

SENATE—Monday, May 17, 1999

(Legislative day of Friday, May 14, 1999)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Father, as we begin this new week, we make a solemn declaration of dependence. We depend on You for wisdom to confront soul-sized issues, strength to take the pressure of the busy week ahead, and patience to deal with our differences.

Sovereign of our beloved Nation, we are profoundly concerned about our culture. We ask You to bless and strengthen the families of our land. Today we want to praise You for mothers and fathers who take seriously their immense responsibility for the character development of their children. Especially we thank You for parents who exemplify the qualities and virtues they seek to engender in their children. We renew our commitment to the families You have given us and to the strategic role of the family in our Nation. Help us live our faith and communicate Your love, absolutes, and justice to the children. Through our Lord and Savior. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT, is recognized.

Mr. LOTT. I thank the Chair.

THANKING THE CHAPLAIN

Mr. LOTT. I thank the Chaplain for, as usual, a very appropriate and wonderful prayer.

SCHEDULE

Mr. LOTT. Today, the Senate will be in a period of morning business until 1 p.m., with Senators permitted to speak for up to 10 minutes each. It is expected the Senate will resume debate on the juvenile justice bill this afternoon. Senators who have amendments on the list with respect to the juvenile justice bill should be prepared to offer their amendments today. I understand at least three Senators are prepared to offer one or more amendments, so that will take up, I am sure, a considerable amount of time. I understand that Senator SANTORUM and Senator

WELLSTONE and Senator MCCONNELL have amendments they will be prepared to offer this afternoon. No rollcall votes will occur during today's session.

Also, today it is the intention of the leadership to debate the Y2K legislation for an hour or so at the end of the day, which would then, of course, take us over into tomorrow, when, under a previous unanimous consent agreement, there will be a cloture vote on a motion to proceed to Y2K at 9:45 a.m.

For the remainder of the week, the Senate will, hopefully, complete action on the juvenile justice bill and the Y2K legislation. Also, the Senate will turn to the supplemental appropriations conference report. I understand that may not be available until late tomorrow afternoon or perhaps even Wednesday. Exactly when that will be brought up will depend, in part at least, on the disposition of these other two bills. Senators should expect rollcall votes throughout each day and into the evening, if necessary, although I would not anticipate a late night on Tuesday, but we could have to go into late nights Wednesday and Thursday.

On Friday, we will not have any legislative business even though we may have a pro forma session. There is a Democratic retreat similar to the one the Republicans had last month, and that is scheduled for Friday. So we will not have any recorded votes so that they can attend this meeting.

Mr. President, I want to again ask for cooperation by Senators in offering amendments and also trying to complete action on these two very important bills. The Y2K liability issue is one of growing concern. If you read the newspapers Friday and Saturday, you learned that there is a growing problem with small businesses trying to become Y2K compliant. There is a great deal of consternation about the liability exposure, and this bill provides a way for these problems to be addressed without leading to a myriad of lawsuits. I have even seen one statement that the Y2K litigation costs could exceed the cost of asbestos, breast implants, and tobacco litigation. That is massive. I do not know whether that is accurate or not, but it is a problem with which we need to try to deal.

Also, on juvenile justice, this underlying bill has been in the making for 2 years. We have had amendments, and we will have other amendments offered with regard to violence in the schools, how you deal with that, with the impact of certain laws that we already have on the books as to schools and, of course, gun amendments. I hope we can come to a reasonable agreement of how

we can complete both of these bills this week and then go to the supplemental appropriations bill and be prepared late this week or early next week to turn to the defense authorization bill. At a time when we have our men and women engaged in combat, we need to go ahead and move this very important piece of legislation.

So those, along with the DOD appropriations bill, I hope to have completed by a week from Thursday night before the Memorial Day recess.

With that, I yield the floor, Mr. President, and I observe the absence of a quorum.

The PRESIDING OFFICER (Mr. ROBERTS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. Acting in my capacity as a Senator from Kansas, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Acting in my capacity as a Senator from Kansas, I ask unanimous consent that the Senate stand in recess until 1 p.m.

There being no objection, at 12:17 p.m., the Senate recessed until 1:08 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. CHAFEE).

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant 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.

Y2K ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to S. 96, which the clerk will report.

The legislative assistant read as follows:

Motion to proceed to the consideration of S. 96, a bill to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I ask the Y2K bill be set aside and we return to the—

Mr. WELLSTONE. I object.

Mr. HATCH. It is my understanding—

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, notwithstanding the pendency of the current bill, I ask unanimous consent that the distinguished Senator from Minnesota be permitted to offer an amendment to the juvenile justice bill, after my opening remarks.

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

Mr. WELLSTONE. Mr. President, I thank my colleague from Utah for his graciousness.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Rachel Gragg and Ben Highton be permitted privilege of the floor during the discussion of the juvenile justice bill.

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

VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

Mr. HATCH. Mr. President, the Senate today resumes consideration of the youth violence bill. As we resume debate on this measure let me quote from a recent New York Times editorial:

In the past it was not hard to be struck by the way time seemed to roll over a tragedy like a school shooting, by the disparity between the enduring grief of parents who lost children in places like Paducah and Jonesboro and the swift distraction of the rest of us. This time, perhaps, things may be different. The Littleton shootings have forced upon the nation a feeling that many parents know all too well—that of inhabiting the very culture they are trying to protect their children from. * * * The urge to do something about youth violence is very strong * * * but it will require an urge to do many things, and to do them with considerable ingenuity and dedication, before symptomatic violence of the kind that occurred at Littleton begins to seem truly improbable, not just as unlikely as the last shooting.

While I may not agree with the New York Times on everything, I doubt that I could have described our task any better. I commend them for this editorial. This issue is a complex problem which requires dedication, a spirit of cooperation, and an agreed-upon set of objectives.

When I assumed chairmanship of the Senate Judiciary Committee, one of my first actions was the creation of the Youth Violence Subcommittee. The subcommittee made dealing with the problem of youth violence a priority, and our efforts on this front were paid greater attention in the wake of juvenile crime tragedies. Yet, as the editorial in the New York Times notes, the Nation's attention always seemed to be swiftly distracted. Still, we pushed forward with our legislative efforts.

Senator SESSIONS held hearings in nearly empty hearing rooms. We spent more than 6 weeks in committee marking up the predecessor to the bill we have before us today. Some questioned our political equilibrium. After all, juvenile justice is fundamentally a State matter, and our economy is robust. Why bother? That is what some felt. Well, we have worked on this bill and pushed for this bill because we think it is the right thing to do and because it will improve juvenile justice and deter youth violence.

Some of us have invested substantial time, effort and political capital in this bill. I have invested even more in this bill in these last few days by supporting measures which, at an earlier time, I may not have supported. I have put the goal of changing our culture of violence and helping our young people first. The question for us now, however, is: Do we have the political strength as an institution to come together and pass this bill promptly?

I firmly believe the work we have undertaken these last several days demonstrates that we, on this side of the aisle, are dedicated to addressing the problems of youth violence and that we are willing to put our children first. We have made significant progress on this bill to date. We have voted on 14 amendments and I plan to accept even more in the managers' amendment. We have spent 4 legislative days on this measure. As a result, this is a better, more comprehensive bill than when we began the debate. If we focus our effort on where we can agree, as opposed to where we may differ, I believe we can pass this bill expeditiously.

Mr. President, the problem of school violence and juvenile crime is not going to go away because we have debated the issue and voted on some divisive amendments. In fact, the problem continued this weekend in Michigan where four juveniles, ages 12 through 14, were arrested and charged with conspiracy to commit murder for plotting a school shooting similar to the massacre at Columbine High School. These four juveniles allegedly planned to kill their classmates by opening fire in the middle school assembly and then detonating a bomb on school grounds. Michigan prosecutors reported that the juveniles planned to kill more students than were killed at Columbine High School. A bomb that was discovered near the middle school campus on Thursday led school officials to conduct school-by-school inspections and cancel school activities.

Senator FEINSTEIN and I have filed our antibomb amendment. It is astounding to me—the hundreds of articles on the Internet that teach kids how to do violence and make bombs.

In addition, a 13-year-old boy was arrested in Indiana this weekend for planting seven pipe bombs in a car owned by one of his classmate's par-

ents. One of the bombs exploded while the car was being driven. Reportedly, the juvenile stalked the family after their daughter told authorities that the boy had brought a gun to school.

Moreover, just days after the tragedy in Littleton, four junior high students in Wimberley, TX, were charged with plotting to kill students and teachers in a planned attack eerily similar to the one committed at Columbine High School. Gun powder, explosive devices, and bomb-making instructions downloaded from the Internet were found at the juveniles' homes. Incredibly, this was not a copycat plan. Rather, these 14-year-old boys had been planning the attack since the beginning of the year.

Mr. President, today, we believe and pray that the Columbine High School rampage will never be forgotten. Let's make sure that is the case. Let's pass this bill. Remember, we said the same about similar shootings in recent years in schools in Pearl, MS, which left two dead; West Paducah, KY, which left three dead; Jonesboro, AK, which left five dead; Edinboro, PA, which left one dead; and Springfield, OR, which left two dead.

These disturbing trends, which have occurred in every region of the country, provide further evidence that we should pass this legislation. No longer can we reasonably say that youth violence is a random or inconsequential problem. In reality, this legislation is needed now more than ever because juvenile crime and youth violence is unacceptably high by historical standards.

Given the magnitude of this problem—and the number of warning signs that future tragedies may be imminent—we cannot afford to delay passage of this bill through amendment. Instead, we should come together and reach unanimous consent to pass this bill tomorrow. For the sake of our children, let's wrap this bill up. This is a bipartisan bill. We have been open for suggestions from the administration and from the Justice Department. We haven't had any until this last week. But most of those suggestions we have embodied in the bill or will embody in the bill.

So let's pass this bill tomorrow. Let's get this bill enacted into law. Let's get the President to sign it, and let's do everything we can to prevent future tragedies like the one at Columbine High.

Elaine and I just had our 18th grandchild born a few days ago—a little girl named Madison Alysa. We are very concerned. We have 6 children and 18 grandchildren now. The 19th is on its way, and will be here sometime in August. I have to say that I want to leave this world a better place for them than it currently is. This bill is one magnificent attempt to get us there. Nothing we do is going to absolutely guarantee no future problems. But this bill will