should also pass a child access prevention law to hold adults responsible if they allow a child to gain access to a firearm and that child uses the firearm to harm another.

These are the types of protections that are, indeed, necessary.

In addition, we should completely close the Internet gun sales loophole, something the Senate failed to do last month when we were considering the juvenile justice bill. We all know the increasing power of the Internet to sell goods and services. Whatever is happening now in the distribution of firearms through the Internet is merely a glimpse and a foreshadowing of what will happen in the months and years ahead. We should act now, promptly, so we can establish sensible rules with respect to the Internet sale of firearms.

I also believe that we should apply to guns the same consumer product regulations which we apply to virtually every other product in this country. Again, the Senator from New Jersey was very eloquent when he described the paradox, the unexplainable paradox, the situation in which we regulate toy guns but we cannot by law, in any way, shape or form, regulate real guns. If toy guns, teddy bears, lawn mowers, and hair dryers are all subject to regulation to ensure they include features to minimize the dangers to children, why not firearms?

I have introduced legislation to allow the Consumer Product Safety Commission to regulate firearms to protect children and adults against unreasonable risk of injury. I know my friend and colleague from New Jersey has introduced a bill to allow the Treasury Department to regulate firearms. Whichever agency ultimately has oversight, the important thing is that guns should no longer be the only consumer product exempt from even the most basic safety regulations.

Finally, I believe that gun dealers should be held responsible if they violate Federal law by selling a firearm to a minor, a convicted felon, or others prohibited from buying firearms.

Currently, there are over 104,000 federally licensed firearms dealers in the United States. While most of these dealers are responsible small business people, recent tracing of crime guns by the Bureau of Alcohol, Tobacco and Firearms has found substantial evidence that some dealers are selling guns to juveniles and convicted felons. This direct diversion of weapons from retail to illegal markets is taking place both through off-the-book sales by corrupt dealers and through so-called straw purchases, when an ineligible buyer has a friend or relative buy a firearm for him or her.

Indeed, just this week, my colleague, Senator SCHUMER, from New York released a study of Federal firearms data that reveals a stunning number of crime guns being sold by a very, very small proportion of the Nation's gun dealers. According to data supplied by the Bureau of Alcohol, Tobacco and Firearms, just 1 percent of this country's gun dealers sold nearly half of the guns used in crime last year. The statistics suggest we must move aggressively against these dealers who are flouting the laws and who are disregarding public safety.

To remedy this situation, I have introduced S. 1101, the Gun Dealer Responsibility Act, which would provide a statutory cause of action for victims of gun violence against dealers whose illegal sale of a gun directly contributes to the victim's injury. I believe this legislation will make unscrupulous gun dealers think twice about to whom they will sell a weapon, particularly if they intend to sell it to minors, convicted felons or any other ineligible buyer, either directly or through straw purchases.

Anyone who honestly considers the tragic events in Littleton 1 month ago and the 13 children who die from gun violence each day in this country must concede that our young people have far too easy and unlimited access to guns. It is a shameful commentary that in this country today, in 1999, for too many children it is easier to get a gun than it is to get counseling. We have to work on both fronts—improving our schools and access to mental health services and counseling and support—but we also have to close the loopholes which make it easy for youngsters to get guns. Last year, 6,000 American students were expelled from elementary or high school for bringing a gun into the school building. That, too, is an indication that we have to work to ensure that children do not have access to firearms.

We must do more than just keeping the guns away, but that is something we have to do right now in a comprehensive and coherent way.

The measures I have suggested and the measures that my colleague from New Jersey suggested are sensible parts of a comprehensive strategy to do what every American wants done: to keep weapons out of the hands of young children who may use them to harm themselves or harm others.

I hope that having been awakened by the tragedy in Littleton, we are ready to move progressively and aggressively to remedy this situation in the Senate.

I thank the Chair. I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I ask that we remain in morning business and I be allowed to make a statement.

The PRESIDING OFFICER. The Senator is recognized for the remainder of morning business.

Mr. BREAUX. I thank the Chair.

MEDICARE

Mr. BREAUX. Mr. President, when I first got into this business of being involved in Congress many years ago and also involved in fundraising activities, I remember trying to compose a fundraising letter. I sat down at my desk and drafted one. I thought I put out a pretty good fundraising letter to constituents saying why I thought I was the best person running for a particular office and would they please consider sending a contribution to me because I was obviously the best person for the job.

I shared the draft of my fundraising letter with one of the professional people who does this for a living. He looked at it, read it and said: This will never do.

I said: Why?

He said: It is not outrageous enough.

I said: What do you mean?

He said: In order to get people to extend money to you in your election, you have to be outrageous in the letter, be as outrageous as you possibly can; don't worry about whether it is totally accurate. Just make sure it gets the people's attention and really scares the you know what out of them in order for them to feel like it is absolutely essential that to save their future, they need to send you a political contribution.

I said: I am not going to do that. It doesn't fit how I operate, and I think it is a wrong thing to try and scare people.

Apparently, there are organizations in this city that think otherwise. I call to my colleagues' attention one of them called the National Committee to Preserve Social Security and Medicare. It is a very noble-sounding organization. They sent out this letter, a bright yellow thing, and it came in an envelope that is enough to look like it is from the Internal Revenue Service.

It says: ''Urgent Express. Please expedite. Dated material enclosed.''

It would really get your attention if you walked out to the mailbox and received this. But also, if you are a senior, you would be scared to death if you thought what they were telling you was true.

It starts off by saying the Breaux-Thomas effort to fix Medicare is going to basically destroy Medicare by giving you a voucher instead of a guaranteed contribution for your Medicare benefits. No. 1, that is absolutely, totally inaccurate, incorrect, misleading, false and anything else you want to call it.

What we do is give seniors the same type of system that every one of us as Federal employees, including Members of the Senate, has. Under our plan, it is guaranteed in law that the Federal Government will contribute 88 percent of the cost of whatever plan the seniors take. The seniors would pay about 12 percent. That is what they pay now. That is not a voucher. For them to say

it is a voucher is misleading, false, and intended to simply scare people into giving more money.

If you look at the rest of their letter, they say you do not get guaranteed benefits. That is not true. The statute clearly says that you will have the same guaranteed benefits that you get under Medicare today. That is in statute. That is guaranteed. What they have to say is false.

What they are really trying to do, in addition to scaring seniors, is they are trying to raise money from them; tell them anything to scare them to death and hope they send money.

I was underlining all the times they said, ''please send money'' in this letter. It is one after another.

It says on page 3: ''. . . we need your signature . . . and your generous special donation . . . .''

Then they go on to say: ''We also need as generous a donation as you can afford. . . .''

They then talk about sending a special donation to help us with our effort, and by making a special donation today, we can help save Medicare; endorsing this with as generous, and then they call it an ''emergency donation''—they go from ''special donation'' to send us an ''emergency donation'' to stop what BREAUX and THOMAS are trying to do by fixing Medicare.

Then they say:

[Please] boost our grassroots efforts by including an emergency contribution with your Petition. Your contribution of [$10] or $25, will be used to reinforce [our] message. . . . I've suggested [some] contribution amounts, but anything you can give will help more than you know. Please decide the most you can afford and enclose your check with your signed . . . Petition in the enclosed envelope . . . .

Your emergency donation is needed ''along with your contribution of [blank] or [blank] in the envelope provided.''

Mr. President, this is a fundraising letter intended to scare seniors into digging into their pockets, into their retirement funds and funding this operation so they can continue to put out false, erroneous, inaccurate information, information which is simply not true.

The PRESIDING OFFICER. The time of the Senator has expired. I would like for him to go on.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from Louisiana be allowed as much additional time as he needs.

Mr. BREAUX. This is not the way to fix Medicare, by scaring seniors. They do not mention that under the current Medicare program the premiums are going to double by the year 2007 if we do not do anything to fix it. That should really scare seniors into saying we need to do something to fix the program for our children and our grandchildren. But to send out false information calling the program a voucher, which it clearly is not, and to say it does not have the defined benefits, which it clearly does, all under the guise of scaring seniors into digging into their pockets and sending money that they need for food and groceries and extra Medicare benefits that they do not get now is something they should be ashamed of.

I think all of us know what they are trying to do. We just have to stand up and say it like it is and call it what it is. This is shameful.

UNANIMOUS CONSENT AGREEMENT—S. 96

Mr. BREAUX. Mr. President, I ask unanimous consent that the Graham amendment to the Y2K legislation be designated an amendment to be offered by Senator TORRICELLI.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. HUTCHINSON). Morning business is closed.

Y2K ACT

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

The assistant legislative clerk read as follows:

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

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 608

(Purpose: To regulate interstate commerce by making provision for dealing with losses arising from Year 2000 Problem-related failures that may disrupt communications, intermodal transportation, and other matters affecting interstate commerce)

Mr. MCCAIN. Mr. President, I am pleased to start out by offering a substitute amendment to S. 96, the Y2K Act. This substitute amendment is truly a bipartisan effort. It represents spirited discussion, hard fought compromise, and agreement with a number of my colleagues on both sides of the aisle, led by Senators DODD, WYDEN, HATCH, FEINSTEIN, BENNETT, LIEBERMAN, GORTON, LOTT, ABRAHAM, SANTORUM, and SMITH of Oregon.

The substitute is at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. DODD, Mr. WYDEN, Mr. HATCH, Mrs. FEINSTEIN, Mr. GORTON, Mr. BENNETT, Mr. LOTT, Mr. ABRAHAM, Mr. FRIST, Mr. BURNS, Mr. SANTORUM, Mr. SMITH of Oregon, and Mr. LIEBERMAN, proposes an amendment numbered 608.

Mr. MCCAIN. I ask unanimous consent 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. MCCAIN. Mr. President, I thank Senator WYDEN for being one of the true leaders on this bill. Senator WYDEN said at our committee markup that he wanted to get to ''yes.'' He has worked tirelessly with me and others to get there. Having not only the necessary majority vote but the 60 votes necessary to move forward is directly related to his efforts.

I also thank Senator DODD of Connecticut. He has offered an important perspective and has provided excellent suggestions and comments which I think make this substitute we offer today a better piece of legislation.

I am grateful to my colleagues, especially the senior Senator from Connecticut, for their unflinching dedication to dialogue, to working through our differences and remaining focused on the common goal of enacting this critical piece of legislation. Without the leadership of Senators DODD and WYDEN, this bipartisan effort would not have been possible.

Before I talk about the legislation and the language of the substitute itself, I would like to note that there was a unanimous consent agreement that 12 amendments would be in order on both sides. We are now in the process of working with the sponsors of those amendments, some of which we can agree to, some of which may require votes. But I hope my colleagues will also come over here ready to offer those amendments so that in a very short period of time we can begin to dispense with them.

We all know the very heavy schedule of legislation that lies before us between now and the next recess on the Fourth of July. So I am hopeful we can take up and dispense with these amendments in a timely fashion.

The first effort, obviously, will be to get time agreements on those amendments that we are unable to get agreement on, although I believe, from a first look at many of these amendments, we will be able to work out language so that we can accept a number of them. In fact, I think some of them will improve the legislation.

I want to walk through the details of this substitute amendment and the background and history of this bill.

First, let me summarize what this substitute contains.

Specifically, the substitute amendment: