

Mr. LOTT. Absolutely, Mr. President. At least one Senator wanted to speak and was not able to get here before the vote.

The PRESIDING OFFICER. There will be 10 minutes.

Mr. LOTT. That 10 minutes will be the next thing we go to, so we can get the closing statements. That is our intent.

Mr. BRADLEY. Reserving my right to object, it is my understanding the amendment that had been discussed between the majority leader and the Senator from New Jersey is on its way to the floor and the manager will offer it as an amendment to the committee amendment; is that correct, that would be in order?

Mr. LOTT. That is absolutely correct. We apologize for our not getting a highlighted copy of it to the Senator. We are going to get that to him. I am absolutely committed to the agreement we have.

Mr. STEVENS. Reserving the right to object, Mr. President, does the leader's unanimous-consent request apply to the pipeline safety bill?

Mr. LOTT. It only applies to the pipeline safety bill, Mr. President, except that it does say we would not go to the tuna-dolphin issue or the Panama declaration issue, that they would not be in order, but it only takes up the pipeline safety bill.

Mr. STEVENS. Thank you.

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

Mr. LOTT. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table—Mr. President, I withdraw that request. I understand there has been objection.

SUSTAINABLE FISHERIES ACT

The PRESIDING OFFICER. Under the previous order, the Senators who wish to speak on S. 39 have 10 minutes. Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I again thank the people who were involved in this. As I said, prior to the passage of the bill, this is a bill we have worked out in 18 months. When it was previously before the Senate, it took 5 years. This has required a tremendous amount of staff time.

I am particularly indebted to my staff people:

Trevor McCabe and Earl Comstock; and to Tom Melius, who has worked with the chairman of the committee, Senator PRESSLER, and Penny Dalton, who has worked with Senator KERRY and Senator HOLLINGS from on the committee.

Let me also thank Jeanne Bumpus with Senator GORTON; Justin LeBlanc with Senator MURRAY; Margaret Commisky and Scott Atkinson with

Senator INOUE; Clark LeBlanc who is with Senator SNOWE; Mike Parks and Darla Romfo with Senator BREAUX; GLENN Merrill and Alex Elkan, Sea Grant fellows with the Commerce Committee; Peter Hill and Tom Richy on Senator KERRY's staff; Alex Buell on Senator WYDEN's staff; Carl Biersak, who has worked with the majority leader, Senator LOTT; Carol Dubard with Senator HUTCHISON; Rick Murphy with Senator CHAFEE; and Wayne Boyles with Senator HELMS.

Mr. President, this bill would not have come before us if it had not been for the tremendous support from the Marine Fish Conservation Network. I particularly want to thank Greenpeace and the Alaska Marine Conservation Network for working very actively for the passage of S. 39, as well as the Center for Marine Conservation and the World Wildlife Fund.

I ask unanimous consent to have printed in the RECORD the entire list of the fish network, who have all been helpful.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

THE MARINE FISH CONSERVATION NETWORK
(100 Member Organizations Representing More Than Six Million Americans, as of June, 1996)

Alaska Longline Fishermen's Association
Alaska Marine Conservation Council
Alliance of Rhode Island Saltwater Fishing Clubs
W.H. Amaru Fisheries Research and Conservation
American Oceans Campaign
Atlantic Salmon Federation
Bass Anglers Sportsman's Society
The Billfish Foundation
Biodiversity Legal Foundation
Caribbean Conservation Corporation
Carrying Capacity Network
Center for Marine Conservation
Chesapeake Bay Foundation
City of St. Paul/Bering Sea Coalition
Coastal Waters Project
Columbus (OH) Zoological Gardens
Concerned Citizens of Montauk
Connecticut River Stripped Bass Club
Conservation Law Foundation
Croal Reef Action Group
Deep Pacific Fishing Company
Defenders of Wildlife
Environmental Advocacy Outreach
Environmental Defense Fund
Environmental Solutions International
Federation of Fly Fishers
Fisheries Defense Fund
Fishermen's Emergency Fund
Fish Forever
Fish Unlimited
Florida League of Anglers
Friends of the Earth
Glacier Creek Smoked Salmon
Good Knight Campaign for Protection of Children and the Earth
GreenLife Society—North American Chapter
Greenpeace
Hawaii Fishermen's Foundation
Hawaiian International Billfish Association
Interfaith Council for the Protection of Animals and Nature
International Game Fish Association
Jersey Coast Anglers Association
King and Sons Fishing Company, Inc.
Kodiak Conservation Network
F/V Lady Anne, Inc.
Maine Animal Coalition

Maine Lobsterman's Association
The Marine Mammal Center
Maryland Saltwater Sportfishermen's Association
Massachusetts Audubon Society
Massachusetts Wildlife Federation
Mid-Coast Anglers
Monterey Bay Aquarium
Mystic River-Whitford Brook Watershed Association
Nahant SWIM (Safer Waters in Massachusetts)
The National Aquarium (DC)
NAUI (National Assoc. of Underwater Instructors)
National Audubon Society
National Coalition for Marine Conservation
National Fishing Association
Natural Resource Consultants (Idaho)
Natural Resources Defense Council
New England Aquarium
New England Coast Conservation Association
New Pioneer Co-op Fresh Food Market (IA)
NY/NJ Harbor Baykeeper
New York Sportfishing Federation
North Pacific Fisheries Protection Association
North Pacific Longline Association
Ocean Futures Foundation
Oregon Natural Resources Council
Oregon Trout
Oregon Wildlife Federation
People for Puget Sound
PADI (Professional Assoc. of Diving Instructors)
Project ReefKeeper
Puget Soundkeeper Alliance
Reid International
Salt Water Sportsman Magazine
Save Our Shores
Save the Sound
Save the Bay
Sierra Club
Sierra Club Legal Defense Fund
Society for Conservation Biology
Sport Fishing Institute
Stripers Unlimited
Surfer Environmental Alliance
Surfrider Foundation
Tampa BAYWATCH, Inc.
Trout Unlimited
Trustees for Alaska
United Anglers of California
United Fishermen's Association
Wildlife Conservation Society
World Wildlife Fund

Mr. STEVENS. Let me also thank representatives of the Western Alaska Fisheries Development Association, the Pacific Seafoods Processors Association, the Alaska Groundfish Data Bank, the Alaska Dragger Association, the Petersburg Vessel Owners Association, and the Kodiak Longline Vessel Owners Association.

Mr. President, I am sad to report that the two people who urged me in the first instance to support the original act and introduce it in 1971 and then helped us get started once again on the revision that passed in 1976, Oscar Dyson and Harold Sparck, two Alaskans, are now deceased. I do want to recognize their memory in connection with this legislation, which they have also been instrumental in creating.

Mr. President, I will not take all the time, but I do once again want to thank my good friend from Massachusetts. Had it not been for his determination and consistency, we would not be where we are today, having passed a significant, bipartisan bill.

But beyond that, Mr. President, I want to issue one word of warning as I close. We have passed a bill to try to eliminate waste in the fisheries off our shores. Mr. President, if these mechanisms we have adopted through compromise do not work, I intend to be back with a stronger bill because it is the area off my shores, the shores of Alaska, that produce over half of the fisheries of this country.

The waste has become just unacceptable, totally unacceptable. When we reached the level of 500 to 700 million pounds a year of fish being wasted because of the distant water fishing vessels, we have reached a level beyond our acceptance in the fisheries.

Mr. President, I introduced the original 200-mile bill in 1971 because I flew from Kodiak to the Pribilof Islands and counted over 100 Japanese trollers off our shores. We sought to find a way to eliminate that scourge on our fisheries, and we did so by passing, finally 5 years later, the bill that is now known as the Magnuson Act, at my request.

That law brought into effect a new distant water fleet. It is the factory trollers. And 75 percent of that waste comes from the factory trollers. If they do not put their business back in order and get away from bottom line fisheries and start thinking about the conservation of our fisheries and the sustainability of our fisheries, we will be back because Alaska will not put up with the total depletion of our fisheries.

There are no known species off our shores that are overfished now. Several may be very close to it. The day that we get one—even one—caused by factory trollers, I will be back with another bill, because we demand that the reproductive capability of our fisheries be sustained. That is what this bill does. That is the intent of the bill. If it does not work, Mr. President, thanks to God and my Alaska voters, I will be here 6 more years, and we will see to it that a bill will pass that will eliminate these vessels that are destroying the reproductive capability of the North Pacific. Thank you, Mr. President.

Mr. KERRY. Mr. President, how much time remains on the 10 minutes allotted?

The PRESIDING OFFICER. Four minutes.

Mr. STEVENS. Mr. President, I used too much time. Mr. President, I ask unanimous consent for an extra 5 minutes on this bill.

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

Mr. KERRY. Mr. President, I thank the distinguished Senator from Alaska for his comments. It is my hope that both God and some other voters will help me be back here to work with him.

Let me just say, Mr. President, I thank the Senator for his comments about our joint work. It has been a great privilege working with the Senator from Alaska and his staff in an effort to try to move this very important

piece of legislation. I think it is fair to say—and I know the Senator from Alaska will join me in this—a lot of countries around the world were waiting to see how the United States was going to respond to its crisis of dealing with its fishing stocks and the protection of our available fishing grounds from the waters off Alaska to the waters south all the way to San Diego, the tuna fleet, all through the gulf coast, the Gulf of Mexico, around to Florida all the way up to Charleston, SC, North Carolina, New York, New Jersey, to Maine.

We have had different interests that have been tugging within this bill. We have commercial fishermen tugging against recreational fishermen. This is a \$50 billion a year industry to the United States on the commercial side and it is a \$7 billion industry with respect to the recreational side. There are enormous pressures by that monetary interest to continue to deplete. But this is a finite resource, and we have to manage it.

Other countries are wrestling with this. Great Britain is doing a buyout. Iceland, Russia, other nations, Norway, all of them have implemented particular environmental concerns. What we did here today was important to say that we are going to be a leader in that international effort and that we are serious. I join the Senator from Alaska in saying that this must work. If it does not, we will come back with tougher measures in order to guarantee that the stocks are able to replenish and that fishing is an ongoing effort.

I simply repeat what I said yesterday. This is not a signal of an end to fishing nor even the downturn. If we do our job properly and if the management councils do their jobs properly, 300,000 new jobs can be created. This can be a growth industry for the United States of America. That is our goal.

I want to thank the Senator from Louisiana for his continued and ever-present counsel and assistance in these efforts. He understands the issues as well as any person in the Senate, and his help has been instrumental in building the consensus that we brought here today. I yield the remainder of the time to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I will just take a moment, but I say, that if the work on this legislation is any measure of the voters of Alaska and voters of Massachusetts, both of our colleagues will in fact be back in the next Congress to work on this legislation and many other areas.

I just say to the Senator from Massachusetts, who has just spoken, that his fisheries area was on the brink of disaster, but because of his outstanding work on this legislation, I suggest that the New England fisheries are going to be much better off. Maybe not just this afternoon, but in the next year and the years after that and for the next several decades, that very vital fisheries

area of the United States, the New England fisheries, is going to be better off because this bill will provide better science, better management tools for local fishery management organizations to manage the fisheries in that area.

I think he deserves a great deal of credit, as does the Senator from Alaska, for putting together a bill that really has been nonpartisan. To be able to get the Gulf of Mexico and the New England fisheries to agree with the fishermen in the Northwest and in Alaska is quite a political achievement. I want to say to both of these leaders what an outstanding job they have done in bringing forward this piece of legislation. Millions and millions will be much better off because of their work today in this legislation.

I want to also thank two members of my staff, Mr. Mike Parks, who has worked on this legislation for so long, and also my legislative director, Ms. Darla Romfo, for stepping in at the last minute. This is not her area, not her expertise, but she became a very quick expert in the area of fisheries. We thank them both for their effort. I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I see that the chairman of the committee is here now, Senator PRESSLER. I want to add to the comments that I made previously that he and Senator HOLLINGS, the leader and ranking member on our committee, the Commerce Committee, have allowed us broad leeway and literally allowed us, with almost all our funding from the Commerce Committee, to travel in connection with the hearings we conducted on this bill in the period of 2 years.

Senator PRESSLER has contributed very greatly to the outcome of this legislation. I want to acknowledge his leadership as well as his cooperation. Both he and the staff of the full committee have assisted us in every way. I do thank him. And Senator HOLLINGS has done the same for Senator KERRY. So it was with the absolute cooperation of the leadership of the committee that we were able to achieve the passage of this bill. It is another bipartisan bill that goes down on the record of Senator PRESSLER during his chairmanship of this committee. We look forward to working with him in the years to come.

I would also like to add my special thanks to Senator INOUE, who has stood beside us and made a major contribution to this bill.

Mrs. HUTCHISON. I just want to add, once again, my thanks to the leaders of this bill. We have talked about the importance of this bill to the management of the waters of the United States. It could not have come about without the leadership of Senator PRESSLER, the chairman of the committee, who really made it come together when there were many issues still left on the table.

Certainly, the distinguished chairman of the subcommittee, Senator STEVENS, along with Senator KERRY, Senator HOLLINGS, Senator BREAUX, Senator LOTT—everyone worked so hard to do something that I think really will be for the benefit of all of the people who care about our waters, and use them either for commercial use or for recreation and conservation. Kudos to all.

I yield the floor.

MORNING BUSINESS

Mr. LOTT. Mr. President, we do have one issue we need to get resolved on this bill. While that is being worked on, I ask unanimous consent that there be a period of morning business for the next 30 minutes with time limited to 5 minutes each.

The PRESIDING OFFICER (Mr. ASHCROFT). Without objection, it is so ordered.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, is the Senate now in a period of morning business?

The PRESIDING OFFICER. The Senate is in a period of morning business, with a unanimous consent order limiting the time of each Senator to 5 minutes.

Mr. DORGAN. I ask unanimous consent that I be allowed to speak for 8 minutes.

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

GUNS IN SCHOOLS

Mr. DORGAN. Mr. President, this morning I was watching a morning television show and heard a report that was dumbfounding to me. It was a report on a decision by an appellate court of New York State dealing with a young man who had brought a gun to school. The gun had been discovered and taken from the youth. The boy was expelled from school. This case has made its way through the New York court system to the appellate court, which ruled Tuesday that the security guard had acted improperly in removing the gun from the boy who was in a school.

I came to the office this morning after hearing that report and asked for some information about the appellate court decision and got it. I read through it and there are times when you scratch your head and wonder why there are people serving in public office in any branch of government who are so completely devoid of common sense. I read this decision and wondered how

anyone could really have decided that it is all right for a boy to carry a gun in school and not be punished for it.

There is a law on the books now, the Gun-Free Schools Act, that says schools must have zero tolerance for guns in our Nation's classrooms and hallways. I wrote it. I, along with the Senator from California, Senator FEINSTEIN, wrote this legislation that is now law. It says with respect to the issue of guns in schools, we are sending a message that is very clear anywhere in America.

The message ought to be clear to every student and every parent: There is zero tolerance for guns in schools. Do not bring a gun to school. If you do, you will face certain punishment. Now, that is law.

In the report I heard today about the court case in New York regarding the young man, identified as Juan, in the Bronx, at William Howard Taft High School, a security guard testified that he spotted what looked like the handle of a gun inside Juan's jacket. A search turned up the weapon, which was loaded. Juan was suspended for a year, and criminal charges were filed against him. A Bronx family court kicked out the charges, ruling that the outline of the gun was not clearly visible. The slight bulge was not, in any particular shape or form, remotely suspicious, so the security guard had conducted an unreasonable search. The appellate court went a step further and said, since the guard improperly removed the gun, the boy should not have been suspended from school.

I think that is nuts. When I get on an airplane to fly to North Dakota, I have to walk through a metal detector. They want to know whether I have a weapon on my person. They also have a right to search my briefcase and my luggage, and they have a right to determine that the people who board that airplane have no guns or weapons on them.

This court says that a security guard, or teachers, or principals have no right to determine whether a student with a suspicious bulge in his clothing has a gun in his pocket or in his jacket as he walks down a hallway or sits in a classroom at a school in the Bronx. Where is the common sense here? Of course, we have a right to determine that no kids in schools have guns. When a court says that a school has no right to expel a student who was caught with a gun by a security guard who saw a bulge in the student's pocket, then there is something fundamentally wrong with that court.

Now, as I said, I wrote the provision 2 years ago that says there is zero tolerance for guns in schools, and there are certain penalties for every student who brings a gun to school anywhere in this country. That does not vary from New Mexico to Indiana to North Dakota. If you bring a gun, you are expelled—no ifs, ands, or buts. This court decision, along with some background on other court decisions that I just

heard about this morning on television, so angered me—to believe that we have the capacity in a country like this to prevent people from bringing guns onto airplanes but we can't expel a kid who is caught with a gun in school.

I have a young son in school today. He is 9 years old. He is sitting in a classroom in a wonderful school. I, just like every other parent in this country, want to make certain that if there is any kid that comes into that school, or any other school, with a gun, our children are safe, and that someone can intercept those students, and if they find a gun, they are going to remove the gun and the student. We have every right to expect that to be the case in our schools.

This court decision, as I said, denies all common sense. I fully intend to pursue additional Federal legislation, if necessary, in order to remedy this sort of circumstance. A country that can decide that people who board airplanes can be searched—and we can make certain that people will not take guns in airplanes—ought to be able to decide that children in school will be free from having another child in a classroom or in the hallway packing a .45 or a .38.

Parents ought to be able to believe that security guards who intercept people with guns in schools will be able to remove those students. Not too long ago, at a school about 2 miles from where I stand, a young boy was shot. I had visited that school about a month before the young boy was shot. I went to a school with nine students in the senior class, in a town of 300. But I wanted to tour this inner-city school and see what it was like. As I walked in, I went through a metal detector, and I saw security guards. I went into a school that is in a lockdown state when the school day begins. When the students are in, the doors are locked. They have metal detectors and security guards to try to make certain there are no students bringing in weapons and no unauthorized people are coming through the doors. Frankly, the security was pretty good at that school. They felt that there was a need to have substantial security.

About a month or so after I toured that school, a young boy was in the basement of that school in the lunch room at a water fountain. Another young boy named Jerome bumped him at the water fountain. For bumping the boy at the water fountain, Jerome was shot four times. I just read about it in the papers. I didn't know Jerome. He was shot four times and he lay on the floor critically wounded. He survived those wounds. He graduated from school. I visited with Jerome a couple of times, just trying to understand what is happening in these schools. It was prior to my passing legislation here dealing with the issue of zero tolerance and guns in schools. I found it unusual that a school with that security still had a boy in the cafeteria with a gun—a gun available to shoot