

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

absolutely guarantee that there will be less of those future problems than we have today, and it may even, in the end, help us to guarantee that there are none of these types of problems again, although I fully confess that I am probably wishing for too much under today's circumstances, with the influences that are besetting our kids throughout our society today.

Our problems are primarily cultural today. They are cultural. There is no question that we need to have accountability where kids learn to be responsible for their actions, and learn that there is a price to be paid for actions that are denigrating to society. But we also need the prevention moneys in this bill that basically will help kids to realize that if they have made a mistake, we are going to help them to get back, we are going to help them to be able to resolve their problems in life.

We need the safe schools section of this bill. We need the section that will help to change our culture by giving the entertainment industry the tools by which they can voluntarily require compliance with their retailers and their wholesalers so these adult and mature materials are not sold and disseminated to children.

We have a study in this bill by the FTC, the Federal Trade Commission, to study just whether or not some of these industries are actually targeting kids. Of course, we have other provisions as well. We have the antitrust exemption, which would allow the companies to get together to voluntarily stop some of the things that are going on.

Last, but not least—I can talk about this all day—we need to get tough on violent juveniles. Some of these kids are every bit as bad as the Mafia. They kill at the drop of a hat. They don't have any conscience. They laugh at those who are righteous and decent and morally upright. And, frankly, we have to make sure that when they commit these heinous crimes, that they pay a price for it. Hopefully, we can rehabilitate them with the prevention moneys. But if we can't, they ought to be removed from society so they can't kill other people or maim other people or cause the problems that they are currently causing.

All of these things we can do with this bill. This is a bipartisan bill. We have good people on both sides of the aisle supporting it. I believe we need to get it done.

I appreciate the efforts of those who are here today willing to present their amendments so we can get this matter finished, and so we know, hopefully by the end of this day, just how many amendments we have and what we need to do.

I yield the floor.

Mr. WELLSTONE. Mr. President, I will be offering a number of amendments to this piece of legislation. First of all, I want to give these amendments

a little bit of context. I came to the floor last week ready to offer these amendments. We had a whole series of other amendments, many of them dealing with gun control and other important amendments, we wanted to debate. I always said to my colleagues I was ready, willing, and able to go forward with amendments that I thought would dramatically improve this legislation.

I want to outline some of these amendments and then go to the amendment which is before the Senate.

The first amendment would allow States to use the new juvenile justice delinquency prevention block grant funds "for services to juveniles with serious mental and emotional disturbances in need of mental health services" before they land in the juvenile justice system.

This amendment also allows States to make the decision to use the JJDP block grant funds for "projects designed to provide support to State and local programs designed to prevent juvenile delinquency by providing for assessment by qualified mental health professionals of incarcerated juveniles who are suspected to be in need of mental health services" who need an individual treatment plan, and so forth.

Let me say to my colleagues on the other side of the aisle that this language is very similar to what is actually in the House bill. I am trying to say we ought to allow States to use the block grant funds for a couple of different things.

No. 1, on the front end of this system, you have a kid—and this happens to be an area in which I have done a fair amount of work—struggling with mental illness. You want to be in a position to be able to use this money to identify this child with this particular problem and get the child into the kind of treatment that is needed as an alternative to incarceration.

We have entirely too many kids locked up who probably shouldn't be—not probably; who shouldn't be—locked up in the first place. I met some of these kids, kids who stole a moped or kids charged with breaking and entering. They have never committed a violent crime, they have a whole history of struggling with mental illnesses, but these kids weren't identified. There was no way of assessing this and providing these kids with some treatment as an alternative.

We want to make sure we have specific language that provides funds for services to juveniles with serious mental and emotional disturbances, to juveniles in need of mental health services, before they land in the juvenile justice system. It seems to me that any piece of juvenile justice legislation would want to include this language.

The second thing, it is absolutely brutal, it is absolutely harsh, it is absolutely unconscionable, that there are

so many kids locked up in these facilities ages 11, 12, and 13 who struggle with mental illness and don't get any treatment. Again, we want to make sure that we allow States to use these JJDP block funds to do a much better job of assessing the kid's needs once that kid is incarcerated, figuring out what kind of individualized treatment plan will make sense and make sure the kids are treated.

I am sick and tired of the stigma about mental illness. It is pretty horrible to see what can happen to kids. I think what many of my colleagues absolutely have to realize is that many children—and there are children who wind up in these facilities—really are brutalized. They are brutalized. They are not even in a position to defend themselves, and they receive no treatment at all.

I am going to go on and come back to this amendment.

The second amendment I will be introducing is an amendment which allows States to use block grant funds for implementation of the training of justice system personnel. This comes out of the Mental Health Juvenile Justice Act I introduced in January, a bill I have been working on for about a year.

Again, basically what this says to States is, if you want to use these block grant funds to make sure a lot of the individuals who are in our juvenile justice system—from the judges, to the probation officers, to school officials, to a whole bunch of other people—are trained so they can recognize kids who are struggling with these mental problems, then you should be able to do so. Often you do not have people within this juvenile justice system who have the training to recognize a child who is struggling with mental illness, who needs treatment for that illness. What this amendment says is let's allow States to use some of this block grant money for such training. Again, I will go into this amendment in detail later on, but I find it difficult to believe this is an amendment that would not be accepted to a piece of legislation called juvenile justice.

The third amendment I am going to introduce has to do with children who witness domestic violence. This area of work for me has become the opposite of academic. I do a lot of this work with my wife Sheila. It is based upon all sorts of women and children who have been victims of family violence.

As I said before on the floor of the Senate, roughly speaking, about every 15 seconds a woman is battered in her home. A home should be a safe place. All too often, children are battered as well. The connection to this legislation is that if you ask judges what the files look like of kids who appear in their court at 13, 14 years of age, quite often those judges will talk about the violence in the homes.

We have not done a good job. We are beginning to focus on the need to provide support for women. That was the Violence Against Women Act on which Senator BIDEN and Senator MURRAY and many others provided a tremendous amount of leadership as did Senator HATCH. But what we have not recognized is the effects of this violence against the parent—and all too often that is the woman—on the children. Even if the child himself or herself is not battered—and quite often that happens—they see it all the time. When they come to school, quite often they cannot do well. Often it is not recognized by school authorities.

So this amendment, which is extremely relevant to this legislation, would provide a comprehensive inter-system approach to limiting the effects of domestic violence on the lives of children. This is an amendment, again, on which I will go into great detail, that will provide the funds for our Nation to do a better job at the community level, to bring together all the different adults who come in contact with these children, and get some support to these children.

I do not know how to put it except this way: You can have the smallest class size, you can have the best teachers, you can have the best technology, but if that child has been in a home where that child has seen his mother beaten up over and over and over again, the chances are that child is in trouble. The chances are that child may not be able to do well in school. And the chances are right now we have a whole lot of people, from school officials to law enforcement officials, you name it, who will not recognize that. We need to figure out ways of enabling adults in the community to recognize children who are going through this, and we need to figure out a way to provide more support for these children.

The fourth amendment is an amendment of which I am very proud. I have a lot of different support for it, from the Conference of Mayors to the American School Health Association. This amendment would provide for 100,000 new school counselors, plus school psychologists and school social workers. This would be Federal funds matched by funds from States and local school districts.

It is very simple. There is no be-all, there is no end-all, but when I marshal evidence for this amendment I think my colleagues are going to be shocked at the extent to which we have really no infrastructure of support for so many of these kids when it comes to mental health services. We do not have enough counselors. We do not have enough school psychologists. We do not have enough social workers. We cannot even begin to help a lot of kids who need somebody to whom they can go. So, again, I think this amendment is right on point.

Finally, I will have an amendment that will take some time, which is indirect to this legislation, which is the welfare recipient accountability amendment. There are two other amendments.

Just to put colleagues on notice on this, what I want to say is—and I, unfortunately, will be able to marshal a lot of evidence—now that we are beginning to get the fragmentary reports of what is going on with the welfare bill, we are finding, for the majority of women who are off welfare, a dramatic reduction in the welfare roll is not equal to a dramatic reduction in poverty. The majority of these women are working at jobs, the prevailing wage of which is less than they were receiving before. In a lot of cases, these children are not getting decent child care. Therefore, I have to worry about where these kids are going to go.

Let's at least call on Health and Human Services to require States to provide us with the data as to where these women and children are: What kind of jobs do they have at what kind of wages? What is the situation with their children? We ought to know. We ought to know.

Tomorrow, this amendment, I think, will cause a major debate. I hope there will be overwhelming support for it. There really were close to 400 votes in the House of Representatives, I believe.

One of the flaws of this legislation is to take out the language that deals with disproportionate minority confinement. I will spend a lot of time on the floor tomorrow, with Senator KENNEDY, on this question, because right now this piece of legislation takes us backwards. It takes us backwards from the current situation, or from what the House of Representatives has proposed, which is we want to know about the "why" of disproportionate minority confinement. We want to know why so many children of color are the ones who are picked up, so many children of color wind up in the court system, so many of them wind up in these so-called correctional facilities—all out of proportion to number of crimes committed. We do have to come to terms with race in America.

The fact of the matter is the disproportionate minority confinement language right now has enabled some States to do some very good work. States on their own—on their own because of Federal legislation—are doing some very good analysis of why we have so many of these kids of color in these facilities. This legislation would basically stop that effort. This legislation takes us backwards. It is a huge mistake. I have not seen the civil rights community more focused on trying to get an amendment agreed to than this amendment. I look forward to this debate. I think it is extremely important.

Mr. President, let me, then, introduce the first two amendments that I

am hoping will be noncontroversial. They are drawn from the Mental Health Juvenile Justice Act. Again, this legislation I introduced several months ago received the support of over 40 organizations. They go all the way from the American Bar Association to the Children's Defense Fund, to district attorneys' offices, to State judges, probation, and police officers, you name it. Right now, S. 254 pays only lip service to the problem of children with mental illness in our juvenile justice system. These amendments have teeth, providing States with grants to fund programs to keep children who struggle with mental illness out of the juvenile justice system altogether and to identify and treat those who are in it.

Elie Wiesel once said:

More than anything—more than hatred and torture—more than pain—do I fear indifference.

We must be diligent and not allow ourselves to be indifferent to children's misery, particularly those children who may be sick, difficult, and test our patience, our understanding and our compassion.

Yet, we have become in our country, I fear, deeply indifferent to how we treat juveniles in the justice system who live in this shadow of mental illness. Each year, more than 1 million youth come in contact with the juvenile justice system and more than 100,000 of these youth are detained in some type of jail or prison. These people are overwhelmingly poor and a disproportionate number of them are children of color.

By the time many of these children are arrested and incarcerated, they have a long history of problems in their very short lives. As many as two-thirds suffer from mental or emotional disturbance; 1 in 5, 20 percent, has a serious disorder; many have substance abuse problems and learning disabilities; most of them come from troubled homes.

The "crimes" of these children vary. While some have committed violent crimes—and we have to hold a child or an adult accountable for a violent crime—some have committed petty theft or skipped school. Still others have simply run away from home to escape physical or sexual abuse from parents or other adults.

The vast majority of children who are in these juvenile justice facilities have not committed a violent crime. In fact, despite popular opinion, most of the children who are locked up are not violent. Justice Department studies show that 1 in 20 youth in the juvenile justice system has committed a violent offense—1 in 20 of youth in the juvenile justice system has committed violent offenses.

Jails in the juvenile justice centers are often found unprepared to deal with the mentally ill. For instance, medication is not given when it should be

given or it is not properly monitored or guards may not know how to respond to a disturbed youth who is just not capable of standing in line for orderly meals. As a result, many of these children are disciplined and put in solitary confinement.

What is happening to these troubled children—and this is why I want my colleagues to accept this amendment; this is why I have been waiting days for this amendment—is a national tragedy. All across the country, we are criminalizing mental illness of children, and we are dumping emotionally disturbed kids into juvenile prisons.

What this amendment says is we at least allow States to take the block grant money to do a better job of assessing these children when they get into trouble, and if these children are struggling with mental illness or struggling with emotional problems and they have not committed a violent crime, let us at least make sure we provide some diversionary programs, some community-based treatment, as opposed to incarcerating these children.

This comes right from this juvenile justice mental health legislation. We ought to pass this amendment, I say to my colleagues.

What is happening to these troubled children is a national tragedy. Why do so many youth with mental illness end up in the juvenile justice system? Children with mental disorders often behave in ways that bring them in conflict with family members, with authority figures and peers.

Over the last 10 years, the public attitude toward juvenile crime has grown tougher. Consequently, the juvenile justice system is casting a wider net. A growing fear and intolerance of children who misbehave or commit non-violent offenses have pushed children into the juvenile justice system who would not have ended up there in earlier times.

At the same time, our country has failed to invest adequately in services and programs that can reduce the need for their incarceration. These include mental health services. The warning signs for delinquency are well known: School failure, drug and alcohol abuse, family violence and abuse, and poverty. Yet, we have failed to put in place community prevention, screening, and early intervention services for those children who are most at risk.

Proper mental health treatment can prevent or reduce the offending, but many, many, many communities do not have adequate services for children and their families. Let me read a couple of examples.

Matthew—and I am not going to use the full name—Matthew I. has a history of mental health problems. He has received services from the public mental health center and has been hospitalized several times in private psychiatric institutions.

One night in 1996, Matthew heard voices telling him to run away from home. He listened to the voices, and in the process of running away, he stole two bicycles. Matthew was arrested and charged with theft. He was sentenced to the Swanson Correctional Center for Youth. While in Swanson, Matthew was beaten and witnessed guards abusing other youths. Matthew received disciplinary tickets for falling asleep. His psychotropic medications made him sleepy, so he stopped taking his medicine. Without his medication, Matthew was impulsive and had difficulty following orders. So, again, he received disciplinary tickets.

Despite continued requests from his mother, Matthew did not receive an evaluation by a psychiatrist until he attempted suicide. After the suicide attempt, Matthew saw the psychiatrist in 6-week to several-month intervals. He did not receive mental health counseling services. Matthew made several suicidal attempts after the first one.

After almost 2 years of confinement in the juvenile prison, Matthew is now at home. That is one example. This is from Shannon Robshaw, executive director of the Mental Health Association in Louisiana.

Daron R. was physically and sexually abused by his babysitters from infancy to age 7. He has marks on his face where this couple threw rocks at him and hit him with a broom.

Daron is a brilliant child and categorized by the school as “gifted.” Daron is explosive and has a hard time controlling his temper. He is impulsive and has difficulty following directions. Now 10 years old, Daron has a history of psychiatric hospitalization and is taking several medications.

In September 1998, he became uncontrollable at home and was sentenced to Jetson Correctional Center for Youth. At his mother’s request, Daron’s school psychologist attempted to assist him by participating in a telephone conference call. During this conference, she was told Jetson did not have to provide educational services for gifted children.

In Jetson, Daron had problems so the guards responded by throwing the 10-year-old against the wall. The psychologist asked if the guards were trained in passive restraint and was told no. Daron’s mother and psychologist took pictures of the bruises on Daron’s body. Daron was released to a State mental hospital last Christmas.

A final example—and when people come back tomorrow, I am going to get colleagues to listen before we vote on this amendment. These are children’s lives.

Travis M. was charged with stealing a bicycle. I met him. Travis M. was charged with stealing a bicycle and sentenced to Tallulah Corrections Center for Youth for 3 months. Fourteen at the time, Travis had been hospitalized

for psychiatric problems three times, the most recent only 1 month before being sentenced to Tallulah. Travis was labeled with attention deficit disorder, oppositional defiant disorder and mild mental retardation. Travis takes three psychotropic medications.

At Tallulah, Travis was unable to successfully complete the boot camp and received numerous disciplinary tickets for not following orders and for falling asleep. These tickets extended his sentence by a year and a half.

While at Tallulah, Travis was abused by guards and saw guards beat others. Travis witnessed guards putting a hit out on youths. While at Tallulah, Travis contemplated suicide and was told by a guard to “go ahead, that will be one less to deal with.”

Eighteen months after being placed in Tallulah, Travis was released. Now he suffers from post-traumatic stress syndrome and has flashbacks of his violent experience in Tallulah.

(Mr. LUGAR assumed the chair.)

Mr. HATCH. Will the Senator yield for a question?

Mr. WELLSTONE. I am pleased to yield for a question.

Mr. HATCH. Will the Senator be amenable to having a time agreement on this amendment, because up to now we have been working on very short time agreements and going back and forth. We have an amendment over here that will be offered and then we can come back to the Senator for his next amendment. If we can work pursuant to time agreements, it will be very helpful to the managers of the bill.

Mr. WELLSTONE. Mr. President, I say to my colleague that I do not intend to take a long time. It depends on what my colleague means by a “time agreement.”

Mr. HATCH. Can we agree to a unanimous consent time agreement of some limit so we know when we can get somebody over here to present his or her amendment? I understand the distinguished Senator has three amendments. We will be glad to come back to the distinguished Senator for his second one, and then we will go back over here again, and then come back again.

But I would like to be able to have some ability to know when I should have people here so we do not waste floor time, because we are pressured. We have worked all weekend to get our amendments down from the thirties to seven. The Democrat amendments are in the forties. I would like you to do the same, to work them down to seven. But it does mean some cooperation on both sides. I do not want people over here going on with any length either. And I will try to make sure they cooperate with reasonable time constraints.

Mr. WELLSTONE. Mr. President, let me ask my colleague. I would be pleased to accommodate him. Here is the question from me. In fact, I am almost surprised these first two amendments have not even been accepted. I

have been working most of my adult life in this area, and I really want to talk about mental health and juvenile justice.

I think there are two amendments here. I don't want to rush through this and not give justice to what I think is an agonizingly important and painful question.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. But I have no intention of going on and on; so if we could get a reasonable time limit. Could I ask this: Since I have a lot of amendments here, how long are we allotting to different Senators? In other words, Senator SESSIONS has an amendment.

Mr. HATCH. Senator SESSIONS has an amendment.

Ten minutes equally divided on your side, so we can keep the time constraints here?

Mr. SESSIONS. I would like about 10 minutes.

Mr. HATCH. For yourself? So 20 minutes equally divided?

Mr. SESSIONS. Yes.

Mr. HATCH. If there is no one to argue on the other side, it would be a 10-minute amendment. Thus far, I do not know of anybody who is going to argue against it.

Mr. WELLSTONE. Mr. President, I would be pleased to finish up on my amendment in a short period of time. It sounds as if my colleague does not need a lot of time, but I would like to be able to offer my amendments here today.

Mr. HATCH. That is the purpose here. If I could bring to the Senator's attention, that is why we are listening to him, because we believe he is going to offer his amendments today. And we are certainly going to look at them.

I also tell the Senator, I am a strong supporter of mental health programs.

Mr. WELLSTONE. I know about that.

Mr. HATCH. We will have a major debate on mental health on the SAMHSA bill this year, and I am going to try to help him and others who feel deeply about it. Certainly mental health concerns are a part of this bill, because we provide, in one block grant, that mental health concerns can be part of that block grant. So we have not failed to consider that. But we left it up to the States to make those determinations rather than dictate to them or tell them what they have to do.

Now, I guess what I am saying—

Mr. WELLSTONE. I say to my colleague, this is why we may need more time. This actually just allows for the States, but it has the same language the House has which specifically lists mental health services so we make it clear this is part of what is to be done. We do not mandate this.

Mr. HATCH. I have no problem with the Senator bringing up his amendment. Could we, on this first amend-

Mr. WELLSTONE. I say to my colleague, I can finish in 10 minutes and then we can go to another amendment.

Mr. HATCH. I ask unanimous consent that the distinguished Senator be granted 10 more minutes on his amendment and then we go to the Senator from Alabama for 10 minutes.

Mr. WELLSTONE. Reserving the right to object, after my colleague from Alabama is recognized, I ask that we then return to me and I can offer my next amendment.

Mr. HATCH. Could we determine a time limit on your next amendment? I do not know of anybody here who is going to speak in opposition at this point. They will probably wait until the 5 minutes before the amendments are called up for a vote. But could we have a time limit on your second amendment, as well? Then I will be able to tell the next Senator offering an amendment when to be here.

Mr. WELLSTONE. Mr. President, I am almost finished on the first one, but I cannot—

Mr. HATCH. Will the Senator give it some consideration, and we will talk about it?

Mr. WELLSTONE. Yes.

Mr. HATCH. Then I ask that my unanimous consent agreement be approved.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HATCH. I thank the Chair.

#### AMENDMENT NO. 356

(Purpose: To improve the juvenile delinquency prevention challenge grant program)

The PRESIDING OFFICER. Would the Senator from Minnesota send his amendment to the desk.

The clerk will report the amendment.

The legislative assistant read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 356.

Mr. WELLSTONE. 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 as follows:

On page 89, line 18, strike "or" at the end.

On page 89, line 21, add "or" at the end.

On page 89, between lines 21 and 22, insert the following:

"(H) to provide services to juveniles with serious mental and emotional disturbances (SED) who are in need of mental health services;

On page 90, between lines 7 and 8, insert the following:

"(4) projects that support State and local programs to prevent juvenile delinquency by providing for—

"(A) assessments by qualified mental health professionals of incarcerated juveniles who are suspected of being in need of mental health services;

"(B) the development of individualized treatment plans for juveniles determined to be in need of mental health services pursuant to assessments under subparagraph (A);

"(C) the inclusion of discharge plans for incarcerated juveniles determined to be in need of mental health services; and

"(D) requirements that all juveniles receiving psychotropic medication be under the care of a licensed mental health professional;

On page 90, line 8, strike "(4)" and insert "(5)".

On page 90, line 17, strike "(5)" and insert "(6)".

On page 91, line 1, strike "(6)" and insert "(7)".

On page 91, line 11, strike "(7)" and insert "(8)".

On page 91, line 17, strike "(8)" and insert "(9)".

On page 91, line 22, strike "(9)" and insert "(10)".

On page 92, line 6, strike "(10)" and insert "(11)".

On page 92, line 16, strike "(11)" and insert "(12)".

On page 92, line 24, strike "(12)" and insert "(13)".

On page 93, line 5, strike "(13)" and insert "(14)".

On page 93, line 13, strike "(14)" and insert "(15)".

On page 93, line 17, strike "(15)" and insert "(16)".

On page 93, line 20, strike "(16)" and insert "(17)".

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, just again, to summarize, this is not a mandate. The amendment allows States to use the new juvenile justice delinquency prevention block grant funds for "services to juveniles with serious mental and emotional disturbances . . . who are in need of mental health services" before they land in the juvenile justice system.

This is the language from the House legislation. And this is language which is critically important, because if we do not have, I say to my colleague from Utah, language with this kind of specificity, then I think once again these kids just get lost in the shuffle.

I say to my colleague from Alabama, the second thing this amendment does is it says that for those kids who are incarcerated, let's allow States—they do not have to do it—to use the block grant funds for programs which will enable them to do an assessment of these kids, once in these facilities, who are struggling with mental problems, and make sure that they can get some treatment to these kids.

That is what these two amendments do.

I will talk about my visit to Tallulah—it is but one example—a facility in Louisiana. The only thing I can tell you is that all across the country, unfortunately—and Tallulah is but one example—you have a lot of kids locked up who do not need to be. They stole a moped. They did not commit a violent crime. They have all sorts of mental problems. They are not getting the care they need. They could be treated in their community. You do not want to have them incarcerated. And then, God knows, for those who

are incarcerated, you want to make sure they get the treatment.

That is what this amendment says. When I was in Tallulah, there were about 650 kids, and about 80 percent were African American—we will get to the whole problem of disproportionate minority confinement tomorrow in the amendment—as young as age 11; and many of them—I am sorry, too many of them—quite often are locked up in solitary confinement for up to 7 weeks, 23 hours a day, as young as age 11.

What I am saying is, at least let's allow States, with some clear language here, to provide mental health services to these kids who need services. That is what this amendment is all about. The way these children are treated is brutal; it is harsh; it is unconscionable; it is not right. I hope to get very strong support for this legislation.

While I am speaking, for those who may be watching, I thank the Chair personally, as opposed to reading or writing notes, for having the courtesy to listen to what I have to say as a Senator. I thank Senator LUGAR from Indiana for doing that. That is very important to me as a Senator when I am speaking about an issue that I think is important. I thank the Senator for his courtesy.

How much time do I have?

The PRESIDING OFFICER. The Senator has 7 minutes 55 seconds.

Mr. WELLSTONE. Are we going to try to see whether we can work this out? I would reserve time if I thought there was going to be debate. I am ready to debate amendments. Whatever you want to do.

Mr. HATCH. I think the Senator's statements are going to be the only ones until prior to the votes.

Mr. WELLSTONE. OK. Then I will yield the floor and come back with an amendment after my colleague.

Mr. HATCH. The Senator may put into the RECORD any additional comments that he cares to.

Mr. WELLSTONE. I would be pleased to do so. I just say to my colleague from Utah, whom I do not want to anger, not because I mind debating him—I appreciate the debates—but because I know how accommodating he can be, I am not going to come out here and talk and talk and talk, but I want to have the opportunity to give some context to these amendments. I think it is really important.

So I would like to ask unanimous consent that I follow Senator SESSIONS. And I will try to do it in as efficient a way as possible.

I do not think I can do every amendment in 10 minutes. I do not intend to. I just want to be honest with my colleague.

The PRESIDING OFFICER (Mr. AL-LARD). Is there objection? Without objection, it is so ordered.

Mr. WELLSTONE. I thank my colleague.

Mr. SESSIONS. I thank the Senator from Utah for his leadership on crime issues of all kinds for quite a number of years. In particular, I have had the honor to work with him on this juvenile crime bill. He is a skilled legislator. He understands the criminal justice system in America and contributes significantly to it. He is also an outstanding spokesman on behalf of a rational and well-thought-out system of criminal justice in America.

Mr. President, I have an amendment that I believe will be accepted which is very important and can be an effective step in improving juvenile justice. It deals with a juvenile hotline.

A number of years ago, when I was a U.S. attorney in Alabama, 7 or 8 years ago, not too long, we had a conference about young people carrying guns and committing crimes and what we could do about it. We came up with a plan—the chief of police, the district attorney, the probation officer, the Coalition for a Drug Free Mobile, and other groups—to encourage people who saw children in trouble or in danger to call. The police worked out their 911 number, and it can be boiled down to a bumper sticker. It said: "Kid with gun, call 911." The idea was to get people involved in that kind of program.

Just recently, the State of Alabama developed a program to call a statewide 1-800 number hotline. They have had some remarkable successes with that.

I would like to introduce as one of the permissible uses of the funds in this bill a program we call the CRISIS grant program. It is a confidential reporting of individuals suspected of imminent school violence. I will introduce this amendment to S. 254.

Hotlines are violence prevention tools. The establishment of confidential hotlines that parents, students, and teachers would call to alert State and local enforcement entities of threats of imminent school violence or other suspicious criminal acts is an important prevention tool that can save kids' lives and prevent other wrongdoing.

Early identification of and intervention with potentially violent juveniles before they commit a violent act is certainly to be supported. This amendment will allow the States to use this CRISIS grant money to support both the independent State development and State operation of hotline programs. It will ensure that State personnel who will be answering those calls are trained properly. It will allow the State to acquire technology necessary to enhance the hotline's effectiveness, including Internet web pages perhaps, enhance State efforts to offer appropriate counseling services to individuals who call the hotline threatening to do themselves or others harm, and to further State efforts to publicize the service so that people will know about

it and will be encouraged to use it. No additional funds will be expended out of this program, but it will utilize funds that have already been considered part of our juvenile crime bill.

So this would be a program under the State, not Federal control. State governments are, I think, anxious in considering just these kinds of projects. I believe it will be something every State should give the most serious consideration to.

Let me tell you a recent Alabama example, really in response to the Littleton tragedy. People asked themselves, what could we do? How could we avoid that? Is there a communication problem? How can we respond to it? Alabama established this confidential free hotline. The program has the support of Alabama's Democratic Governor and Republican Attorney General. In the first 2 weeks of operation, the Department of Public Safety reports receiving over 800 phone calls from communities, large and small, urban and rural, throughout the State in Alabama. Each of these incidents reported to the hotline are forwarded to the appropriate local law enforcement for investigation and followup. The program grades these calls in terms of severity of threat.

Of the 800 calls that came in to the hotline, almost 50 percent were classified as an imminent threat, a possible threat, or a drug threat—the three most severe categories. Calls made in these threat categories are referred immediately to local law enforcement for investigation.

In addition to law enforcement, Alabama has someone available from the State Mental Health Department to counsel or refer individuals who call in who are threatening suicide or to hurt someone else. It will help States achieve both the goals of enhancing law enforcement and provide appropriate counseling to individual callers.

Additionally, the majority of the calls made to the State hotline occurred during the hours of 4 to 9 p.m. each day, and they came predominantly from parents of schoolchildren who are repeating or passing on things they heard from their children, perhaps some at the supper table. Parents are serving as filters of information. They are not likely to call in if they do not think there is any possibility of a problem.

Usually most of the calls are deemed to have been credible that are being received by the hotline. It allows for the identification of individuals who may have multiple complaints. So multiple calls about a particular individual could lead to a positive law enforcement response.

The Huntsville Times editorialized in favor of this and wrote an article about an incident in which five students at a junior high school in Russell County were charged with planning to bomb

their school and who had created a hit list of teachers and administrators. In addition to the hit list, some witnesses reported seeing a detailed map of the school. It is the kind of information that could be brought in through a hotline.

I will quote from that editorial.

Because of the Columbine shooting spree, we will never again be sure if threats are threats or merely false alarms . . . We don't recommend panic or paranoia. But if the threats come, they must be investigated. And if the evidence is found, it can't be ignored or assumed to be a prank.

I believe this is a good program. I thank Senator HATCH for his interest in supporting this. If I am not mistaken, I believe that Members on the other side are perhaps prepared to accept this as an amendment to our bill. I am pleased to note that.

The PRESIDING OFFICER. Will the Senator from Alabama please have his amendment reported to the desk?

Mr. SESSIONS. Mr. President, I will leave my remarks at this time. I am hopeful the managers will make that part of a managers' amendment.

AMENDMENT NO. 357

(Purpose: Relating to the placement of a disclaimer on materials produced, procured or disseminated as a result of funds made available under this Act)

Mr. SESSIONS. I did want to offer at this time another amendment, without objection, a disclaimer amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative assistant read as follows:

The Senator from Alabama [Mr. SESSIONS], for himself and Mr. INHOFE, proposes an amendment numbered 357.

Mr. SESSIONS. 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 as follows:

On page 265, between lines 20 and 21 insert the following:

**SEC. 402. DISCLAIMER ON MATERIALS PRODUCED, PROCURED OR DISTRIBUTED FROM FUNDING AUTHORIZED BY THIS ACT.**

(a) All materials produced, procured, or distributed, in whole or in part, as a result of Federal funding authorized under this Act for expenditure by Federal, State or local governmental recipients or other non-governmental entities shall have printed thereon the following language:

"This material has been printed, procured or distributed, in whole or in part, at the expense of the Federal Government. Any person who objects to the accuracy of the material, to the completeness of the material, or to the representations made within the material, including objections related to this material's characterization of religious beliefs, are encouraged to direct their comments to the office of the Attorney General of the United States."

(b) All materials produced, procured, or distributed using funds authorized under this Act shall have printed thereon, in addition

to the language contained in paragraph (a), a complete address for an office designated by the Attorney General to receive comments from members of the public.

(c) The office designated under paragraph (b) by the Attorney General to receive comments shall, every six months, prepare an accurate summary of all comments received by the office. This summary shall include details about the number of comments received and the specific nature of the concerns raised within the comments, and shall be provided to the Chairmen of the Senate and House Judiciary Committees, the Senate and House Education Committee, the Majority and Minority Leaders of the Senate, and the Speaker and Minority Leader of the House of Representatives. Further, the comments received shall be retained by the office and shall be made available to the any member of the general public upon request.

Mr. SESSIONS. This amendment simply says that with regard to the materials that can be printed—and we expect a lot of materials will be printed as a result of the almost \$900 million-plus that will be going forward for juvenile crime programs—that those materials be accountable to the American people. I ask that we simply print on those materials a disclaimer that will note that this material was produced by the Federal Government. It would say, in fact, this:

This material has been printed, procured or distributed, in the whole or in part, at the expense of the Federal Government. Any person who objects to the accuracy of the material, the completeness of the material, or to the representations made within the material, including objections related to the material's characterization of religious beliefs, are encouraged to direct their comments to the office of Attorney General of the United States.

It further requires that the Attorney General designate one of her offices to receive the complaints, and to submit summaries of those complaints to the Congress, including the Senate and House Judiciary Committees, the majority leader, the Speaker, and minority leaders in the House and in the Senate.

We believe this would be a unique opportunity to allow persons who are receiving materials funded by the Federal Government to express concerns and provide information that may make those materials better. In addition, we believe like it would allow the Congress to be able to monitor the material, because what so often happens—and most people may not even realize it—this Congress proposes funds and they go out to various organizations who print material that can be very helpful, and some of it is excellent. Some of it is not good. Periodically, we receive complaints on materials that go against deeply held views of Americans, and which are inaccurate.

So this amendment would allow for a disclaimer on such materials. When people see it, they will know where to write. They would have a central place within the Department of Justice to receive it. Then they could, in fact, re-

view the complaints and we could take steps to correct it.

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

The PRESIDING OFFICER. There is no time limit on this amendment.

Mr. SESSIONS. I thank the Chair and yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will send an amendment to the desk shortly.

I appreciate my colleague's heartfelt words. Again, I hope we will have a thorough debate about this legislation. I think there are some kids who commit really violent crimes, and they should be held accountable.

I want to say this very carefully to my colleague from Colorado, who is now in the Chair. From my own part, given what the Senator from Colorado has been through, and what his State has been through—I have said it before and I will say it again—I don't want to make any one-to-one correlation. I still very honestly and truthfully believe that every once in a while there is an act of violence that is such a nightmare, so God awful, it is so crazy, it is so sick, it is so incomprehensible that all of us should be very careful about doing any one-to-one correlation. I think there are many things we can do better in our country to reduce violence in the lives of children and in our communities. But I don't want my remarks to be correlated at least 100 percent to what happened at Columbine High School. I am not comfortable doing that.

Mr. President, where I would disagree with my colleague from Utah—this is why I was on the floor earlier; this is why I have been waiting patiently for days to become involved in this debate—is that again we need to understand that the vast majority of kids—I think over 90 percent of kids, as I read the statistic earlier—who are in these juvenile correctional facilities haven't committed a violent crime.

If this is juvenile justice legislation, then we ought to be talking about justice. I will say one more time that a lot of these "correctional facilities" don't correct, and that a lot of these kids, by the time they leave these facilities, are not on their way toward productive citizenship. These places basically become kind of a staging ground for them moving on to committing more crime and winding up in prison. That is one of the major flaws of this legislation.

If you do not look at this disproportionate minority confinement, and you want to sort of take us backward so that States no longer can really do a careful assessment of what is going on when so many of the kids who are winding up in prison are kids of color, not only is this not right, not only is

this a matter of discrimination, not only should we not be allowing States and encouraging States to take a look at this, quite often when those kids leave, they are far worse off than when they got there.

I have talked about just this one visit to the Tallulah facility. I am sorry to pick on the facility, but I will tell you the truth—most of these kids, about 80 percent of them, are African American, as young as age 11, and 95 percent have committed nonviolent crimes.

I have done a lot of community organizing and a lot of low-income neighborhood work in my life. I probably would have been willing—I did a lot of work with young people before I came to the Senate. I still try to do that work. I would have been pleased to meet with any of them at 10 o'clock at night but not all of them, not after they were in Tallulah, not after they were in the facility.

I will not support a piece of legislation that doesn't deal with the disproportionate sentences of kids of color, or any piece of legislation that takes us backward, that really calls on us to turn our gaze away from this, any piece of legislation that allows, albeit incidental, contact between these kids and adults in some of these facilities, with, God knows, what consequences. I cannot support a piece of legislation that doesn't do better. I am hoping we can have some agreement on mental health services so that a lot of kids who should not be in these institutions who never committed a violent crime, can get treatment in their own communities as opposed to being incarcerated, or making sure if they are incarcerated, for God's sake, that they get treatment. Any piece of legislation that doesn't allow States to use the funding for that, or doesn't have explicit direction that States can use that funding is short on the justice part.

Let me also say, although this is not today's topic but it is related, the fact is we can build a million new prisons and we can fill all of them. We are never going to stop this cycle of violence in this country unless many more children in this country have hope. When we have, roughly speaking, close to one out of every four kids under the age of six growing up poor in America, and close to 60 percent of kids of color growing up poor in America, we have a whole agenda to deal with here. Nobody should dismiss that agenda.

The amendment I am going to be sending to the desk speaks directly to what my colleague from Utah was talking about. This is the 100,000 school counselors amendment.

The tragic school shootings in Littleton, CO—again, I don't want to do any one-to-one correlation; I don't want to be glib about this, but it certainly shows that we must do better by way of

making sure that kids who have some fear problems are identified. There has to be a lot more infrastructure in our schools so we can do a better job of maybe seeing what could happen and getting to these kids earlier. There are no easy answers. There is no simple solution to the problem of school violence, but there are some steps we can take to make our schools safer and healthier.

I want to talk about expanding and improving the available mental health services in our Nation's schools as an essential step forward. For this reason, I rise to offer this amendment, the 100,000 school counselors amendment, to S. 254.

For months I have been receiving letters and calls—and I imagine other Senators have as well—from my constituents in Minnesota who have been asking for my help to find a way to get students the mental health services they desperately need. They call and ask, Is there a way we can hire more counselors to serve our schools in the State of Minnesota? I have a whole stack of letters I could hold up. Let me read from a few of them.

Betty Jo Braun, a school counselor from Cleveland public schools, a small town in Minnesota:

In my 15 years as a counselor, I observe younger and younger students who feel that their only recourse is to repay violence with violence. If I could somehow get to all of them with violence prevention at an early age, we might have a better chance with positive outcomes in High School. But not at 767 students to 1 counselor unless overworked teachers do all the work and all I do is consult. The violent incidents that frighten me most are not the ones that I manage to avert (fights, suicide attempts, etc.); the scary ones are the ones I don't know about and that are waiting like the other shoe to drop into our mostly calm rural life, as they did in a neighboring school not too long ago. There a young man came into the school with a pistol and managed to shoot a police officer before being apprehended. Somehow I believe that a good school counselor with his ear to the ground could have avoided this incident by intervening with this young man along the way. Unfortunately, this district has a 1000 to 0 student to counselor ratio; they cut both counseling positions the year before this incident occurred.

There are schools all across this country that cry out for an infrastructure of counselors to be able to provide more support for kids who really need this additional help.

Across the country, counseling positions are being cut. It is incumbent upon the Federal Government, if we are going to talk about how we respond to some of the violence that has taken place in our schools across the country, to share in this responsibility to hire more counseling and mental health professionals.

Schools vary greatly in their support for counseling services. Due to current incentives under Federal law, schools often place a higher priority on the hiring of additional instructional staff

than on the establishment of even modest counseling programs. Up until recently—maybe the world has changed since Colorado, but up until very recently the whole idea of school counselors was that counselors were like icing on the cake; they weren't part of the cake; they were not that essential to what goes on in schools. Well, they are.

The letter continues:

We must make it affordable for schools to hire counselors, school social workers and school psychologists.

My State of Minnesota prides itself on being a great education State, but we fail those students who are in most need of our help because Minnesota has one of the worst counselor-to-student ratios in the country. California is dead last. Minnesota's student-to-counselor ratio is 1,011 to 1.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield.

Mr. HATCH. Has the Senator sent his amendment to the desk?

Mr. WELLSTONE. I am going to.

Mr. HATCH. Is the Senator prepared to enter into a time agreement?

Mr. WELLSTONE. Mr. President, I have an idea it will take me a while to make the case, because I think it is pretty darn important. So I can't say 10 minutes, 5 minutes. I will not go on all afternoon.

The Senator from Utah knows me. In very good faith, I have a statement to make and I will finish the statement. I will probably do it sooner if my colleague doesn't keep asking me when I will be done.

I think I will be done within the next 20 minutes or so, not much longer.

Mr. SESSIONS. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield for a question.

Mr. SESSIONS. My question is, Is the Senator aware of just how much flexibility the prevention funds, that make up 55 percent of this bill, have to expend for the kind of program that he mentioned? It goes on for many pages.

For example: One-on-one mentoring projects designed to link at-risk and juvenile offenders who commit serious crimes; provide for treatment of juvenile defendants who abuse alcohol or drugs; getting priority to juveniles who have been arrested; projects to provide leverage funds for scholarships; provide intake screening that may include drug testing; delinquency prevention activities that involve youth clubs, sports recreation, training, and so forth; family strengthening activities, such as mutual support groups for parents and children.

It goes from about page 75 through 93, and it concludes item 16, "other activities likely to prevent juvenile delinquency."

About 55 percent of the funds available here can be used for that. I think

the Senator is correct that we really need to do a good assessment right there at the beginning—whether it be drug problems, mental health problems, or anger problems.

I think this bill does more perhaps than the Senator realizes. I wonder if the Senator is aware of the breadth of some of the things we could spend the money on.

Mr. WELLSTONE. Mr. President, I say to my colleague I respond in three ways:

No. 1, while I, honestly and truthfully, this legislation is deeply flawed, there are some good things in this legislation and I know my colleague has worked hard on it. I appreciate his comments about ways in which we can do a better job on the upfront assessment for kids struggling with mental illness, some of whom probably really would be better off treated not in these facilities.

I appreciate what my colleague has said. Everything my colleague listed is important.

However, in my statement I will go into some of the training that is necessary for counselors. I am talking about an infrastructure in schools, specifically in the schools, and I am talking about an infrastructure that includes counselors, that includes social workers, and includes school psychologists.

The reason I am talking about 100,000 counselors and we are talking about a cost that becomes one-third Federal Government, one-third State, and one-third school district, I say to my colleague from Alabama we have a ratio—and I am talking about my own State—in Minnesota we have a student-counselor ratio of 1,000-1.

The truth of the matter is, we have to do a better job. I think the Federal Government can be a player. I understand this is not a substitute for what my colleague has talked about, but I want there to be a very specific focus on the need to have counselors and to have social workers and clinical psychologists in our schools.

That is the amendment.

Mr. SESSIONS. Will the Senator yield?

Mr. WELLSTONE. I am pleased to yield for a question.

Mr. SESSIONS. Will the Senator yield?

Mr. WELLSTONE. I will be pleased to yield for a question.

Mr. SESSIONS. I think those are matters of great importance. How many counselors? Is that the best way to spend money for our school systems? Having wrestled with this bill for over 2 years, in my view those are matters that need to come out of the education bill because they are dealing with education problems that may lead to crime later. We have tried to focus, as much as possible, on the crimes and with those children who are already in

trouble, and how to fix and change their lifestyle.

I am just showing my colleague the theory of our bill. The amendment of the Senator may be worthwhile, but it simply goes beyond what we have had hearings on, and really should come out of the Education Committee. That would be my comment, with all due respect, because I know how deeply the Senator believes in these issues.

Mr. WELLSTONE. I thank my colleague. Mr. President, I understand what my colleague said. I think throughout this legislation, again, and we talked about truancy, we talked about the need for intervention, we talked about kids who are getting into trouble. Again, we just have to get more counselors in our schools and the Federal Government should be a real player. That is the “why” of this amendment.

I was mentioning that the Minnesota student/counselor ratio is 1,011 to 1. This means on average one counselor serves two times the number of House and Senate Members combined. So a great education State—in my opinion, the greatest progressive education environment and health care and family State in the country—in Minnesota, we have a ratio of 1000 to 1. That means on average, one counselor serves two times the number of House and Senate Members combined.

Minnesota is not the only State, however, that is in desperate need of school-based mental health services. Across America, schools are experiencing a shortage of qualified counselors, psychologists and school workers. My amendment would establish a funding program similar to the COPS Program that provides seed money to States that provide for more mental health service providers in the schools. And we need to do this.

Approximately 141,000 new counselors, social workers and psychologists are needed for our schools. My amendment would provide States and localities with the resources to meet these children's needs. It is on a one-third, one-third, one-third basis. America's students simply do not have adequate access to counseling services and other mental health services.

A student from Mahtomedi High School, in Mahtomedi MN, wrote about her counselor, Anne Melass. This student had a serious problem with cutting herself, and was admitted to a hospital for treatment. She writes:

Since my return, I have been constantly working with the counselors. I am in a foster home. My mother killed my sister. . .

Can you believe what some kids have to go through?

. . . and my dad was unfit to take care of me. I was in three different foster homes before I came to Joe and Michelle's.

She concludes by saying:

A note to this is that (counselors) have so many people to listen to whom they truly

care about, but if someone is in pain or needs help, they shouldn't have to wait in line. There are way too many children who are waiting in line in our schools. If we are serious about juvenile justice and we want to do something about truancy, we want to do something about kids at risk, we want to do something to help kids before they get into trouble, then clearly this is a direction we must go.

She is not alone. According to the National Institute of Mental Health, although 7.5 million children under the age of 18 require mental health services, only one in five receive them—only one in five. Yet another student writes of her frustration, because not enough counselors are in the school:

I strongly feel that our school should have more counselors, we have a difficult time making appointments when we need to talk to someone.

Violence does not only happen in the schools and on the streets. Violence happens in homes. One young man writes:

Earlier this year I was going through some hard times with my parents. My father especially.

He goes on to say that a counselor was able to give him the skills to prevent a fight with his father. He writes:

Through my parents' talking with the counselor, we decided family counseling would be a good thing to try and we are currently involved in that and it is starting to help a little. With such high ratios, though, it can be difficult even to get an appointment.

A counselor helped this young man and several others. Hundreds, thousands of students are not that lucky and they do not get the help they deserve.

Anne Melass, a licensed school counselor, is one of those special school counselors who gives students the extra time. She explained what being a counselor was like. She writes:

A typical work day for a school counselor is a new appointment every 15 minutes. The caseloads per counselor range from 400 to 1,800 students.

I believe “school counselor” is interpreted many different ways but most people assume it is a non-threatening person you can go to for help with any concern you have in the school. I strongly believe that increasing school counseling services could very well change the community perception of public schools.

It could help a lot of kids. It could help a lot of kids before they get into trouble. It could prevent some of the violence we want to prevent.

The serious shortage of counselors, school psychologists and school social workers in America's schools has undermined our efforts to make schools safe, improve academic achievement, and assure bright futures for the youth of America.

I will never forget a gathering I was at in Minneapolis about 2 months ago, of about 50 principals, title I teachers, support staff. They said to me that by first grade—by first grade—if we don't

have more counseling services for these kids, even as I have said before, with the best schools, smallest class size, best technology, these kids are not going to do well. We need to get the support services for the kids.

To respond to my colleague from Alabama, let me talk about the school counselors, who they are and what they do. They are highly trained professionals. They are credentialed by law or by regulation. In all 50 States and the District of Columbia, counselors are required to obtain graduate education in guidance and counseling for entry-level credentialing as a professional school counselor. Mr. President, 39 States and the District of Columbia require the attainment of a master's degree in counseling and guidance or a related field.

We are talking about an infrastructure of professionals to get this help to kids. School psychologists have obtained a master's degree or doctoral degree in school psychology, or a Ph.D. degree in counseling psychology, or a Ph.D. in school psychology or counseling psychology. All school psychologists are certified or licensed by the State in which they work, usually by the State department of education. School psychologists and counseling psychologists who practice in a private school, community agency, hospital, or clinic may be required to be licensed by the State Board of Psychology as well.

School social workers typically possess a master's degree in social work and are certified by the State's educational agency.

School counselors, school psychologists and social workers provide a number of importance services, designed to support students, parents and the teachers. They improve school functioning, school safety, the kids lives; they work to prevent school violence and to prevent a whole lot of other problems. They offer information and guidance on postsecondary education and training options. They provide consultation with teachers and parents about the student learning, behavior and emotional problems. They develop and implement prevention programs including school safety and behavior management. They deal with substance abuse, they set up peer mediation, they enhance problem solving in schools, and the fact of the matter is, we have done a terrible job as a nation of making sure we have the counselors, that we have the social workers, and we have the psychologists in our schools.

On the average in our country, there is only 1 counselor for every 513 students in our Nation's elementary and secondary education schools. In States like California or Minnesota, 1 counselor serves more than 1,000 students. Utah, Arizona, Illinois, Ohio, Mississippi, Michigan, Tennessee and Colorado are in the top 10 worst States in

the country. In Colorado, the student-to-counselor ratio is 654 to 1. That is better than Minnesota. But it is real hard as a counselor to be able to help a lot of kids when you have 654 kids you are trying to deal with. In Mississippi, another State victim of a school shooting, the ratio was 635 to 1. Furthermore, more than 50 percent of full-time school psychologists are working in settings with a ratio of greater than 1 to 500.

I think I have made my point, but I want to just read a couple of other quotes. Then I will conclude. I would say to my colleagues, I actually could go on and on.

Margo Rothenbacker from Fridley Middle School, who is a counselor:

I am writing to plead with you to reduce counselor students ratios for school counselors. My caseload is 475 and unless there is an observable crisis, I do not see many of these students. I only have time to deal with the students that surface due to behavior or intervention by the county or police. What about the students who need help desperately but are not able to come forward or express their need in a way to draw attention? As a former high school teacher I believe that every elementary school should have a counselor.

And she is right. Margo Rothenbacker is right.

The counselor stays bonded with students as they transition from year to year from kindergarten through middle school through high school.

I have a letter about this 100,000 counselors amendment which I think is on the mark:

Senator WELLSTONE: . . . Please share with your colleagues my dismay at their continued delay in moving toward increased funding for prevention initiatives in our Nation's schools. The basis of professional school counseling has always been on prevention—educating young people about sound decisionmaking skills in order to avoid poor choices later in life. This is particularly true when it comes to conflict mediation and violence prevention.

In Minnesota during the past few weeks since the Littleton, CO, tragedy, much publicity has been focused on school districts spending large sums of money to have "tactical assessments" done on how to "retake" a school after such a Littleton-like scenario. Good God, Senator—what have we come to in our country? Have we so bankrupted our schools that they have given up the fight and mission of trying to prevent problems before they occur? Have our schools just decided that we can no longer prevent the Littletons, the Jonesboros, the Paducahs, the Pearls and are now just making contingency plans to deal with it when it happens rather than try and prevent it?

. . . Nationwide our ratios are absurd—in Minnesota we are next to dead last in the Nation as far as student-to-school counselor ratios go: . . . we average over 1,000:1. . . . We need funding to hire more school counselors.

He concludes by saying:

Thank you for allowing me to share my thoughts regarding this issue.

This is Walter Roberts, associate professor of Counselor Education Profes-

sional School Counseling Program at Minnesota State University-Mankato.

Terry Johnson of White Bear, MN—where my daughter teaches—knows the demands and difficulty of being a school counselor. He writes:

I am a counselor at White Bear Lake High School-South Campus. We are a suburban school located north of St. Paul, MN. We currently have 1,400 students in our building, all juniors and seniors. Our lower classmen are located in a separate building. I am one of three counselors in our building. We are unique in that our entire population is dealing with graduation issues being imminent. Our load is approximately 450 to 1; we have very little time to do real counseling, as many of our colleagues nationwide also do not.

Sally Baas, a school psychologist in Anoka-Hennepin School District, writes:

I have been responsible for school psychological services for up to 3,500 students.

And because of this high ratio, she stated that "many students are ignored." They do not get the attention they deserve and the attention their families deserves.

There is a considerable amount of research which makes the point that this works, which I will not go through right now—more counselors; more school psychologists; more social workers; 100,000 counselors, just like the COPS program. It makes a whole lot of sense to do this.

We have been acting as if this is icing on the cake, counselors do not matter that much, they are not that important, mental health services is just not that important. It is critically important. There are a lot of kids in our schools in our country who are in trouble. There are a lot of kids who need additional help, and if we are serious about juvenile justice and we are serious about getting kids before they get into trouble and we are serious about preventing the violence and we are serious about helping kids, then this amendment is right on point.

Billie Jo Hennager, a counselor in Barnum High School in Barnum, MN, knows firsthand the serious damage we do to America's youth when adequate mental health and counseling services are not provided. He writes:

I have a story, as do many counselors, that may be helpful in helping others understand the importance of having lower student/counselor ratios. One day during the first month, I was contacted because there had been a violent incident the night before that was witnessed by 9 to 10 students. A man was getting violent toward a woman, yelling, pushing, et cetera. The man returned a few minutes later with a gun, shot the other man point blank in the face, shot at the woman (a bullet grazed at her arm) and then swung the gun around at the kids yelling, "What the [expletive] are you looking at?" Not only did these kids have a gun pointed at them, but they witnessed a man's face being destroyed by a bullet, pieces of flesh flying through the air, and blood splattered everywhere. I don't think I need to explain how traumatic this situation was for those students. All students were in school the next day, but no

counselor was available. I rushed to [their school] (an hour away) as soon as I could. These kids will have that memory forever . . . there is definitely a shortage of school counselors in Minnesota.

I add, all across the country:

Obviously, the situation there is less than ideal. Unfortunately, it's not all that unusual.

Mr. President, I believe I have sent this amendment to the desk. Have I?

The PRESIDING OFFICER. The Senator has yet to send the amendment to the desk.

AMENDMENT NO. 358

(Purpose: To provide for 100,000 additional school counselors)

Mr. WELLSTONE. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 358.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the 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. WELLSTONE. Mr. President, I say to my colleagues that this 100,000 school counselors amendment, very much patterned after the COPS program, is focused on an area where we can make a huge difference. We do not have the counselors. We do not have the social workers. We do not have the school psychologists. We do not have the infrastructure of support for our kids.

We can do much better, and it is absolutely essential that the Federal Government and we in the Senate step up to the plate and authorize this. Ultimately, I see this as a one-third, one-third, one-third matching program in terms of where the funding comes from. I do not see how we can be talking about juvenile justice and how we can be talking about preventing the violence and how we can be talking about, as so many have, what happened in Columbine High School or, for that matter, other high schools in the country.

Different people have talked about different things. Some people have focused on more gun control. Some people have talked about tougher sentencing. Some people have talked about the problem of the culture of violence in our country. Some people have talked about the problem of what we see on TV and what we see in the movies. Some people have talked about the lack of spirituality in homes and the lack of spirituality in schools. And some people have talked about other issues as well.

Quite frankly, I agree with most of this discussion. My own work has been in the mental health area. But I am telling you that we have to get serious about having an infrastructure of support in our schools that can make all the difference in the world for kids and can also help teachers deal with some kids who are not so easy to deal with, who can be very difficult to deal with.

We have for too long viewed mental health services—I will say this one more time—as an extra, as being just a frill, as not being that important, as being icing on the cake. My prediction is—why don't we get ahead of the curve in the Senate—we are going to see a whole lot of schools and a whole lot of school districts saying we need more help. We are going to see young women and young men, and not so young women and men, going to schools, getting their degrees in counseling and going into this work. I say, great, let's encourage that; it can only help.

I yield the floor.

Mr. HATCH. Mr. President, I know that the Senator from Minnesota has a commitment to ensuring that individuals who suffer from mental illness have the resources and support they need to combat this painful condition.

I have heard from groups who assert that the amendment would help improve school safety.

The sad truth is there is no evidence whatsoever to support the assertion that the recent tragedies in Littleton, CO, and in Oregon, would have been prevented by having more school counselors.

Eric Harris and Dylan Klebold, according to reports, had both gotten individual counseling had undergone anger-management training and had gotten affirmative evaluations from counselors.

It has been reported that the 15-year-old Oregon shooter, Kip Kinkle was in counseling, along with his parents, when he killed them and went on to kill two classmates.

It has also been reported that an English teacher of one of the Columbine killers had expressed concern about Dylan Klebold's writing to his parents and a counselor.

I mention this not in an attempt to disparage the fine work done by our Nation's counselors, but to make the point that effective policies to identify and prevent acts of violence must be school and community wide in nature.

I read with interest a recent article in the Washington Post on April 25, written by a Virginia teacher, Mr. Patrick Welsh, which described the program already in place at T.C. Williams High School in Alexandria, VA. President Clinton recently visited this school.

I would like to read to you from Mr. Welsh's article, which describes the efforts made by teachers and administrators and law enforcement personnel at this school.

We make no pretense: The possibility of violence is a fact of life here. There is usually a police car—and sometimes two or three—in front of the building. A decade ago, that would have worried parents. Now they appreciate it. The police almost seem like part of the school staff. All of us—administrators, faculty, students and police—are encouraged to see maintaining security as our joint responsibility. . . .

If at night there is a brawl in the community that might spill over into school the next day, the police inform administrators and often show up at school early in the morning. Conversely, administrators let police know about trouble at school that could spill over into the community. But it's not just liaison with the police that administrators value; it's liaison with the kids. Our principal, John Porter, and one of his assistants are out in front of the school nearly every morning greeting students and looking for signs for trouble.

Mr. President, T.C. Williams should be commended for its initiative. This school, and others around the country, has developed a program that works for them.

I suggest to my colleagues that it is this type of individual school by school approach that my legislation and the Republican package of education amendments attempts to support.

Violence prevention starts with trust. It's the availability of faculty. It's principals walking around the school. It's kids who trust the administration to respect their confidentiality. It's kids who feel a part of their community and will work to keep it safe.

Mr. President, I believe we can support our teachers, counselors, and administrators best by providing them with the resources needed to adequately fund current education programs and the flexibility to implement an appropriate school violence prevention program that works.

I do not believe this would be the result of the amendment of the Senator from Minnesota. Therefore, I must oppose the Wellston amendment.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I know the Senator from Minnesota believes strongly in what he is saying. I just want to respond in a couple of ways by saying this is a \$1.5 billion bill of new spending, and over 55 percent of it is designed for prevention programs that can be used for many of the things about which the Senator is concerned.

But it is not an education bill. I think that we do better if we are going to talk about 100,000 guidance counselors—which is a lot of money for that—that we need to talk about that in the Education Committee. The Senator from Minnesota is a member of that committee. We need to thrash it out. Maybe music would do better to reduce crime than hiring guidance counselors. Who knows? So I am not sure I can agree with his amendment as broad as he has suggested.

The President of the United States has stated recently that he was not

happy with the way Hollywood has gone about presenting violence, and he suggested that they need to do better. The Vice President has also suggested they need to do better. Then the President went out to Hollywood this past weekend to raise money from these very same people. The papers report that he raised \$2 million from the "glittering lights" of Hollywood just over the weekend. And during that time he had an opportunity, in an intimate surrounding, to talk personally with the "leading lights" of that fair city. There have been a number of reports about it.

I feel strongly about this. I have worked very hard for this piece of legislation, for over 2 years, and I have only been in this Senate for a little over 2 years. I was a Federal prosecutor and a State prosecutor for 17 years, and I think I know something about crime.

I feel like I am sometimes in a different world. We are trying to bring forth a piece of legislation that can honestly strengthen the juvenile justice system in America, giving them opportunities and options to confront young people who are going on the wrong road and to direct them away from a life of crime.

Even, Mr. President, your area there in Littleton, even those individuals, from my reading of the paper, had previously been arrested for rather serious offenses. The pattern all over America is that they are released immediately. The suggestion the Senator from Minnesota made that our jails are filled with nonviolent 11- and 12-year-olds is not accurate. We have 70,000 beds for young people today in America. That is a little over 1,000 per State. I am telling you, we have some serious crime. Adult bed spaces went up dramatically, and adult crime has gone down dramatically. But for young people, the juvenile bed spaces have not gone up much, whereas juvenile crime, serious, violent juvenile crime, murders, assault with intent to murder, armed robbery, those kinds of offenses have dramatically increased in the last 15 years.

We have not responded adequately. We need a system in which, at their first offense, we have an intervention that occurs, serious intervention: Drug testing, is this child being driven to crime because of drugs; mental health assessment; prison, if need be; detention, if need be. But most times it will not be detention on that first offense. Most of the time it will be probation.

Do we have just a paper probation where you come in once a month and report to your probation office and say: I haven't been arrested this week and I have been obeying all your laws? Or do you have a good intensive probation in which you go out and probation officers knock on the doors at night to see if they are abiding by curfews; they talk to their parents; to have coun-

seling programs; maybe get them into mental health? It is already funded in most States—just get them into these mental health programs or treatment or counseling; maybe drug treatment is available.

That is what a good criminal justice system does. If we care about these kids, that is what we need to do. The idea we are going to spend billions on programs that are not dealing with kids, who are really proven to be at risk, and not even strengthening our juvenile justice system so it can deal with the kids who are already getting in trouble with the law, strikes me as absolutely beyond the pale; it is through the looking glass; some sort of virtual reality.

Mr. WELLSTONE. Will the Senator yield?

Mr. SESSIONS. I will for a question.

Mr. WELLSTONE. Am I understanding the Senator correctly that he does not think there is any connection between counseling support for kids who are having trouble in school and whether or not they might end up in a juvenile corrections facility?

Mr. SESSIONS. No. I did not say that. That is not what I meant.

Mr. WELLSTONE. OK. That is good, then.

Mr. SESSIONS. I am saying we are here to try to pass out of the Judiciary Committee a juvenile crime bill. And you are suggesting some sort of massive, national program to have more guidance counselors. I suggest to you, the greatest way to keep kids from becoming adult career criminals is to intervene effectively in the juvenile court system when they are first arrested; maybe that first brush with the law will be their last. If we care about them, we will intervene. If we don't care about them, we will continue the way we are now.

In Chicago, they spend 5 minutes per case, according to a front page analysis by the New York Times. This is a system that is overwhelmed. Young people with serious multiple offenses simply walk through a revolving door. It is not good for them. If you care about them, you will do something about them.

Now, briefly, I will—I see the Senator perhaps wants to ask something else, but I do want to go on to another subject.

Mr. WELLSTONE. I am pleased my colleague wants to go on to another subject. Again, my colleague is talking about once arrested there has to be ways of intervening.

Does my colleague not think it makes sense to intervene even before a young person is arrested?

Mr. SESSIONS. I am perfectly prepared, in response to the Senator, to think seriously about what we might do at earlier stages. I think perhaps in your committee, in the Education Committee, we ought to be talking

about that—Head Start programs, can they be improved; or even other kinds of programs connected to mental health, or what other issues might be good.

But our legislation isn't designed to fix the whole world. We cannot fix everything in every piece of legislation that comes down. We have \$1 billion here, and a lot of it can be used for those very things you ask for. In fact, I would say, 55 percent of it could be used for programs very much consistent with what you favor.

Mr. WELLSTONE. Last question for my colleague. This bill came directly to the floor, right? It didn't go through the Judiciary Committee?

Mr. SESSIONS. It came out of the Judiciary Committee last year with a bipartisan vote and could not be brought up in the close of the session. It was brought up this year without additional hearings; although the ranking member of the Juvenile Violence Subcommittee, which I Chair, Senator BIDEN, had obtained a significant amendment to have even 20 percent more money for the program for prevention that Senator HATCH and Senator BIDEN worked out together, and even moved further. But we did not have additional hearings this year.

Mr. WELLSTONE. I thank my colleague.

I say, by way of conclusion, to our profound disagreement—though it is an honest disagreement—that I just do not think you can decontextualize any of these issues. I do not think you can talk about juvenile justice without talking about all of the other issues that are critical to children's lives. I really believe, I say to my colleague, that the focus on building more jails and building more prisons—in perpetuity will never really stop the cycle of violence. That is what this amendment that is offered is aimed at in a very effective way.

Mr. SESSIONS. I understand the Senator's deep feelings. I just say, if you talk to judges, juvenile judges, who care about kids, too, juvenile probation officers, who have given their lives to kids, those people tell me—and will tell you, if you ask them—they have insufficient capacity to confront them.

I have visited superior juvenile court systems. They have schools, boot camps, detention facilities, work programs, and so forth; and this bill would support all of those.

(Ms. COLLINS assumed the chair.)

Mr. SESSIONS. Madam President, I would like to raise again and discuss the frustrations I have of where we are today, that, to me, are incomprehensible. I think I know why. We are talking about politics and money too often. We have a number of amendments in this bill and provisions that deal with improving the culture that our children grow up in. I do not think there is

anyone that disagrees that violence on television and in movies exacerbates tendencies of violence in young people.

Now, our President has gone out to Hollywood, after scolding them a bit a few days ago, to meet with the leaders out there and raise a little money—\$2 million. This is what the Washington Times reported this morning:

President Clinton told the makers of violent films and video games over the weekend that they are not “bad” people as they showered him with \$2 million.

He assured them they had no personal responsibility in the Columbine High School massacre in Littleton, Colo.

Instead of blaming Hollywood for making violent films, he said, the real blame lies with the theaters and video stores that show and sell them to minors.

The president told the audience of stars and studio moguls that they should not blame the gun manufacturers, either, but blame instead the Republican members of Congress who won't enact stringent gun-control laws.

Every year we pass more gun laws. I am going to talk about that in a minute. This administration has gutted the prosecution of gun laws in America, and I will show the numbers to prove it.

The president gingerly suggested at a Saturday-night fund-raiser in Beverly Hills that that sustained exposure “to indiscriminate violence through various media outlets” can push vulnerable children “into destructive behavior.”

I think that is universally agreed.

But, he quickly added, the producers, directors and actors who ponied up \$25,000 per couple are not at fault.

“Now, that doesn't make anybody who makes any movie or any video game or any television program a bad person or personally responsible with one show for a disastrous outcome,” Mr. Clinton said. “There's no call for finger-pointing here.”

The article goes on:

Although Mr. Clinton had resolved earlier to nudge Hollywood away from some of its violent excesses, he appeared reluctant to broach the sensitive subject during remarks to the entertainment executives who included Steven Spielberg, Jeffrey Katzenberg and David Geffen, founders of Dreamworks SKG Studio.

“You've helped me through thick and thin for all these long years,” the president said. “The people of California were very good to me and Al Gore and to our families. . . And I am very, very grateful.”

He said he was “having a good time in Los Angeles.”

Although the president complained that underage children are often allowed to rent or view movies that are PG-13 or R, he was careful to exempt Hollywood glitterati from this criticism.

“There's a lot of evidence that these ratings are regularly ignored—not by you, but by the people who actually sell or rent videotapes or the video games or run the movie theaters,” Mr. Clinton said.

The president reserved his strongest criticism for congressional Republicans, who last week voted against

legislation that would have required background checks of those seeking to purchase guns as gun shows.

That is incorrect. We voted last week to substantially increase and step up the enforcement of laws at gun shows.

He said he has “been to a lot of these gun shows. . .”

Now, the minority leader of the House of Representatives, RICHARD GEPHARDT, and Senate minority leader, TOM DASCHLE, were also present, and they gave speeches to the guests, according to the article, “who noshed on baked coconut clusters and chocolate-dipped strawberries, prepared by Wolfgang Puck, caterer to the stars.

The Democratic congressional leaders, staying away from the subject of Hollywood violence, lashed out at Republicans as extremists who unfairly impeached the president and must be deposed from power in Congress next year.

This is what the minority leader in the House of Representatives said:

The group that controls the Senate and the House is extreme, almost radical, in their views on all of the issues that I suspect you care about.

That is what Mr. GEPHARDT said. I take offense at that.

Mr. Daschle emphasized that Democrats comprised the party that best represents the views of Hollywood.

Probably so. I won't dispute that. That was the Washington Times.

This is what the Associated Press reported in a national story. Sandra Sobieraj of the Associated Press:

President Clinton slipped his right hand into his pants pockets and his voice eased into a conversational tone: “Let's talk about the entertainment issue.”

The eyes on him, from a small stone patio overlooking the lights of Los Angeles, belonged to Hollywood's hottest—Jeffrey Katzenberg, David Geffen, Rob Reiner, Goldie Hawn, Kurt Russell, Dennis Quaid, Steven Spielberg, whom Clinton called “Steve.”

All had just paid the Democratic Party between \$25,000 and \$100,000 for a Wolfgang Puck-catered dinner with the President. “You've helped me through thick and thin all these long years,” the President told the intimate assembly.

What does he mean, “You've helped me through thick and thin”? Well, the Clinton legal defense fund, when he had himself in a fix and had impeachment charges against him, started raising money to defend him. Here are some of the contributions: Kate Capshaw-Spielberg, \$10,000; David Geffen, \$10,000; Norman and Lyn Lear, \$10,000; Steven Spielberg, \$10,000; Barbra Streisand, \$10,000. Yes, they have been with him through thick and thin.

Continuing with the AP report of this event:

So it was that Clinton, pushing a national campaign against the kind of youth violence seen in the Colorado school shootings, only gently took entertainment types to task for movies and TV shows that glorify violence. He softly prodded changes in their ads and ratings.

“There's no call for finger-pointing here. We are determined to do this as a family,” he said.

Hollywood and Mr. Clinton are in the same family.

He spoke Saturday at Greystone Mansion, a city-owned landmark.

Hawn, squeezing past the reporters to sneak a smoke with Kurt Russell, ignored questions about the president's challenge to Hollywood. Lisa Kudrow, of TV's “Friends,” played dumb: “What? I haven't spoken to him,” she said.

I don't suppose he raised the question of the showing of smoking in movies and TV now or questioned whether Goldie Hawn ought to be out smoking.

The article goes on to note that:

Dinner with the President: \$25,000 to \$100,000 per couple. Shoes optional.

Hawn padded around the elegant and Gothic-styled Greystone Mansion in a halter top and bare feet, picking at her rat's nest hairdo.

That is what the AP said.

Spielberg and Geffen wore white sneakers. Russell sported cowboy boots. Quaid was in T-shirts, jeans and bomber jacket.

Looking ahead, Clinton said he was consulting on his Little Rock, Ark., presidential library with Spielberg. “We were talking about whether we could have some virtual reality effects in my library in the museum, you know,” he said. “Sometimes I feel like I'm living in virtual reality, so I'm highly interested in this.”

Sometimes I think I am living in some sort of unreal reality.

The President of the United States has made some statements about juvenile justice, and I want to talk about them in just a minute. They strike me as being very unreal. This is the Washington Post article right here, a staff writer covering the same event, John Harris:

President's Message on Movies Undergoes a Change of Address.

Here in Washington he was fussing about the movies.

President Clinton let Hollywood have it Saturday night. Ever . . . so . . . gently.

“There's no call for finger-pointing here,” Clinton said during a Democratic fund-raiser in Beverly Hills, a glittering evening attended by some of the most potent names in Hollywood.

Just hours earlier Clinton had broadcast a radio address in which he bluntly challenged purveyors of violent movies and video games to accept a share of responsibility for tragedies such as the Columbine High School massacre—

Mr. WELLSTONE. Will my colleague yield for a moment? Can I ask a question?

Mr. SESSIONS. Yes, I yield for a question.

Mr. WELLSTONE. I apologize for breaking up the flow of the Senator's presentation. I wonder, the Senator is not offering the amendment, is he? He is speaking in general, is that correct?

Mr. SESSIONS. Yes.

Mr. WELLSTONE. I have been waiting. I will probably leave for a while.

My understanding was that they wanted us to be offering amendments. My colleague can take as long as he wants. I just want to know if he is going to take a considerable amount of time.

Mr. SESSIONS. I don't expect to take more than 10, 15 minutes.

Mr. WELLSTONE. I thank my colleague.

Mr. SESSIONS. So, at this event, the Washington Post staff writer had noted:

Just hours earlier Clinton had broadcast a radio address [nationwide] in which he bluntly challenged purveyors of violent movies and video games to accept a share of responsibility for tragedies such as the Columbine High School massacre, based on evidence that some young people become "desensitized" by, and more prone to emulate, what they see on-screen.

I think there is a universal belief that a violent tendency can be exacerbated by seeing graphic violence in a movie, particularly in a way that shows anger being carried out and vented, which disturbs me most about some of these scenes.

The article goes on:

As luck would have it, Clinton had a chance to deliver that same message in person thanks to a fund-raiser for Democrats (up to \$100,000 per couple) catered by Wolfgang Puck's Spago and hosted by DreamWorks Studio titans David Geffen, Jeffrey Katzenberg and Steven Spielberg.

There were many stars in the audience, including Dennis Quaid, Meg Ryan, Goldie Hawn, Kurt Russell, and Rob Reiner.

But this time, Clinton made his point with all the force of a down pillow. To be sure, some young people will be pushed over the edge by violent imagery, he acknowledged. But that "doesn't make anybody who makes any movie or any video game or any television program a bad person or personally responsible with one show for a disastrous outcome," Clinton said. And he allowed that "for most kids it won't make any difference" what sort of bloody gore they are exposed to.

He said Hollywood should recognize that "all these things go together" and that their movies can lead to bad results, when combined with . . . guns."

Clinton said he didn't want to lecture, and praised the entertainment industry for working with him and Vice President Gore to craft . . . ratings. "We are determined to do this as a family," he said. . . .

All in all, it was a sermon so polite in its message, and so tentative in delivery, that it will no doubt hearten critics in the Republican fold who will point out how difficult it is to enjoy duck potstickers with ponzu and wild mushroom ravioli in one moment, then rise up the next to tell the friends you're sharing the meal with some of their work is a form of cultural pollution.

I think we do have a problem. I think the President is too close to Hollywood. I don't think he is capable of carrying through a policy that can improve what has happened. It is sad. I wish it weren't so. I think it is accurate, though. Which do you think they are going to believe? The radio address he made for politics? They understand this. That is a radio address for poli-

tics. But when he comes out and talks with them one-on-one, eyeball-to-eyeball, they know he is really not serious because he told them that. I have a problem with leadership when it is not consistent and firm and doesn't mean what it says.

The article goes on to note:

In his radio address, for example, Clinton issued "three specific challenges" for the entertainment industry to clean up its act. Saturday night, the word "challenges" was dropped in favor of "other things," that Clinton presented as humble suggestions.

\* \* \* \* \*  
Clinton's politesse was understandable. Hollywood actors and studio executives, overwhelmingly Democratic and financially generous, are famously sensitive about their craft. Several have publicly bridled at widespread commentary in recent weeks that the Columbine killings and other murderous incidents involving young people might have been spurred by entertainment celebrating violence.

In any event, Clinton is personal friends with many people in Hollywood. In fact, before leaving for San Diego for yet another fund-raiser, his motorcade made an unannounced stop in Malibu. Clinton hopped out for breakfast with Barbara Streisand.

Well, I say that because I am here, and I have been working to have a good crime bill that will help reduce juvenile violence in America, based on what my experience tells me and my friendships and conversations over a career, a lifetime of prosecuting tells me it is important. I know many juvenile probation officers personally. I know many juvenile judges personally. I have visited the court systems in Alabama and in Ohio with Senator DEWINE, and we have talked about it. I have talked with many prosecutors. I have known them for years. I know assistant district attorneys who prosecute juvenile cases and probation officers who work with them, and people who manage juvenile detention facilities. Some have probably heard that this bill just puts everyone in prison. "You just want to lock them up," they say.

I don't want to lock up young people. I don't believe Alabama is far different than most. A juvenile judge tells me they have a point system for the State juvenile detention center, and it takes four prior burglary convictions before they will take a young person, because that is how serious a crime has to be.

We had a murder in Montgomery, AL, where a night watchman was killed by three young people. I called the police chief, who I have known for years, and asked him what kind of prior records they had. They were 16 and 15 years old. One had 5 prior arrests, another had 5 prior arrests, and the third one had 15 prior arrests.

Talk to your police officers, talk to your juvenile judges. They will tell you that the juvenile court system in America is overwhelmed. We have had very little increase in the last 15 or 20 years in juvenile detention space be-

cause—I guess it is the liberals who always say: You just want to lock up kids, and people recoil from that. But we have, in this last 15, 20 years, more than a doubling, maybe tripling or quadrupling, of serious crime, the kind of crime you can do something about. I am talking about armed robberies, assault with intent to murder, murders, and rapes. What are you going to do when a 16-year-old commits an armed robbery?

You have to have something to be done. I suggest we ought to do like Mobile, AL, has, and Judge Grossman has in Ohio, a system where he brings that child in, they will do drug testing to see if they are strung out on drugs, they will bring their family in for counseling, and if it is appropriate, he will be detained for either a short period or perhaps sent through a boot camp that has an intensive supervision with a school.

We have learned that boot camps are not the cure-all we thought they were. So now any good boot camp has a very intensive follow-up. When they go back into the community, they appear to be changed. But if they go back to the same friends and the same neighborhood, they tend to drift back into crime. You don't get the change in them you thought you had when they walked out of that boot camp saying, "Yes, sir," and, "No, sir." It is a sad thing. We are always trying to improve that.

But you have to have the capacity for the courts to discipline. Police officers tell me all the time: "Jeff, these kids are laughing at us. We can't do anything to them, and they know it." We tried to make some changes in the Federal regulations that would allow children who are arrested in rural areas for serious offenses to be held in a separate part of a local jail, totally apart from any adult. "Oh, no, that wouldn't do. Oh, no. Some adult may yell down the hall at them and say bad names to them and damage their psyche."

The reason this is important—I want you to understand—is that police and sheriffs in small towns cannot afford to build a separate juvenile jail for a half dozen young people. They don't have them, and it is stupid and inefficient to require them to have them. The Federal mandate says you cannot spend one night in anything but a juvenile jail that is certified as a juvenile jail.

What the police tell me—when I was attorney general, I rode for a year and a half with the police chief of 18 years, as fine and decent a person as I have ever known—commuting back and forth, both of us, to Montgomery. We talked on those long drives about what was happening. And what he tells me is—and what I talked to hundreds of police about—is that policemen out at night can catch a youngster burglarizing a house, or catch them in a store,

and they take them down to the police station. Maybe there is one officer on duty. They put them in the lobby of the police station. They call the judge, and they call his mom. His mom comes and gets him and takes him home. The next morning, he is out on the street and he is telling his running buddies about getting caught and being let loose.

That is what is happening. They can say whatever they want to, but I am telling you, you ask your police officer if that is not what is happening. We need a better ability to deal with that. We have only a very minor improvement in that regard, because our "psyche" may be injured.

But it is not good for those children, if you care about them, to just arrest them and let them go, with minimal probation or supervision. They commit another crime, and they commit another crime, and still nothing is happening to them.

I am telling you that 11-, 12-, and 13-year old kids are not in jail in juvenile courts in America for any minor offense. That is not the reality. So we believe we need to enhance the ability of that juvenile court to intervene effectively to improve it. We believe we can do more in that regard.

That is the core of this bill, for those who wanted so many different ideas of prevention—there is a lot of money in there for a lot of new and creative ideas for prevention programs.

But one thing President Clinton's Department of Justice did was have a study of the prevention programs in America. What they found is, we are spending the money on programs that do not work well, and in fact, we are spending more money on the programs that work the least. It is a very serious criticism of prevention programs. We have to be sure they work before we send the money. We ought to have some in-depth hearings on that.

Finally, the reason I spent some time talking about these Hollywood articles is that I think there are real numbers of factors that go into causing crime. The President says it is the Republicans because they won't pass every gun law he can create. And as soon as you pass one, they come up with another one. He is out with his family now in Hollywood, with members of his philosophical family. He is letting his hair down. And what does he say? He says it is Republicans who won't pass gun laws. There is never an end.

That is why these issues are important.

I served for 12 years as a Federal prosecutor. I prosecuted a lot of violation of gun laws by criminals, people who were committing crimes and shooting people regularly. We were very aggressive on it. The Federal law is tough. It has 5 years without parole if you carry a gun during the commission of a felony. It has the Speedy Trial

Act. You are tried within 70 days. When you are sentenced, there is no parole, and the Federal law mandates just how long you have to serve. It is a long time. People who are caught with guns don't want to go to Federal court. Some think Federal court is easy. Not so. Federal court is much tougher than most State courts in America, particularly on gun cases.

When I left office at the end of the Bush administration, there were 7,048 prosecutions of gun violations in America. Since President Clinton has been in office, that number has dropped every year until it reached 3,807 in 1998, a 40-percent decline in prosecutions.

So the test is, if you really care about guns, according to the President and the Attorney General, Will you pass a new law? I would say to you, the real test is, Will you enforce the laws we have?

You remember a number of years ago when we added a Federal law to make it a felony to take a firearm on a school ground, a Federal law that makes it a crime to deliver a firearm to a young person, a Federal law against carrying assault weapons, those all passed by this Congress.

Let me show you the results of the prosecutions by this Department of Justice and this President who believes so passionately that guns cause crime.

Possession of firearms on school grounds:

In his press conference just a few weeks ago, he said there were 6,000 incidents of carrying firearms on school grounds. In 1997, nationwide, all 92 U.S. attorneys prosecuted 5 of those cases; in 1998, 8 of them. That is all that were prosecuted.

Why do we pass laws if they are not going to be prosecuted? The reason is politics. It is not crime fighting, it is politics.

Unlawful transfer of firearms to juveniles: Not a bad law; in 1997, Janet Reno's Department of Justice prosecuted five; in 1998 they prosecuted six.

Possession or transfer of semiautomatic weapons: The assault weapons ban—such an important law, that if anybody didn't vote for it was a virtual criminal, who just wanted to have people shot by assault weapons—we passed the Federal law before I got here. There were only four prosecutions in each of the past 2 years.

I deeply believe in this. Are we at a point where the reality in America is what you say and not what you do? Is that what the reality in America is today? No wonder the President calls the Hollywood stars family, because they do not live in a life of reality. The only thing that counts is what you say on the screen. It doesn't make any difference what your life is outside of that. It is the vision that goes on.

I couldn't help but recall that incident in which we had perhaps the greatest untruth ever told by any

President in the history of this country when the President of the United States had his news conference, pointed his finger, and said, "I did not have sexual relations with that woman." We know how that was done now. It was orchestrated by the Thomases, his closest friends from Hollywood. They directed, scripted and choreographed how he would make that denial.

I submit that I am not really concerned about how we come up with language about sales of guns at gun shows. If anybody in this country thinks that is going to have a substantial impact on crime in America, I ask them to stand up, right now. It won't have a substantial impact. It may have an impact. It may be a good law. We will work to accommodate the President's request.

It concerns me that when we have a culture of violence the President won't stand up and be counted against it.

Those movies will have more impact on crime than whether or not we have a gun show law.

I have never been in a legislative body before. Maybe this is the way things happen all the time. I know this: We have tried to accommodate the Democrats time and time again. We have increased funding beyond my original vision of a bill that would help our juvenile court systems improve—even to more expansive prevention moneys, 55 percent of the money going to prevention, even a small part of that could even be used for any kind of boot camp or detention facility or treatment alternative school.

I am concerned about it. I believe we can improve the efforts against crime in America. I believe we need to enforce the laws that we have. I believe if we had 7,000 prosecutions in 1998 instead of 3,800, there would be innocent people alive today. These are target criminals. They ought to be prosecuted. I believe we can do better.

I am open to improvement in our legislation. Certainly, Senator HATCH has managed the bill and has done a great job with it. I respect his views. His leadership has been invaluable in moving this legislation along. What concerns me is we may be moving to a point where Members on the other side just don't want legislation. No matter how much we compromise, no matter how much we work together to make the bill to their liking, they still won't give us a time agreement.

I see the majority leader on the floor. The majority leader has a lot of things he needs to do in this Senate. If we are going to have a filibuster, how can we stay on this bill? If the Democrats are going to filibuster and kill this bill—if they stick together, they have that power—it would be a great tragedy.

There is much in this legislation that could improve our ability to reduce juvenile crime, to intervene in young people's lives and save young people

from being victims of crimes. I hope we don't go that route. I hope we don't, after all this effort, have this legislation killed for political reasons.

I yield the floor.

Mr. LOTT. Madam President, I ask unanimous consent passage of the juvenile justice bill, S. 254, occur no later than 6 o'clock p.m. on Tuesday, May, 18, 1999.

Let me emphasize that this is the third request I have made to try to find a way to have fair debate on amendments and votes and a conclusion at some point. Last week, I had suggested we take Friday and Monday to have a number of amendments offered and debated, as we are doing. We asked that the votes on amendments occur on Tuesday morning and that final passage occur by noon. That was objected to. So I said we could have votes on Tuesday morning on the amendments, continue on amendments with votes throughout the afternoon, and complete it by 5 on Tuesday. That was objected to.

This now moves it another hour. Before there is a reservation or objection, let me emphasize why I am doing this. We had thought we could take up this juvenile justice bill that has been in the process for 2 years, have debate, amendments and votes, and complete it by last Thursday night, since we started on Monday. We had Tuesday, Wednesday, and Thursday. That turned out not to be practical because there were other amendments still pending, even though we had taken up 15 amendments, and I think now we have taken up probably 20 or more. We thought about trying to continue on Friday and Monday and then complete it on Tuesday.

This week, we don't have a Friday session because there is a Democratic retreat, so we won't be able to have legislative business or votes on Friday. Let me emphasize that is not intended to be critical because we had a similar Friday last month for Republicans. We each take one Friday during the year to do that and it makes sense to do that.

During this week, we have a vote or votes on the Y2K liability issue, which is very important to small businesses, to industry people trying to comply with the Y2K bill. The computer industry in general has a tremendous liability problem that should be treated as finding a way to solve the problem rather than just trying to find a way to have a whole lot of lawsuits.

We also have a supplemental appropriations bill. Unlike some supplemental appropriations bills that go through here lickety-split in an hour or two, this one very well may take some time. It is large and has a lot of moving parts. It needs to be explained completely. In order to complete Y2K, the juvenile justice bill and supplemental appropriations, we have Tues-

day, Wednesday, and Thursday—3 days. We will have to find some way to get some time agreements and move these bills through to completion.

That is my request.

Mr. WELLSTONE. Reserving the right to object, I want to point out I don't know whether this has been cleared with the minority leader. Speaking as a Democrat, I want to say to the majority leader that I think altogether we have been on this bill 3½ days. We have a finite list of amendments that we have locked in. We have not been dilatory. I, myself, was out on this floor, as my good friend from Utah can testify, all last week waiting, all today. I enjoy my colleague from Alabama, but the last hour or so were questions to me and what he had to say, which was important. I have been waiting for other amendments.

So in all due respect, I don't think what the majority leader has said is quite accurate. We have substantive amendments, a finite list, locked in, which speak to this bill, which could improve this bill and deliver.

To protect the Democrats, I object.

Mr. HATCH. Will the Senator yield?

Mr. LOTT. I yield to the Senator from Utah.

Mr. HATCH. This is the fifth day on this bill. I mentioned in my remarks today other incidents occurring around this country with juveniles who don't have to expect any real retribution as a result of a lack of law.

We can make a difference in this country right now or we can keep fooling around and not get anything done. I can't blame the distinguished Senator for representing his side and protecting the minority leader, except I can't imagine the minority leader not wanting to finish this by 6 o'clock tomorrow.

As far as I am concerned, we should finish it 2 minutes from now, get this bill on the record, get the House to pass it, the President to sign it, and hopefully get a set of mechanisms the bill will provide into operation so we can help our families and our children throughout this society to be protected from these violent juveniles.

Mr. LOTT. Madam President, I regret the objection by our Democratic colleagues. This juvenile justice bill is critically important. Just last night here in the Washington suburbs, two 15-year-old young men were charged with murder and charged as adults. This is not new. This is a pattern that has evolved not only here in this metropolitan area but across the country. I think this juvenile justice legislation is very important and is long overdue. As a result of the objection from the minority, I have to say it looks as if at this point it will be difficult to get this bill done this week without this sort of concept of final passage.

I am trying to get some way to identify how to get this bill done. I want

this juvenile justice bill done. It has been in the mill for 2 years. I think we need it. We had good debates, we had some amendments, and I presume we will have more amendments. If we can't get some sort of time agreement, we will never reach a conclusion. There is a finite number of amendments, but I think it must be 40 or 50 amendments that are still pending. None of the three consents I propounded has been cleared by the minority, and I do find this very disturbing.

Having said that, I realize that the Democratic leader is not here. He will be coming in later on this afternoon and we will, I am sure, confer together. I assume my colleagues want this bill completed. Let me state where I am.

Give me some practical suggestion. What are we talking about here? Hours? Days? Weeks? Months? I think the Democrats think they found a good issue, but I don't think it's a good issue if we don't deal with the problem of juvenile crime in this country, if we don't deal with the problem of violence in our society and the cultural decline in our country, and with the gun amendments that have already been debated. So I think we ought to find a way to get it done. Let's find a way to do it, because we have other legislation we have to deal with: a great big liability problem with Y2K, a tremendous problem with the need for disaster supplemental appropriations, and funds for our military men and women who have been doing bombing raids right now.

I think we ought to try to get that done. All I am trying to do is find a way to do those three bills this week. And with your help, we will keep looking for it and hopefully we will find a way to get it done.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask the majority leader, what you are asking for is simply that we take the amendments we have and you need so you can manage this body, and a time when we are going to complete? Because under the rules of this body, one person can talk and talk for days on one amendment, isn't that correct?

Mr. LOTT. That's correct.

Mr. SESSIONS. I think that is a realistic request. I have to say, I have seen this debate for a long time. I believe there is a group on the other side that wants no bill. I believe they don't want this bill to pass. I believe if we get this bill up it will pass. And I am very upset about it. I know Senator HATCH has done such tremendous work for it.

Mr. HATCH. Will the Senator yield for that?

Mr. SESSIONS. Yes, sir, I will.

Mr. HATCH. I have been here all weekend hoping we can find some help on the other side to resolve this matter. Now, there may be valid reasons

why people on the other side did not meet with us, but we have been open to meeting and resolving this. I think I have exhibited a desire to resolve this bill time after time after time. We have tried, in an evolutionary sort of way, to resolve some of the gun problems. We know that is the way it is going to have to go. We are trying to do it. But we have not been able to get any cooperation.

Now that we are here on Monday, it seems to me we ought to start cooperating and helping our majority leader get this done.

I understand the Senator has an amendment for this side that he can call up. Is it the Ashcroft amendment? And then we can go back to the Senator from Minnesota.

Let me, without yielding my right to the floor—

The PRESIDING OFFICER. The Senator from Alabama has the floor. Has the Senator yielded the floor?

Mr. HATCH. Will my colleague yield one more time to me?

Mr. SESSIONS. I will.

Mr. HATCH. Could I ask the Senator from Minnesota how he would like to proceed? He has one more amendment.

Mr. WELLSTONE. I would like an opportunity to respond to both of my colleagues for a moment, and then I would ask my colleague from Alabama, when he was speaking—at some period of time, I thought I was going to do another amendment. But I will leave for a while and come back later.

Mr. HATCH. What I am trying to do is get an amendment done in just a few minutes, turn to you, and then I hope you will be reasonably short. I know the majority leader has indicated to me he is getting pretty tired of this and he wants to get back to Y2K.

Mr. WELLSTONE. Could I ask my colleague for 2 minutes to respond to what has been said here?

Mr. HATCH. Surely.

The PRESIDING OFFICER. Does the Senator from Alabama yield the floor? Mr. SESSIONS. I will not yield at this point on that subject.

Mr. HATCH. Will the Senator yield to me?

Mr. SESSIONS. I will yield to the Senator from Utah.

Mr. HATCH. Let's proceed this way. Let's have the Senator from Alabama present the amendment on behalf of Senator ASHCROFT. He will take about 2 to 3 minutes to do that. And then let's resolve the problem of the Senator from Minnesota.

Mr. SESSIONS. I think the Senator from Minnesota and I will probably not agree on this, and I would want to respond to what he said.

Mr. HATCH. Fine.

AMENDMENT NO. 348

(Purpose: To reduce violent juvenile crime by encouraging States to prosecute violent armed juveniles as adults)

Mr. SESSIONS. Madam President, I send an amendment to the desk. This

amendment is to reduce juvenile violent crime by encouraging States to prosecute violent armed juveniles as adults if they are over 14 years of age. It has been submitted by Senator JOHN ASHCROFT of Missouri. Senator ASHCROFT serves on the Senate Judiciary Committee, is a former attorney general of Missouri and a former Governor of Missouri. Recently, our Juvenile Crime Subcommittee went to Missouri and held field hearings where we dealt with the problems of using young people to commit serious crimes because they could not be punished for them effectively.

This amendment would be Senator ASHCROFT's effort to say to those who commit murder and robbery and forcible rape while using a dangerous weapon, that they would be treated as adults if they carried a firearm.

The PRESIDING OFFICER. Is there objection to proceeding with the amendment, notwithstanding the fact the bill is not yet pending?

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Reserving the right to object. I am going to object just for a second because I actually was involved in another discussion. What was the request, again?

The PRESIDING OFFICER. The Senator is seeking to propose an amendment. The pending business is the motion to proceed to Y2K legislation.

Mr. WELLSTONE. I object. I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Alabama still has the floor.

Mr. SESSIONS. Did the Chair say we were on the Y2K?

The PRESIDING OFFICER. Yes.

Mr. SESSIONS. I ask unanimous consent, notwithstanding the pendency of the motion to proceed, to offer this amendment on Senator ASHCROFT's behalf.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. There is. I object. I would like to see the amendment.

The PRESIDING OFFICER. Objection is heard. The Senator from Alabama still has the floor.

Mr. SESSIONS. I yield to the Senator from Utah.

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

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

Mr. SESSIONS. Madam President, I ask unanimous consent that, notwithstanding the pendency of the motion to proceed, to offer this amendment on Senator ASHCROFT's behalf.

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

Mr. SESSIONS. I renew my offer of the Ashcroft amendment, I believe No. 348.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Alabama [Mr. SESSIONS], for Mr. ASHCROFT, proposes an amendment numbered 348.

Mr. SESSIONS. Madam 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 as follows:

On page 228, line 11, strike "and".

On page 228, line 14, strike the period and insert "; and".

On page 228, between lines 14 and 15, insert the following:

"(4) PROSECUTION OF JUVENILES AS ADULTS FOR CERTAIN OFFENSES INVOLVING FIREARMS.—The State shall prosecute juveniles who are not less than 14 years of age as adults in criminal court, rather than in juvenile delinquency proceedings, if the juvenile used, carried or possessed a firearm during the commission of conduct constituting—

"(A) murder;

"(B) robbery while armed with a dangerous or deadly weapon;

"(C) battery or assault while armed with a dangerous or deadly weapon;

"(D) forcible rape; or

"(E) any serious drug offense that, if committed by an adult subject to Federal jurisdiction, would be punishable under section 401(b)(1)(A) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(1)(A))."

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. ASHCROFT. Madam President, I thank you. I thank the Senator from Utah for his kindness in allowing me this opportunity to address what I consider to be a very serious national problem. It is a problem of the increasingly violent nature of juvenile crime.

First, I would like to address my amendment that gives States incentives to try armed and violent juveniles as adults. That is amendment No. 348.

I thank Senator SESSIONS for his outstanding leadership on this problem. He has traveled far and wide across the country. His experience as an attorney general, his experience as a U.S. attorney, is most valuable in helping us approach this problem with the kind of sensibility that I think will give us an opportunity to make a real difference.

It seems that nearly every day we hear encouraging news about the progress we are making in the fight against crime. There is no doubt that this is good news.

But reports about reductions in the crime rate obscure two unfortunate realities: First, although the rate of crime has dropped over the past few years, the level of crime remains far too high.

The rate may have gone down but crime is still too high.

Second, whatever progress has been made in the reduction of overall crime rates, we are still confronted with a serious problem with violent juvenile crime.

Statistics about crime rates are useful, but what really matters is the level of violent crime.

Let me just give you an example.

On last Friday, the Dow Jones Industrial Average was down almost 200 points. If we were to focus on that fact alone, it would appear that the stock market was down, when in fact the Dow is near its all time record high. The same is true of crime, especially juvenile crime.

We had a little dip in crime recently. But juvenile crime and violent juvenile crime are still very high.

Although the most recent data show some drops in the crime rate, the overall level of crime, especially juvenile crime is unacceptably high.

There are about as many violent crimes committed today as in 1987. The number of violent juvenile crimes is at roughly the 1992 level and at 150 percent of the 1987 level. I do not think anyone thought they were safe or secure enough in 1987 or in 1992, that we could afford to get to be 150 percent of that level, which was the 1992 level, and that is the level to which we have returned. But it is still far above a level acceptable in our culture.

Statistics about crime rates also mask the increasingly violent nature of juvenile crimes. Seventeen percent of all forcible rapes, 50 percent of all arsons and 37 percent of all burglaries are committed by juveniles.

Finally, the recent dip in crime rates is cold comfort for victims of violent crimes. My constituents in Missouri continually identify violent juvenile crime as a paramount concern, and you only have to read the newspaper to understand why. When parents read in the newspaper about a 16-year-old who raped four young girls in St. Charles County, they understand the importance of targeting violent juvenile crime. When parents in Hazelwood read about a 13-year-old convicted of murder for fracturing his victim's skull with the butt of a sawed-off shotgun, they understand the importance of targeting violent juvenile crime. And when people in Poplar Bluff read about a 16-year-old, encouraged by his 20-year-old accomplice, who held a pizza delivery man at the point of a shotgun to steal \$32, they understand the importance of targeting violent juvenile crime.

Madam President, that is precisely what we need to do. We need to target violent juvenile crime. We need to update our current juvenile justice laws to reflect the new vicious nature of today's teen criminals. We must treat the most violent juvenile offenders as adults and punish them as adults.

For too long now we have treated juvenile crime as something less than

real crime. Even the language we use—referring to adult crimes, but to acts of juvenile delinquency—suggests that juvenile crime is not real crime.

To those young girls who were raped, to those individuals who are murdered, to their families, these crimes are real crimes. We are not talking about spitballs in the hall or the old Charlie Brown song of the 1950s. We are talking about murder, assault, and rape. And I assure you that for the victims of these crimes, the crimes are all too real—no less so because the perpetrator was under eighteen. The time has come to take juvenile crime seriously and protect our children from violence.

Juveniles are increasingly committing adult crimes. What is more, all too often, juveniles are using adult means to facilitate these crimes. Armed crime among juveniles is at unacceptably high levels.

These adult crimes committed with adult means cannot be dismissed as youthful indiscretions. They cannot be dismissed as delinquencies or status offenses. These are crimes. These are horrendous crimes. People lose their lives. People are victims of serious assaults, and the crimes should be treated and prosecuted as adult crimes.

Accordingly, this amendment provides States with incentives to try juveniles as adults when they commit armed violent crimes.

Specifically, this amendment encourages States to try juveniles as adults when youth over fourteen use firearms to commit murder, forcible rape, armed robbery, armed assault, and major drug crimes.

We need to send a message that crimes committed with firearms will be prosecuted and taken seriously. This administration has dropped the ball in prosecuting the Federal gun laws. We tried to address this by funding firearm prosecutions in the Hatch/Craig amendment—this is the so-called project CUFF. Having sent a message to the administration to prosecute Federal gun crimes, now is the time to send a message to the States—violent gun crimes are serious “adult” crimes and deserve “adult” time.

In the “juvenile Brady” provisions in the core bill, we are treating juveniles as adults for purposes of preventing gun ownership in the future, just like if you commit a felony as an adult, you disqualify yourself from owning guns in the future. There is no basis for treating juveniles as anything but adults when they use firearms to commit violent crimes.

The unpleasant fact is that all too many juveniles commit serious armed crime. The answer is to prosecute these crimes vigorously—to the full extent of the law. This amendment provides States with substantial incentives to give adult time to juveniles who commit adult crimes.

This is not a direct mandate on States. The amendment simply says

that the new pot of Federal money authorized by this bill—the juvenile accountability block grants—will only be available to States that try juveniles as adults.

In short, this is an incentive tied to new money that is designed to curtail the violent juvenile crime in this country, not a mandate to the States.

It is ironic that some of the same individuals who clamor now for Federal gun control object to this proposal on the grounds of federalism.

They say the Federal Government has no business being involved here and encouraging States to take a serious approach. The Federal Government has long asserted a role in policing crimes committed with firearms.

The entirety of chapter 44 of title 18 of the United States Code is a testament to the Federal interest in policing crimes committed with firearms. Rather than following the lead of chapter 44 in directly criminalizing firearm offenses for juveniles, this amendment takes the less drastic step by encouraging States to treat violent juvenile offenses committed with a firearm as seriously as the same offense would be if committed by an adult.

States remain free to define the elements of and set the penalties for the underlying crimes. We simply ask, as a condition for being the recipient of Federal funds targeted on reducing serious violent juvenile crime, that States treat violent juvenile firearm offenses as seriously as adult firearms offenses.

Those who complain about this mandate should take a look at the 1974 Juvenile Justice Act, passed by a Democratic Congress, full of mandates from the beginning. As amended, the act now includes more than two dozen mandates. Some of these mandates are just administrative, but others are putting real burdens on the States, preventing the incarceration of status offenders, and mandating complete sight and sound separation of juvenile offenders from adults. These are costly mandates, especially in rural areas.

With so many mandates that are designed to protect the juvenile offenders, it wouldn't hurt to have some incentives that protect the rest of us. Violent juveniles who commit armed violent offenses with a firearm are a serious threat to all of us. We need to treat those adult crimes as just that—adult criminal acts and require juveniles who commit them with firearms to answer accordingly. We need to send a message that violent firearm offenses will be prosecuted. Age should not be a defense to serious gun crimes.

Mr. HATCH. Madam President, I am happy to recommend that the distinguished Senator from Minnesota call up another of his amendments, and I will then call up one for Senator SANTORUM. We will proceed in that way. It is my understanding the distinguished Senator will take upwards of a

half hour for his amendment, and then I will offer an amendment.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Madam President, before going forward with this amendment, there are two statements which I think need to be made for the record.

One is, I say to both my colleagues on the other side of the aisle because I did not get a chance to respond earlier, there is no evidence whatsoever, as suggested by my colleague from Alabama, that there are Senators on this side who are trying to kill the bill. Nobody has filibustered. Believe me, I know how to filibuster and so do other people. Nobody has filibustered. We have agreed to a finite group of amendments.

As to what the majority leader said as to the practical suggestion, we should handle this bill like we do any bill, which is we plow through amendments. That is the practical suggestion. I have not been here as long as my colleague from Utah, but I am sure he can recall many more examples than I can of a bill of this importance that has been on the floor and has taken a week, sometimes taken 2 weeks. Senators have amendments. We debate amendments. We vote them up or down. That is the Senate. That is how we conduct our work.

In all due respect, it is not credible if the majority leader wants to pull the bill and he wants to find a pretext for pulling the bill. He can come out here and make this claim, but it is not credible.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. I will yield for a question in a moment.

Again, let me be clear. Many of us have been waiting to offer amendments. We have a finite list of amendments. We are going through the amendments. That is how we do business in the Senate. That is how we complete this bill. You do not have somebody—now I am not speaking for the party, I am speaking for myself—you do not have somebody come out here and basically say: You agree to do the amendments you have in a short of period of time; we will give you one more day, that's it, because this is a great bill, this is really important, and we have to pass it tomorrow.

It may be a great bill, but some of us have disagreements with portions of this bill. My colleague from Mississippi talked about what happened last night in D.C. Two kids are going to be tried as adults. That is done locally. They did not wait for this bill to be passed. I can give examples of kids struggling with mental illness who have died in some of these juvenile correction centers, and I want to see something done to protect them. I feel as strongly about that as the majority leader feels about other provisions.

Mr. HATCH. Will the Senator yield?

Mr. WELLSTONE. I yield for a question.

Mr. HATCH. Is the Senator aware this bill will help with some of the things about which he is concerned? In fact, all of them.

With the Senator's indulgence, this is the fifth day we have been on a bill that should have been passed on the third day or second day. There is not a thing in this bill, to my knowledge, that most people on this floor would not want to protect our children and our society and our families.

We have all kinds of past illustrations where monumental bills have been done in fewer than 5 days. Tomorrow will be the sixth day we have been on this bill. This is not that controversial a bill. There are some controversial parts to it, and we have been working in an evolutionary way to deal with those. I think the distinguished Senator knows I have worked hard to accommodate my colleagues on the other side as well as my colleagues on this side, and there are wide disparities with regard to the gun problem.

I do not blame the majority leader. He has a job to do. We have the Y2K bill that is critical for the software industry in this country. It is critical to the court system of this country. It is critical to civil justice in this country. It is critical to our dominance in intellectual property. And I can go on and on.

We have the bankruptcy bill that probably is not going to come up now because we do not have time to bring it up, and that is absolutely critical to this country.

We have the supplemental appropriations bill. The majority leader is right, it is not an itty-bitty, normal supplemental appropriations bill with which everybody is happy. It is one that has a lot of components to it.

We have the Department of Defense authorization. We have our young men and women waiting for us to back them up. I think the majority of people here want to do that.

I find no fault with the distinguished Senator anguishing over things that he believes are very important. I do, too. But this bill will move toward solving those problems as well. They may not be solved in exactly the identical way the distinguished Senator from Minnesota wants them solved, but this bill makes a lot of inroads in helping in these areas about which he is concerned.

For the first time, in my recollection, we have both sides together at least giving more money for prevention purposes, for which the distinguished Senator from Minnesota fights so hard, than we do on the accountability or law enforcement side. I have worked hard to get that done because I believe in both sides.

The distinguished Senator has indulged me to make these comments.

I do not blame the majority leader, and I know a lot of very important bills passed in 2 days, let alone 5 or 6. Frankly, this is not one that should be delayed even 1 minute longer. There are sincere amendments. That is why we are here.

I appreciate the willingness of my friend from Minnesota to present at least three of those amendments today. I do not think there is any desire for this side to take unfair advantage. There is a desire to move forward the work of the Senate, and there is a point beyond which the majority leader cannot go. We absolutely know there are some people in the Senate who really do not want this bill, who really want political advantage more than they want a bill.

Frankly, I am not one of them. I am one who wants this bill. I think it is time to get it; that is why we are here. I appreciate my colleague extending me this courtesy to make these comments. It is important to move ahead. It is important we get this done by tomorrow night, and I hope we can.

There will come a time when this bill manager is going to become exasperated enough that I will move to table every amendment that comes up, and I hope my colleagues will support me in that. There comes a time when deleteriousness and slowing down and repeating what we are trying to do in this bill—only getting our particular views other than what the bill says when it already does those things, we will have had enough of that. I warn everybody that I am reaching that point. I am not there yet, but I am going to get there.

If we cannot get this done by tomorrow night and we take the chance of losing this bill because of 40 amendments when we have done everything in our power to whittle ours down by the end of this day—we will have 3 or 4 amendments left, maybe fewer than that—then I think this sends a message.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I say to my colleague from Utah, I apologize for smiling. I was only smiling because initially I yielded for a question. I know him well enough to know, if he feels strongly about something, he is going to go on for a while. I appreciate what he said. Madam President, I do not ever have a problem yielding to Senator HATCH for a question or comment because he is always gracious as a Senator.

We will get to the substantive debate, but I have to say for the record that if the majority leader wants to pull this bill because he does not agree with some of the amendments that have been adopted or he does not want to debate some of the other amendments that deal with gun control or other controversial amendments, he can pull the bill. So be it.

You cannot have it both ways. As the old Yiddish proverb says: You can't dance at two weddings at the same time. You cannot say this is an incredibly important piece of legislation to deal with violence; it is so important in taking steps on prevention and stricter law enforcement with children, and then all of a sudden say: We are done as of tomorrow evening; if not, I will pull the bill.

It does not work that way.

If we come to a supplemental bill, we can act on it and then go back to this legislation.

Let's be clear about what is going on here. I think it would be a terrible mistake for the majority leader to pull this legislation. If that is what he wants to do, then he can do it, but it has nothing to do with Senators not willing to be out here debating amendments.

AMENDMENT NO. 359

(Purpose: To limit the effects of domestic violence on the lives of children, and for other purposes)

Mr. WELLSTONE. Madam President, I now offer my third amendment. This is an amendment that is called the children who witness domestic violence protection amendment.

We have heard a lot about the violence children see on television or the violence that children see in movies. We have heard a lot about the violence that bombards our children from video games. Do you want to know something? The worst part of all is the violence in the lives of children that is not in the spotlight. Increasingly, children are witnessing real-life violence in their homes.

In fact, it is in their own homes that many children witness violence for the first time. Over 3 million children in the United States of America are witnessing violence in their homes each year and it is having a profound impact on their development. Whether or not these children are physically injured by the violence, they carry with them lasting emotional scars from having been exposed to the threat of and trauma of injury, assault, or killing.

This exposure to family violence changes the way children view the world and may change the value they place on life itself. It affects their ability to learn, to establish relationships, and to cope with stress. Witnessing domestic violence has such a profound impact on children, placing them at high risk for anxiety, depression and even suicide.

Furthermore, these child victims may exhibit more aggressive antisocial and fearful behaviors. They are also at much greater risk of becoming future offenders, which is one of the reasons I offer this amendment to this legislation. Exposure to family violence, many studies suggest, is the strongest predictor of violent delinquent behavior among adolescents.

It is estimated that between 20 and 40 percent of chronically violent adolescents have witnessed extreme parental conflict. When I talk to judges back home, they tell me it is all predictable who the 13- and 14-year-olds are who are going to appear in their court. They go back through their records and they see the violence in the families, many of these kids having experienced this violence directly or having seen it.

In a Justice Department-funded study of children in Rochester, NY, children who had been victims of violence within their families were 24 percent more likely to report violent behavior as adolescents than those who had been maltreated in childhood. Can you believe that? This statistic says that kids are even more prone to become violent as adolescents who have just witnessed violence in their families as opposed to those kids who have actually been maltreated themselves, abused in their childhood. Adolescents who were not themselves victimized, but who had grown up in families where domestic violence had occurred were 21 percent more likely to report violent delinquency than those not so exposed. Overall, children exposed to multiple forms of family violence reported twice the rate of youth violence as those from nonviolent families.

So, again, if we are talking about how to prevent the delinquency, how to deal with kids before they get into trouble, we have to get more support to kids who witness this violence in their homes.

A 1994 survey of 115 mothers in the waiting room of Boston City Hospital's Primary Care Clinic found that by age 6, 1 in 10 children had witnessed a knifing or shooting. An additional 18 percent of the children under age 6 had witnessed pushing, hitting or shoving. Half of the reported violence—half of the reported violence—occurred in the child's home.

Let me tell you about Tony and Sara from Minnesota. Tony is 10 years old, and his sister Sara is 8. Tony and Sara were severely traumatized after seeing their father brutally attack their mother. They were forced to watch their father drag their mother out to the driveway, douse her with gasoline, and hold the flaming match inches from her. Tony and Sara are not the only children in our country who were terrified by violence like this, sometimes on a daily basis.

Children who witness domestic violence are often traumatized and they need support. Who is a child going to turn to when their mother is the victim of their father? Who is a child going to talk to when their sibling has emotionally shut down and no longer speaks? Who is a child going to go to for help when they need assistance? Children like Tony and Sara have the right to know that what is happening

in their home is wrong. Children like Tony and Sara have the right to feel that we care about their safety.

My legislation, which I am offering as an amendment today, is a comprehensive first step toward confronting the impact that witnessing domestic violence has on children in America. This bill addresses this issue from multiple perspectives—including mental health, education, child protective services, supervised visitation centers, law enforcement, and crisis nurseries.

Mental health. I have visited, with my wife Sheila, programs in Boston and San Francisco that are forging creative partnerships in their communities to meet the needs of traumatized children. That is what this amendment is about. More must be done. To address the devastating impact that witnessing domestic violence has on the mental health of children, my amendment provides nonprofit agencies with the funds needed to design and implement multisystem interventions for child witnesses.

This partnership would involve the courts, the schools, health care providers, child protective services, battered women programs, and others. What we would be talking about would be guidelines to evaluate the needs of children who witness this violence, safety and security procedures for child witnesses and their families, counseling and advocacy, and outreach and training to community professionals.

I met Pamela in Brainerd, MN. Pamela was a battered woman. Her husband threatened to kill her, so she finally left him after 9 years of abuse. But Pamela says that the damage has already been done to her children. She has two children. They are 18 and 15 years old. She says that both her children have turned to drugs and alcohol to cope with the abuse they witnessed. Pamela's 15-year-old son is currently in a treatment facility.

Pamela and her children would have had a better chance if mental health services had been available to them sooner. We cannot send more of our Nation's children into drug treatment facilities and juvenile prisons when we have the opportunity to intervene early and to heal them. That is what this amendment is all about.

Education. My amendment also encourages collaboration between domestic violence community agencies and schools to provide educational programs and support services for these kids. What happens is that the school officials quite often do not recognize what is going on. This child has seen this violence in his or her home over and over and over again. They come to school; they may not stay awake because they did not sleep that night because they were so terrified; they may act out; they maybe cannot concentrate, and yet quite often what happens is that these kids, because they

have witnessed this domestic violence, are not able to learn, but our education community does not know what is going on with them. So we provide the funding and the support for collaboration. This is a great amendment, I say to my colleague from Utah.

When I was out in rural Minnesota, I met a woman who serves as a guardian to a boy who has witnessed domestic violence. The boy's mother is a battered woman and is now separated from the boy's father. The guardian told me that the boy's teacher reported that the boy had been mean to a girl across the aisle in the classroom, so the boy was sent to be "timed out." When this boy was asked about how he was treating the girl, he said that he was not being mean. He said that he hit the girl because he wanted her to do what he said. He said he hit her because, and I quote, "that's how dad gets mom to do things." I will quote that again. This little boy said: I hit this girl because "that's how dad gets mom to do things." "That's how dad gets mom to do things."

Children cannot always compartmentalize traumatic events. Instead, the domestic violence comes to school with each and every child witness. It undermines their school performance, their relationships with other children, and we need to get them help.

Child protective services, the third part of this. This legislation also addresses domestic violence and the people who work to protect our children from abuse and neglect. There is a significant overlap between domestic violence and child abuse. In families where one form of violence exists, there is a likelihood that the other does, too. In a national survey, researchers found that 50 percent of the men who frequently assaulted their wives also frequently abused their children. The problem is that the child protective services and the domestic violence organizations have separately set up programs to address one of these forms of violence yet few address both when they occur together in families. This amendment provides incentives for local governments to collaborate with domestic violence agencies in administering their child welfare programs.

Madam President, I want to go to the second part of this amendment. What you have here is a picture of Brandon and Alex Frank. I met their mom. These two children were murdered by their father. This amendment increases the funding available for supervised visitation centers.

What happens quite often is visitation provides a batterer with another way to batter. This amendment would create a grants program whereby domestic violence service providers could apply for money for what we call family visitation centers. This is extremely important. For example, usu-

ally it is the woman who is battered. The man is now out of her home, thank God, but he still has custody rights. He comes to visit the child. Quite often when he brings the child back to the home or when there is an exchange at the home, the violence takes place again, or he has custody and he can get the children over a weekend. These visitation centers would enable that father to still see the children but it would be supervised visitation to protect the children.

On July 3, 1996, 5-year-old Brandon and 4-year-old Alex were murdered by their father during an unsupervised visit. Their mother Angela—Sheila and I met her not too long ago; she has met her several times—was separated from Kurt Frank, the father. During her marriage, Angela was physically and emotionally abused by Frank, and Frank had hit Brandon and split open his lip when he stepped in front of his mother during a domestic violence incident. Angela had an order of protection against Kurt Frank, but during custody hearings her request for her husband to only receive supervised visits was rejected. Kurt Frank murdered his two sons during an unsupervised visit. These are the two children. This amendment says, let's do a better job of protecting these children.

Madam President, this amendment also provides further training to law enforcement officers. We have met with some great people in the law enforcement community, and they say that they now realize they come to the home but they quite often have not been able to understand the effect that this has on the children. They come to break it up. They come to protect the woman. They come to make it clear to the man that this is a crime. The children fall between the cracks. This would enable the law enforcement community to recognize the needs of children who have witnessed domestic violence, to meet children's immediate needs at the scene of the crime, to establish a collateral working relationship between police officers and local domestic violence agencies.

Finally—I want my colleague to know that I am actually summarizing this amendment; I am almost finished—crisis nurseries. Families faced with domestic violence also need a safe place for their children during a time of crisis. Mary Ann, a mother of two, was dealing with an abusive boyfriend, and she knew that she needed to end the relationship. Mary Ann turned to a local crisis nursery for help. The nursery volunteers cared for her children while she ended the abusive relationship. The nursery staff played a critical role in supporting and encouraging Mary Ann and helping her to make a better life for herself and her children.

This amendment provides funds to States to assist private and public agencies and organizations to provide

crisis nurseries for children who are abused, neglected, at risk of abuse or neglect, or who are families receiving child protective services. Nurseries will be available to provide a safe place for children and to alleviate the social and emotional stress among children and families who are impacted by domestic violence.

I have to say to you that I believe this amendment that deals with providing support services for children who witness domestic violence is one of the most important amendments I have ever brought to the floor of the Senate. I want my colleagues to believe—not many of them are here, and this is one of the things that bothers me the most. I just don't believe 2½ minutes is going to be enough time. I want Democrats and I want Republicans to understand that for all too many children, at least 3 million children in our country, this is devastating. Every 15 seconds, a woman is battered; every 15 seconds, a woman is battered in her home. A home should be a safe place. These children, even if they themselves aren't battered, they see this violence and it has a devastating impact. It is directly related to this legislation.

Judges will tell you that a very high percentage of kids who end up committing violent crime are kids who come from homes where they have witnessed this violence. This amendment is a great amendment which says, we do it at the community level, but we provide the support and the incentives and enable local communities to pull together law enforcement, to pull together child protection people, to pull together welfare department people, to pull together women who work at battered women shelters, to pull together teachers and education people, and we get the support services for these kids that they so desperately need. That is what this amendment is about.

Madam President, I will at this time send the amendment to the desk, and I ask my colleague from Utah—I will conclude in 5 minutes. I send this amendment to the desk. I ask my colleague if I could have 5 minutes, and only 5 minutes, to make a statement on one terribly important issue to me, and then I will be done. I send this amendment to the desk and ask for its immediate consideration.

**THE PRESIDING OFFICER.** The Senator would require unanimous consent for his amendment. The pending motion is a motion to proceed on the Y2K legislation.

**MR. WELLSTONE.** I ask unanimous consent to send this amendment to the desk.

**THE PRESIDING OFFICER.** Is there objection?

**MR. HATCH.** Is this the amendment you gave us before?

**MR. WELLSTONE.** Yes.

**MR. HATCH.** On domestic violence.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE] proposes an amendment numbered 359.

Mr. WELLSTONE. Madam 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, No. 359, is printed in today's RECORD under "Amendments Submitted.")

Mr. HATCH. Madam President, I have listened to the Senator on his last amendment. Our bill does exactly what the Senator from Minnesota suggests in his amendment. This bill already does that. A core purpose of the accountability block grant is, from page 225 of the bill: "The coordinated delivery of support services for juveniles who are at-risk for contact with the juvenile criminal system."

That is exactly what the Senator from Minnesota is suggesting with this amendment. That is a point that I am making. We are repeating things that we have already long thought out for more than 2 years while we formulated this bill. And so I think it is very important that we realize we can beat these things to death when we already have considered what he wants.

We may not have considered it exactly the way he wants it, but it is certainly part of this bill. I commend him for having the feelings that he does and for being sincere about those feelings. But we are, too. We have worked on this bill, and we think we have covered most of the components of the amendment of the distinguished Senator. On the other hand, where they are too expensive or don't work, we have considered them, but the bill has a better approach. Be that as it may, I admire the Senator for his sincerity. We will have to vote on the amendment and see what happens.

AMENDMENT NO. 360

(Purpose: To encourage States to incarcerate individuals convicted of murder, rape, or child molestation)

Mr. HATCH. Madam 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 Mr. SANTORUM, proposes an amendment numbered 360.

Mr. HATCH. Madam 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 as follows:

At the appropriate place, insert the following:

SEC. . . AIMEE'S LAW.

(a) SHORT TITLE.—This section may be cited as "Aimee's Law".

(b) DEFINITIONS.—In this section:

(1) DANGEROUS SEXUAL OFFENSE.—The term "dangerous sexual offense" means sexual abuse or sexually explicit conduct committed by an individual who has attained the age of 18 years against an individual who has not attained the age of 14 years.

(2) MURDER.—The term "murder" has the meaning given the term under applicable State law.

(3) RAPE.—The term "rape" has the meaning given the term under applicable State law.

(4) SEXUAL ABUSE.—The term "sexual abuse" has the meaning given the term under applicable State law.

(5) SEXUALLY EXPLICIT CONDUCT.—The term "sexually explicit conduct" has the meaning given the term under applicable State law.

(c) REIMBURSEMENT TO STATES FOR CRIMES COMMITTED BY CERTAIN RELEASED FELONS.—

(1) PENALTY.—

(A) SINGLE STATE.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 of those offenses in a State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(B) MULTIPLE STATES.—In any case in which a State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any 1 or more of those offenses in more than 1 other State described in subparagraph (C), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense.

(C) STATE DESCRIBED.—A State is described in this subparagraph if—

(i) the State has not adopted Federal truth-in-sentencing guidelines under section 20104 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13704);

(ii) the average term of imprisonment imposed by the State on individuals convicted of the offense for which the individual described in subparagraph (A) or (B), as applicable, was convicted by the State is less than 10 percent above the average term of imprisonment imposed for that offense in all States; or

(iii) with respect to the individual described in subparagraph (A) or (B), as applicable, the individual had served less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

(2) STATE APPLICATIONS.—In order to receive an amount transferred under paragraph (1), the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certifi-

cation that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for 1 of those offenses in another State.

(3) SOURCE OF FUNDS.—Any amount transferred under paragraph (1) shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State that convicted such individual of the prior offense before the distribution of the funds to the State. The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(4) CONSTRUCTION.—Nothing in this subsection may be construed to diminish or otherwise affect any court ordered restitution.

(5) EXCEPTION.—This subsection does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in paragraph (1) and subsequently been convicted for an offense described in paragraph (1).

(d) COLLECTION OF RECIDIVISM DATA.—

(1) IN GENERAL.—Beginning with calendar year 1999, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State—

(A) the number of convictions during that calendar year for murder, rape, and any sex offense in the State in which, at the time of the offense, the victim had not attained the age of 14 years and the offender had attained the age of 18 years; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) REPORT.—Not later than March 1, 2000, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.

Mr. HATCH. Madam President, I ask unanimous consent that the Senator from Missouri be accorded the floor to make a statement about these matters following a short statement on this amendment.

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

Mr. HATCH. Madam President, I am pleased to support the amendment I am offering on behalf of the Senator from Pennsylvania, Mr. SANTORUM. This amendment adds new incentives for States to ensure that violent offenders are incarcerated for the public's protection, by transferring Federal crime fighting resources from States that fail to incarcerate their criminals to States where the criminals commit subsequent crimes.

Congressionally funded truth-in-sentencing grants, which provide funds to States to build prisons, have been instrumental in lowering crime by encouraging States to incarcerate violent and repeat offenders for at least 85 percent of their sentence. In January, the Justice Department reported that 70

percent of prison admissions in 1997 were in States requiring criminals to serve at least 85 percent of their sentence. More significantly, the average time served by violent criminals nationally has increased 12.2 percent since 1993. Perhaps the biggest reason for recent declines in violent crime is due to these truth-in-sentencing prison grants. Simply put, violent criminals cannot commit crimes against innocent victims while in prison.

But as important as these grants have been, we can do more. While crime is a local issue, its effects are interstate. In our highly mobile society, the criminals let out of prison in one State too frequently end up committing crimes in a neighboring State, or even in a State across the country. In my view, States owe a duty not only to their own citizens, but to the citizens of other States as well, to keep their worst offenders locked up. Senator SANTORUM's amendment provides a modest incentive to States in this regard, by putting them on notice that if one of their murderers, rapists, or other sex offenders commits a similar offense in another State after being released, the second State may be reimbursed out of Federal criminal justice assistance funds allocated to the first State for the costs of incarcerating the criminal in the second State.

These transfers would apply if the first State is not a truth-in-sentencing State, does not have penalties at least 10 percent above the national average for murder, rape, or other sexual offenses, or in the individual case of triggering the transfer, the inmate did not serve at least 85 percent of his or her sentence.

Madam President, no State should allow crime to be a major export. This amendment is a modest proposal to ensure that all our States absorb at least part of the costs of their trans-border crime. I urge my colleagues to support it.

I yield the floor.

AMENDMENT NO. 361

Mr. ASHCROFT. Madam President, all across our Nation, local schools are trying to ensure that tragedies like the one in Littleton do not happen again.

The Federal Government in Washington is not in a position to make the best decisions for those local schools. No government—let alone the Federal Government—can produce a single solution, to prevent school violence.

The problems have deeper roots in our culture. Nonetheless, there are some important steps we can take to help local school districts and parents make schools safer.

In a few moments, I will send to the desk an amendment on behalf of Members of the Youth Violence Education task force, a task force which I helped Chair, that will help ensure that our schools once again become safe havens, rather than places of jeopardy. I thank

those who came together on this task force to contribute to the amendment. Specifically, Senators HUTCHINSON, DEWINE, GREGG, HELMS, COVERDELL, ALLARD, and ABRAHAM.

This package is comprehensive in that it contains numerous provisions that give tools to schools and communities to prevent youth violence. First and foremost, we need to put local schools at the top of our agenda and free them to use Federal money where it will do the most good to prevent future violence. Time and experience have exposed as an utter falsehood the notion that we know what is best in every educational setting.

One-size-fits-all regulations won't help local schools reduce their particular risks or solve their unique problems. As we provide resources, we need to provide freedom.

The cornerstone of our education amendment would open up existing Department of Education funds to allow school districts new options for putting Federal dollars to work. Under this amendment, schools can choose where best to spend Federal resources under titles IV and VI of the Elementary and Secondary Education Act—specifically, the Safe and Drug Free Schools program, and Innovative Educational Program Strategies funds.

Schools can decide whether to spend the money on training, equipment, school assessments, or more personnel. For example, under this amendment, local school districts could use Federal money for purchasing metal detectors and surveillance cameras, for training school officials in recognizing and averting potentially dangerous situations, or for introducing school uniform policies, if they so chose.

Local school districts would remain free to choose the use that best addresses local needs. The Federal Government provides a great deal of money for education and related funding. The fiscal year 2000 budget resolution conference report called for \$66.3 billion in education and related funding for fiscal year 2000; \$404.1 billion over 5 years; and \$782.4 billion over 10 years.

Compared to current spending levels, this represents an increase of \$8.1 billion over 5 years and \$33 billion over 10 years.

As a result of this budget resolution, Congress will be providing much-needed funding to education programs in fiscal year 2000. While we know that local schools need our help, we do not always know how best to provide that help. We need to provide the opportunity and authority for local schools to do what they can to improve the climate for safe and secure learning environments on campuses. For this reason, this amendment will give schools the flexibility they need to best provide for the safety and security of their students.

Another component of this amendment would clarify that nothing in the

Federal law stands in the way of local decisions to introduce a dress code or school uniform policy—not to mandate from Washington, but make it clear that the Federal law does not prevent it or preclude it. To make sure that we don't constrain efforts to build working communities, this legislation makes it abundantly clear that Federal law does not prohibit schools from instituting dress codes. Dress codes can create a sense of belonging and unity among students and help eliminate the division of schools according to cliques. By doing so, dress codes can help schools have a sense of community among students, and Federal law should not block local educators from fostering this sense of community.

In Kansas City, MO, the George Washington Carver Elementary School, a magnet school, established a dress code policy for the 320 elementary school students in 1990. The results are positive. Philomina Harshaw, the principal for all 6 years that Carver has had uniforms, observed that a new sense of calmness exists throughout the school after students began wearing uniforms. "The students feel good about themselves, as uniforms build a sense of pride," she has reported.

Long Beach, CA, has a school uniform in all its elementary and middle schools. District officials found in the year following the implementation of the school uniform policy, overall school crime decreased 36 percent, fights decreased 51 percent, sex offenses decreased 74 percent, weapons offenses decreased 50 percent, assault and battery offenses decreased 34 percent, and vandalism decreased 18 percent, sending a clear message that some of the resources which can be used to implement such a policy is sending a clear message of freedom to our schools that they are free to act in the best interests of their students.

The federal government should be in a position to assist schools in making decisions that they believe can make a difference, particularly when the record is clear about the difference made in other districts.

In addition, this task force, which was formed to look at our federal education policy to see if anything could be done to reduce the impact of violence in schools, included in the amendment a provision which provides certain liability protections for school personnel when they undertake reasonable actions to maintain order, discipline, and a safe educational environment.

This provision, to which Senator COVERDELL will speak shortly, is based upon similar liability protections for volunteers that was signed into law, as well as a number of state laws that offer teachers limited civil liability against frivolous and arbitrary lawsuits. We must assure that teachers and other school personnel are able to

do what is necessary to provide a safe and stable learning environment for all students.

This amendment also includes language that makes certain that school discipline records follow a student when a student transfers to another public or private school.

The receiving school should have information about the discipline records of a student coming into that school environment. In the last Congress I sponsored an amendment that ensured that juvenile records were available to schools when students transferred.

My involvement on this issue began with the 1995 killing of 15-year-old Christine Smetzer in a restroom at McCluer North High School in St. Louis County. The male special education student convicted of murdering Smetzer had a juvenile record and had been caught in the women's restroom at a previous school. However, teachers and administrators at McCluer North say they were not informed of the student's record when he transferred to their school.

It was tragic the transfer didn't involve the disciplinary records, because it cost Christine Smetzer her life.

In response, I secured a provision in the law requiring that, under IDEA, student disciplinary records must transfer to a new school when the student goes to a new school.

The language in the task force amendment expands that provision, so that any student's discipline record—whether or not the student is served under IDEA—will be available to any school—public or private—to which the student transfers.

We need to send all the information we can about a student to a new school when a person transfers.

These provisions and others were developed by the Republican Education Task Force which I chaired. I want to again thank my colleagues who worked with me on the Task Force—Senators DEWINE and HUTCHINSON, GREGG, COVERDELL, and HELMS. I look forward to working with them to ensure that these proposals are included in the final bill.

It is in response to these considerations. As a result of the work product of this task force, we developed a package of considerations in an amendment.

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

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. ASHCROFT], for himself, Mr. DEWINE, Mr. HUTCHINSON, Mr. GREGG, Mr. COVERDELL, Mr. HELMS, Mr. ALLARD, and Mr. HATCH, proposes an amendment numbered 361.

Mr. ASHCROFT. Madam 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. ASHCROFT. Madam President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

#### A UNION OF MINDS WORTH EXPLORING

Mr. BYRD. Madam President, I have scoured the newspapers in recent days in an effort to begin to unravel the pieces of the puzzle that led two young teenage boys to commit such senseless atrocity at Columbine High School. It is long past time to stop wringing our hands over this issue of school violence. We can no longer afford to sit idly by, watching our nation's schools being infiltrated by hoodlums and hate groups more concerned with converting schools into places of fear than maintaining them as havens of learning and enlightenment. This Congress and the American people must join forces and take action now to protect our young.

Now, that is very easy to say—very easy to say. And I think everyone would agree on that, that they must join forces. We must find ways to restore discipline. Now, that is a little tougher. That is a little harder to bring about. We must find ways to restore discipline.

The ancient Romans practiced discipline. And it began in the home where the children were taught to venerate their ancestors, to respect their gods. They were pagan gods, but nevertheless they were the gods of the Romans. And the young men and women in the homes were taught to revere their parents and to respect the law. Each Roman believed that the gods had designed a destiny for Rome. And each Roman believed that it was his duty to help bring about the fulfillment of that destiny which the gods had designed for the Roman state. That discipline overflowed from the home and into the Roman legions, and it was in great part because of that iron discipline that the Roman legions were enabled to conquer all of the nations around the Mediterranean Sea and to subjugate them. It was that discipline that was first learned at the hearth, in the family circle, in the home. That is where it has to start today. That is exactly where it has to begin today—in the homes.

We must instill in our children basic values and provide them with the knowledge and the skills to confront the many demands that are placed upon our society. We must prevent, if we can, a recurrence of these ruthless slaughters that continue to rock the institutional base of our Nation's education system.

It is now time to do what we can. I am only one, but I am one. I cannot do everything, but I can do something. And what I can do, by the grace of God I intend to do.

It is time to do what we can do, and to search out additional avenues that will return peace and tranquility to our schools and our society. So, today, I heed my words, and come to this hallowed chamber to take an essential step forward in this unfolding national debate by joining with my colleagues Senator LIEBERMAN and Senator MCCAIN to call for the convening of a National Commission on Youth Violence.

I know we appoint lots of commissions. I spoke of the Romans a while ago. So did they; they appointed commissions. I make mention of the Romans many times. Of course, I could speak of our English forebears as well. But I mention the Romans because Montesquieu thought that the ancient Romans were a unique people. The framers were acquainted with Montesquieu. He admired the ancient Romans so much that he wrote a history of the ancient Romans. It was back several years ago, when we were discussing the line-item veto, I thought that, inasmuch as Montesquieu had studied with thoroughness the ancient Romans, I would do the same. And it was there that he learned about checks and balances, and separation of powers—in his study of the Romans. So they appointed commissions as well.

This amendment, which I am pleased to learn has been accepted into the managers' package, focuses on the formidable challenge of identifying and reconciling the root causes, the underlying motives, and the influences fueling this widening streak of lawlessness plaguing the heart and soul of America.

By gathering together men and women of the highest caliber of expertise in law enforcement, school administration, child and adolescent psychology, parenting and family studies, we call upon all parties—all parties—to listen and learn, galvanizing a true national discussion on school safety. This National Commission will seek difficult answers to some difficult questions—What drives children to commit such violence?

When I was a little boy and when I was a young man, we never heard of such violence. We would never have thought of carrying a gun to school.

The most outrageous thing I ever did in school back in that little two-room school—I was always glad when the teacher appointed me as one of the two boys who would go over the hill to the spring house and bring back to the school a bucket of water, out of which we all drank. We all drank out of the same bucket and with the same dipper. One day, I decided to put a few tadpoles in my pocket and put those tadpoles on