

Catholic Health Association
Eldercare America
Families USA
Meals on Wheels Association of America
National Academy of Elder Law Attorneys
National Asian Pacific Center on Aging
National Association of Area Agencies on Aging
National Caucus and Center on Black Aged
National Council on the Aging
National Council of Senior Citizens
National Osteoporosis Foundation
National Senior Citizens Law Center

AMENDMENT NO. 1272

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, I understand we are back on the pending underlying GREGG amendment, and that the Senator from South Carolina has time.

The PRESIDING OFFICER (Mr. GORTON). The Senator is correct. The regular order now is the GREGG amendment with 10 minutes on each side.

Mr. GREGG. I ask unanimous consent that the time be reserved for the parties presently assigned to it, and I make a point of order that a quorum is not present.

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

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. GRAHAM. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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AMENDMENT NO. 1292, WITHDRAWN

Mr. GRAHAM. Mr. President, I ask that the amendment I had offered relative to prohibition on tobacco litigation be withdrawn.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn.

Mr. HARKIN. I would like to address a question to the chairman of the Subcommittee, the Senator from New Hampshire, regarding funding for the Civil Division of the Justice Department.

In his State of the Union Address, President Clinton announced that the Federal Government intended to sue the nation's tobacco companies to recover billions of dollars in smoking-related health care costs reimbursed by federal health care programs. The administration's FY 2000 budget requested \$15 million in new resources for the Civil Division of the Justice Department and \$5 million for the Fees and Expenses of Witnesses account support this litigation effort.

Unfortunately, we were unable to provide the additional resources requested by the administration for the Civil Division to carry out this task. While I regret that the committee was unable to provide the new funds, it is my understanding that if the Justice Department deems this activity to be a high priority, base funding, including

funds from the Fees and Expenses of Witnesses account, can be used for this purpose.

I ask the chairman and ranking member of the subcommittee if my understanding of the bill and the report language is correct?

Mr. GREGG. I agree with the Senator from Iowa. While the committee was unable to provide new funding as the administration requested, nothing in the bill or the report language prohibits the Department from using generally appropriated funds, including funds from the Fees and Expenses of Witnesses Account, to pursue this litigation if the Department concludes such litigation has merit under existing law.

Mr. HOLLINGS. I also agree with Senator HARKIN.

Mr. GRAHAM. I would like to address the chairman of the subcommittee. Does the chairman also agree to strike the language on page 15 and or page 25 of Senate Report 106-76 relating to funding for tobacco litigation.

Mr. GREGG. That is correct.

Mr. President, I yield to my colleague and cosponsor of the amendment, the Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Florida, and also Senator GREGG, Senator HOLLINGS, Senator HARKIN, and others who have been party to the establishment of this colloquy. I think the RECORD is eminently clear that the Department of Justice has the authority to move forward on tobacco litigation without any limitation whatsoever from this legislation.

I am glad we achieved that and did it in a bipartisan fashion. I thank Senator GRAHAM for his leadership. I was happy to join him on the amendment and to be part of this colloquy.

I yield the floor.

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

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

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed as in morning business.

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

Mr. GREGG. Will the Senator yield? Is there a time limit?

Mr. KERRY. Ten minutes.

Mr. GREGG. I thank the Senator.

Mr. KERRY. I thank the Chair.

(The remarks of Mr. KERRY pertaining to the introduction of S. 1420 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KERRY. Mr. President, I suggest the absence of a quorum. I withhold that request.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—
H.R. 1501

Mr. LOTT. Mr. President, I have a unanimous consent request with regard to the appointment of conferees on the juvenile justice bill.

I ask unanimous consent that the Senate proceed to the consideration of H.R. 1501, the House juvenile justice bill, and all after the enacting clause be stricken, the text of S. 254, as passed by the Senate, except for the Feinstein amendment No. 343, as modified, be inserted in lieu thereof, the bill be advanced to third reading and passage occur, without any intervening action or debate.

I further ask unanimous consent that the Senate insist on its amendment, request a conference with the House, the conferees be instructed to include the above described amendment No. 343 in the conference report, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of New Hampshire. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I regret the objection. I understand, though, the Senator's feeling on this. As a result of the objection, I have no other alternative than to move to proceed to H.R. 1501 and file a cloture motion on that motion to proceed. Having said that, this will be the first of many steps necessary to send this important juvenile justice bill to conference.

JUVENILE JUSTICE REFORM ACT
OF 1999—MOTION TO PROCEED

Mr. LOTT. With that, I move to proceed to H.R. 1501 and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 165, H.R. 1501, the juvenile justice bill.

Trent Lott, Frank Murkowski, Chuck Hagel, Bill Frist, Jeff Sessions, Thad Cochran, Rick Santorum, Ben Nighthorse Campbell, Orrin Hatch, John Ashcroft, Robert F. Bennett, Pat Roberts, Jim Jeffords, Arlen Specter, Judd Gregg, and Christopher Bond.

CALL OF THE ROLL

Mr. LOTT. Mr. President, I remind Members that the vote will occur then