

a half dozen times as well. They found that young boy dead. They found grass and dirt between his fingers. He was also killed by a guy who previously had been convicted of murder. That young boy was stabbed many times and left for dead in a pond, except he was not dead. He tried to crawl his way out. He died at the top of the embankment with dirt and grass between his fingers.

He should never have been murdered. He was murdered by someone we knew was a murderer, because he murdered before. But the system said it was OK that he be let out of jail.

The exact same thing is true with this young woman, Bettina Pruckmayr. She ought not have died. Her death is on someone's conscience. I do not know who it is. Who makes these decisions? Who makes the decisions that these killers be turned loose on our streets?

I have come to the floor today only to ask the question: Who makes the decision to say to a Federal judge you may want this person in a Federal prison out of society for life, but we have decided differently. We will stick him back in Lorton and when his mother dies, he can go to the wake.

Who makes that decision? Who is going to be held accountable for this, because this is the same kind of staggering incompetence that led to this person's release in the first place, that led to this person not being apprehended when he failed a drug test while on parole. It is the same staggering incompetence.

I am saying as one Member of the Senate that when we take a look at our obligations and I as an appropriator take a look at our obligations to the District of Columbia, I will insist that the mayor and others in this system demonstrate to us that they have held people accountable for this kind of behavior.

Too many innocent people die. I have had a piece of legislation in the Senate—I have never been able to get it passed and I will never quit trying—that says if a unit of government, a city, a State, decides they want to let killers out early, time off for good behavior; we want to manage you in prison, so we will give you an inducement: If you behave in prison we will give you time off. If you commit violent crimes and murder, we will let you out early if you are good behind bars so you can walk the streets early and commit another crime.

What I have said is those units of government that decide to let people convicted of violent crimes out early, if those people commit a violent crime during a period when they would have still been serving their sentence in prison, should be held responsible to the victims and the victims' families. Yes, that means lawsuits, recompense.

There ought to be responsibility. Let's find those who are letting these

folks out of prison and say to them: You be responsible. If you want to let them out early, then you bear the consequences.

Am I upset by reading this story this morning? Yes, I am. Again, I did not know this young woman, but I have spoken about her often, and many others have, I believe, watched this case with bewilderment, wondering who on Earth could be in charge of a system that is so fundamentally incompetent, a system that, in my judgment, ultimately allowed this person to be free on the streets to kill this young woman, a system that now can't even comply with a simple order by a Federal judge that this person ought to be in Federal prison forever, never again to be released on the streets in this country.

People of this country deserve better and expect better. Those of us in the Congress who have some capability of applying some pressure to the people of the District of Columbia to remedy these problems have an obligation, it seems to me, to use that leverage to force that to happen.

Mr. President, I yield the floor.

Y2K ACT—MOTION TO PROCEED

The Senate continued with the consideration of the motion.

Mr. WELLSTONE. Mr. President, I am ready with an amendment. I inquire as to what the situation is right now on the floor.

The PRESIDING OFFICER. The Senate is under the motion to proceed to S. 96, the Y2K bill.

Mr. WELLSTONE. Mr. President, I actually will not ask unanimous consent because there is nobody here on the majority party side. I want to go forward with an amendment on the juvenile justice bill, but I guess I will wait until Senator HATCH comes to the floor.

I will, therefore, speak a little about an amendment I will offer. That way, it certainly will not be tricky or sneaky on my part.

JUVENILE DELINQUENCY PREVENTION EFFORTS

Mr. WELLSTONE. Mr. President, I am going to offer an amendment with Senator KENNEDY. We will be joined by other Senators as well. The operative language of this amendment, to give it some context, calls upon the States to "address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas"—we make that explicit; nobody is talking about any quotas—"the disproportionate number of juvenile members of racial minority groups who come into contact with the juvenile justice system."

With some charts and with some numbers, I will be able to talk about

this amendment, as will other Senators. I want, for the record, to make it clear that since we are in a debate about whether or not we are ready to proceed, I am on the floor with an amendment. I am ready to go.

This particular amendment says that in our past juvenile justice legislation, most recently an amendment that was adopted by the Senate and the House in 1993, we said to States, including my own State of Minnesota: You have a situation where you have kids, young people, minorities incarcerated all out of proportion to the percentage of the population in your State. So that if you have, let's say, a 7 or 8 or 10 percent minority population but, in your juvenile justice system or correctional facilities, close to 40 or 50 percent of the kids incarcerated are kids of color, what we said back in 1993, based upon some very good work by some very good people in this field was, States, please take a look at your situation. Please collect the data. Please look at the why of this and see what kind of strategies and programs you can develop and implement to improve upon the situation. That is what this is all about.

For some reason in this bill that is before us, this language has been dropped. There are some 40 States that are working on this. There are some States that are doing a very good job, but as a Senator, I am not about to let the Senate turn the clock back. I am not about to let us, all of a sudden, say that we no longer are interested in calling upon States to deal with this problem of disproportionate minority confinement. I do not think we should do so. We cannot pass quotas. We never should. We cannot tell States how many kids should be incarcerated, for what crimes and all the rest.

What we can say is when you have disproportionate minority confinement, when you have a situation where all too many times kids of color are given much stiffer sentences for having committed the same offenses as white kids, we want to know what is going on.

What this legislation does—and it purports to be juvenile justice legislation—is take the justice out. It takes the justice out. The justice would be to make sure there is no discrimination. The justice would be to make sure there is fairness. The justice would be to make sure there is justice.

The reason I mention this is that not only do the kids of color all too often find themselves way out of proportion to their numbers in the State to be incarcerated but also to wind up in adult facilities. Moreover, these corrections facilities, if you want to call them corrections facilities, all too often become the gateway to kids then being imprisoned in adult life.

It is astounding, but in 1999, going into a new century, one-third of all African American men, I think ages 20 to

26, are either in prison or on parole or they are waiting to be sentenced.

I did not make an argument here on the floor of the Senate that we should not hold all citizens, regardless of color of skin, accountable for crimes committed. That is not my argument. But my argument is, when we have some concern about possible discrimination, then let's at least be willing to study the problem.

I see my colleague coming in. I want to, when the Senator from Utah gets settled in, try to explain the situation. I will give my colleague time to catch his breath.

I say to Senator HATCH, I did not want to ask unanimous consent to offer an amendment because I did not see anybody on the other side. I was saying to the Chair that I am ready to go forward with an amendment, this one dealing with disproportionate minority confinement, because I know you want to move the bill forward.

I have been in contact with Senator KENNEDY, and if you are ready, I am certainly ready to debate it, and we will try to do it within a reasonable time limit.

Mr. HATCH. If the Senator will yield, I believe the majority leader is going to propound a unanimous consent request. I am hopeful the minority will agree to this request so we can move this forward. If I could suggest the absence of a quorum so we can get this done, and as soon as that is granted, if that is granted, then we will move on to his unanimous consent and then try to work out the time for the Senator.

Mr. WELLSTONE. Let me say to my colleague that I think I will continue to, rather than go into a quorum call, speak about the subject matter.

Mr. HATCH. Sure.

Mr. WELLSTONE. That might help. I want to make it crystal clear that I am ready to go forward with this amendment. I am not asking unanimous consent that I be able to send this amendment to the desk because I guess until we have this agreement, then it most likely would be rejected. But I am ready for debate on this amendment.

Let me just say that when we get into the thick of this debate, I want to just bring to the attention of Senators, Democrats and Republicans alike, the strong support, the strong passionate support for this amendment on the part of the civil rights community in this country, broadly defined, on the part of children's organizations, broadly defined, and on the part of lawyers and people who have been down in the trenches working with kids for years.

This is an extremely important amendment that speaks to a fundamental flaw in this legislation. So, for the record, I am ready to offer this amendment. I will wait for the majority leader to come out.

I ask my colleague from Utah, who is leaving, could I ask unanimous consent

that when we go to amendments on the juvenile justice bill, that this be the first amendment up?

Mr. HATCH. If the Senator would withhold, right now we are trying to work out a unanimous consent agreement. We are trying to work out some other matters, but I am certainly going to try to work with the Senator on this. It is an important amendment, and we have to face it. So, if the Senator will just work with me, I will try to get this so that it works.

KOSOVO

Mr. WELLSTONE. Mr. President, while we are waiting, let me just repeat a little bit of what I said yesterday. I have been speaking with some other Senators about this as well. While I understand that we have a very crowded schedule, I do believe that the Senate should take some time this week to discuss or to debate our military action in Kosovo.

I have spoken now for the last several weeks about this. I will not repeat all that I have said. Next time I come to the floor with specific proposals and ideas, I hope to be able to do that with other Senators. And I see my colleague from Washington is on the floor, so I am going to yield in about 30 seconds, if I can. But quite apart from what specific proposals I want to make as a Senator about where we are and where I believe we must go as a nation, I want to make a larger point right now, which is I believe the Senate ought to be debating this question. I believe we should have full discussion and full debate.

One thing I am certain of—and I mentioned this yesterday—when we voted on authorizing airstrikes, I asked my colleague, Senator BIDEN, what is the purpose? I read yesterday from the RECORD; and in the RECORD it was stated hopefully to be able to stop the slaughter, hopefully to be able to get Milosevic to the bargaining table, and to degrade the military force.

I think in light of the last 8 weeks and what has happened, in many ways the objectives have changed. The objectives have changed. The bombing is more than just degrading the military force. It has a different set of goals.

I am not even right now going to argue about the pluses and the minuses of all that. I think it is irresponsible for the Senate not to take up this question and not to have positive—not hateful, not demagogic—really thoughtful, substantive discussion and debate.

I know we have other business right now, but I am going to come back very soon and try to push this question much harder.

I yield the floor.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

Mrs. MURRAY. Thank you, Mr. President.

BOMBING OF THE CHINESE EMBASSY

Mrs. MURRAY. Mr. President, the Senate is focused on many important issues this week, including youth violence, the important Y2K issue, emergency appropriations for our Nation's farmers, victims of Hurricane Mitch, and funding NATO's efforts in the Balkans. These are all very timely and important debates, and I look forward to joining my colleagues in discussing these important issues.

For a moment, though, I would really like to focus the Senate on the recent accidental bombing of the Chinese embassy in Belgrade and on the U.S.-China relationship.

The bombing of the Chinese embassy in Belgrade cannot be trivialized. As President Clinton has repeatedly expressed, the U.S. and NATO accepts full responsibility for this terrible mistake. We all extend our apologies to the Chinese people and the families of those who were killed and injured.

I am prepared to accept that this unfortunate accident caused a lot of anger among the Chinese Government and the Chinese people. That is to be expected. Certainly our country would be outraged and saddened if our embassy had been bombed under such circumstances.

But our regret and apologies to the Chinese people do not diminish the fact that we cannot accept the deliberate harassment of U.S. citizens and destruction of U.S. property in China. The reports from China—the television images of our embassy targeted by orchestrated mobs—troubled me a great deal.

Americans are dismayed at the growing animosity of the Chinese people towards the United States. For the U.S.-China relationship to succeed, both countries must take strides to ensure that the presentation of the relationship is balanced and fair. Clearly, this did not happen in the days before or after the tragic embassy bombing.

I am heartened that things do seem to have calmed down throughout China. It is encouraging that President Clinton and President Jiang have spoken and resumed high-level discussions over the bombing and other important U.S.-China issues.

Some of my colleagues have mentioned the phenomenal work of our Ambassador in China, Jim Sasser, who is our former Senate colleague and a close friend. He has served our country with great honor. I commend him and all of our embassy and consulate officers who are serving in China.