Five years ago, March 28, 1995, the Federal debt stood at $4,849,996,000,000 (Four trillion, eight hundred forty-nine billion, nine hundred ninety-six million).

Ten years ago, March 28, 1990, the Federal debt stood at $3,051,947,000,000 (Three trillion, fifty-one billion, nine hundred forty-seven million).

Fifteen years ago, March 28, 1985, the Federal debt stood at $1,710,720,000,000 (One trillion, seven hundred ten billion, seven hundred twenty million).

Twenty-five years ago, March 28, 1975, the Federal debt stood at $508,988,000,000 (Five hundred eight billion, nine hundred eighty-eight million) which reflects a debt increase of more than $5 trillion—$5,224,753,907,422.83 (Five trillion, two hundred twenty-four billion, seven hundred fifty-three million, nine hundred seven thousand, four hundred twenty-two dollars and eighty-three cents) during the past 25 years.

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ELECTIONS IN SENEGAL

Mr. FEINGOLD. Mr. President, I rise today to congratulate the people of Senegal on their recent democratic presidential elections. On March 19, the citizens of Senegal selected a new leader, Abdoulaye Wade of the Senegalese Democratic Party, in run-off elections for the presidency. This election was not just for show. The Senegalese people were not simply going through the motions of political participation. Rather this was a remarkable moment in Senegalese and African history. After 40 years of Socialist Party rule, the Senegalese people peacefully and democratically took control of their country's destiny and chose to make a change.

I also want to acknowledge the behavior of incumbent President Abdou Diouf, who has held power for two decades. President Diouf lost the vote, but he won the respect of champions of democracy worldwide when he accepted the choice of the voters and gracefully congratulated Mr. Wade on his victory. The manner in which he leaves office will be one of the richest elements of his legacy.

Mr. President, so often the only news that Americans hear from Africa is news of war and oppression, of flood and famine, of disease and drought. As a member of the Senate Foreign Relations Committee's Subcommittee on Africa, I have often come to this floor to speak about abuses and conflicts in the sub-Saharan region. But I have also spent enough time learning about Africa to know that small victories are won each day—in cities and villages across the continent, individuals, families, and communities are making real progress in their quest for a better future. This month the people of Senegal won a truly great victory, and it is my pleasure to call this Senate's attention to their achievement.

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DEPOSIT INSURANCE FAIRNESS AND ECONOMIC OPPORTUNITY ACT

Mr. SANTORUM. Mr. President, Senator JOHN EDWARDS and I introduced S. 2293, the Deposit Insurance Fairness and Economic Opportunity Act. Also joining in this effort are Senators JESSE HELMS, FRANK MURKOWSKI, and KAY BAILEY HUTCHISON.

This bill is a continuation of an effort begun last year during consideration of S. 900, the now Gramm-Leach-Bliley Act. I offered an amendment on the Senate floor regarding the annual obligation that banks and thrifts pay into their respective deposit insurance funds to retire the debt on bonds issued by the Financing Corporation (FICO) in the late 1980s. This annual assessment for banks and thrifts totals nearly $800 million. This money is used to support the federal deposit insurance system consisting of the Bank Insurance Fund [BIF] and the Savings Association Insurance Fund (SAIF).

By law, banks and thrifts are required to contribute the equivalent of 1.25 percent of their deposits into the insurance funds for it to be considered capitalized. Presently, and for the last several years, these funds have met—and exceeded—that statutory requirement. For example, the SAIF steadily increased from 1.25 percent in 1996 to 1.45 percent in 1999. Similarly, the BIF rose from 1.34 percent in 1996 to 1.37 percent in 1999.

Over time, this situation has evolved where banks and thrifts are required to meet the annual obligation despite an overcapitalization of the insurance funds. In short, this is money that is leaving our communities that could be used for expanded lending in the areas of home buying, small business start-ups, and educational expenses. According to a former Federal Deposit Insurance Corporation [FDIC] Commissioner, every dollar available for capital can yield $10 in additional community lending. Therefore, it is projected that this bill could generate up to $8 billion in new loans each year.

To achieve the goals of requiring the banking community to meet their financial obligation to the funds; maintain the safety and soundness of the deposit insurance funds; and allow needed dollars to remain in our communities,