

a lifetime of their father's love and affection. I grieve for the people of Lompoc, and Los Alamos—Scott's hometown, still stunned and shocked by this murder in their midst.

I intend to initiate some inquiries concerning the appropriate way to prevent such acts of senseless savagery from happening in the future. As a proper testament to the life of Officer Scott Williams, it is incumbent upon us to do no less.●

#### TELEMARKETING FRAUD PREVENTION ACT

● Mr. KYL. Mr. President, I rise to comment on the Telemarketing Fraud Prevention Act of 1997. I am pleased to sponsor this bill, which directs the U.S. Sentencing Commission to increase penalties for those who purposefully defraud vulnerable members of our society and those who cross international borders to evade prosecution. I thank Senator REID for his sponsorship of this bill, and his leadership in combating telemarketing fraud.

Current penalties for this crime are not tough enough to deter the problem and they leave the victims without restitution. Penalties for bank, wire, radio, and television fraud are at least two-thirds higher than the penalty for telemarketing fraud. Too often, telemarketing fraud felons receive a sentence of fewer than 5 years in prison. The toughest penalty to date is 10 years. These are small penalties considering that many telemarketing fraud criminals have stolen the life savings of retired senior citizens.

Mr. President, thousands of Americans lose billions of dollars a year from telemarketing fraud. According to Maryland Attorney General J. Joseph Curran, Jr., telemarketing fraud is probably the fastest growing illegal activity in this country. An Associated Press story reported that top prosecutors in Arizona and 9 other States filed lawsuits or took other legal action against more than 70 telemarketers nationwide 2 years ago in an attempt to crack down on fraud that costs consumers more than \$40 billion a year.

Senior citizens appear to be the most vulnerable to chicanery of this kind. Fred Schulte, an investigating editor for the Fort Lauderdale Sun-Sentinel and an expert on telemarketing fraud, has pointed out that senior citizens are often too polite or too lonely not to listen to the voice on the other end of the line. The risk of being taken advantage of, I believe, increases with age. According to Attorney General Reno, it is not uncommon for senior citizens to receive as many as five or more high-pressure phone calls a day.

As one telemarketing con man who has worked all over the country put it: "people are so lonely, so tired of life, they can't wait for the phone to ring. It's worth the \$300 to \$400 to them to think that they got a friend. That's what you play on." Mr. President, malicious criminal activity like this must be punished appropriately.

These criminals prey on the vulnerable of our society. In one case, Nevada authorities arrested a Las Vegas telemarketer on a charge of attempted theft. The telemarketer was accused of trying to persuade a 92-year-old Kansas man who had been fraudulently declared the winner of \$100,000 to send \$1,900 by Western Union in advance to collect his prize. Another example: a Maine company showed real telemarketing creativity. For \$250, the so-called Consumer Advocate Group offered to help consumers recover money lost to fraudulent telemarketers—but it provided no services, according to Wisconsin Attorney General James Doyle, who sued the Maine firm plus four other telemarketers.

Mr. President, the Association of Attorneys General has supported similar consumer protection efforts in the past. As Minnesota Attorney General Hubert H. Humphrey III put it last year: "In the hands of a con artist, a phone is an assault weapon."

I would, at this time, like to highlight one specific provision of the bill. Section 2 requires that an offender forfeit any real or personal property derived from proceeds obtained as a result of the offense. The proceeds shall be used, as determined by the Attorney General, for the national information hotline established under the Violent Crime Control and Law Enforcement Act of 1994. The proceeds of the fraud will be returned to help the victims. I believe that it is important to pay attention to victims' rights in this area.

Last year, more than 400 individuals were arrested by law-enforcement officials working on Operation Senior Sentinel. Retired law-enforcement officers and volunteers, recruited by AARP, went undercover to record sales pitches from dishonest telemarketers. Volunteers from the 2-year-long Operation Senior Sentinel discovered various telemarketing schemes. Some people were victimized by phony charities or investment schemes. Others were taken in by so-called premium promotions in which people were guaranteed one of four or five valuable prizes but were induced to buy an overpriced product in exchange for a cheap prize. One of the most vicious scams preyed on those who had already lost money. Some telemarketers charged a substantial fee to recover money for those who had been victimized previously—and proceeded to renege on the promised assistance. By the time the dust settled, it took the Justice Department, the FBI, the FTC, a dozen U.S. attorneys and State attorneys general, the Postal Service, the IRS, and the Secret Service to arrest over 400 telemarketers in five States, including my home State of Arizona.

Clearly telemarketing fraud is on the rise. It is estimated that 8 out of 10 households are targets for telemarketing scams that bilk us of up to \$40 billion annually. The telemarketing industry rakes in more than \$600 billion in annual sales. There are many sen-

iors in my State and across the country who must be protected against this type of fraudulent activity. That is why I have sponsored this bill. The House of Representatives passed a bill similar to mine in the 104th Congress, which has been reintroduced during this Congress by Representative GOODLATTE. It already has 47 cosponsors and the support of the 60 Plus Association and the National Consumers League. I urge my colleagues to join us and cosponsor the Telemarketing Fraud Prevention Act.●

#### MEASURE READ FOR THE FIRST TIME—S. 522

Mr. MURKOWSKI. Mr. President, under rule XIV, I understand Senate bill 522, which was introduced today by Senator COVERDELL, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill to amend the Internal Revenue Code of 1986 to impose civil and criminal penalties for the unauthorized access of tax returns and tax return information by Federal employees and other persons, and for other purposes.

Mr. MURKOWSKI. Mr. President, I ask for its second reading and object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

#### OROVILLE-TONASKET CLAIMS SETTLEMENT AND CONVEYANCE ACT

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 412, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. Mr. President, today, the Senate will take up and pass H.R. 412, legislation authorizes a settlement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District in Washington State. Senator MURRAY and I introduced identical legislation on this subject earlier this month.

The reason for the speedy passage of this legislation is directly related to the settlement entered into between the Bureau of Reclamation and the irrigation district. This legislation will authorize a carefully negotiated settlement between the BOR and the

Oroville-Tonasket Irrigation District. When enacted, this legislation will save the BOR, and therefore the Nation's taxpayers, money that would otherwise be spent fighting with the irrigation district in court. The administration supports the legislation.

The reason for quick action on this legislation is the fact that the settlement between the irrigation district and the BOR requires enactment of the legislation by April 15, 1997. If the legislation is not enacted by that date, the irrigation district would have to refile its claim against the Government, and we'd be right back where we started—in court. As a result, Chairman MURKOWSKI, and Senators BUMPERS and KYL have carefully considered my request for quick action and have noted the unique circumstances surrounding this legislation. I would like to thank Senators MURKOWSKI, BUMPER, and KYL for working with me to get this legislation passed quickly. This is truly a unique situation, which calls for quick action.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 412) was passed.

#### MEASURE JOINTLY REFERRED— S. 468

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that Senate bill 468, which was introduced on March 18, be jointly referred to the Committee on Finance and the Committee on Environment and Public Works.

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

#### ORDER FOR RECORD TO REMAIN OPEN UNTIL 7 P.M.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the RECORD remain open until 7 p.m. for the introduction of bills and statements.

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

#### ORDERS FOR WEDNESDAY, APRIL 9, 1997

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10:30 a.m., Wednesday, April 9. I further ask unanimous consent that on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted and that there be a period of morning business until the hour of 1 p.m. with Senators to speak therein for up to 5 minutes

each, with the following exceptions: Senator THOMAS, 30 minutes; Senator GRASSLEY, 30 minutes; Senator WYDEN, 20 minutes; Senator DASCHLE or his designee, 10 minutes; Senator CAMPBELL, 10 minutes; Senator LAUTENBERG, 10 minutes.

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

#### PROGRAM

Mr. MURKOWSKI. Mr. President, for the information of all Senators, tomorrow, following morning business, at 1 p.m. the Senate will begin consideration of S. 104, the Nuclear Waste Policy Act. It is our hope that the Senate will be able to make substantial progress on S. 104 during Wednesday's session of the Senate. All Members can, therefore, anticipate rollcall votes throughout tomorrow's session and into the evening, if necessary.

#### ORDER FOR ADJOURNMENT

Mr. MURKOWSKI. Mr. President, if there is no further business to come before the Senate, I ask that following the statement of the Senator from Illinois, the Senate stand in adjournment under the previous order.

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

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

#### SCHOOL FUNDING

Ms. MOSELEY-BRAUN. Mr. President, a recent gathering of millionaires and billionaires at an economic conference in Switzerland underscored the importance of education in the global economy of the new millennium. In this information age, they concluded, the distinction between the haves and have nots will be the distinction between the knows and know nots. As it is with individuals, so it is with nations.

We have documented the difference that education credentials make in the average earnings of American workers. High school graduates make 46 percent more every year than those who do not graduate. College graduates earn 155 percent more every year than those who do not complete high school. Over the course of a lifetime, the most educated Americans will earn five times as much as the least educated.

Access to quality public education has been the cornerstone of the American meritocracy, providing people with more talent than means with the opportunity for economic success in most fields of endeavor. The rungs on the ladder of opportunity are crafted in the classroom.

To focus solely on the individual advantage of educational opportunity, however, is to miss the point of its importance to society as a whole. Edu-

cation is a public good, not just a private benefit, and its relevance to the community transcends its importance to the person. It directly correlates to almost every indicia of societal well-being. Health status, support for the arts and cultural activities, and participation in our democratic institutions increase with educational attainment; while social instability, pathologies, and demand for transfer payments increase in its absence. We all have a direct and personal stake in the availability of educational opportunity for every child.

The conference in Switzerland, however, touched on yet another aspect of the public value of education—its role in the development of a work force prepared for the external changes technology has created. It has been argued the United States was able to beat the global competition in the industrial age because of the high quality of our work force. It is an open question whether we will continue to enjoy such advantage in the information age. In this international competition, older industrial societies will find themselves in direct competition with the second-, third-, and even fourth-world societies that may have skipped industrialization altogether. We can choose either to compete with cheap labor worldwide and guarantee a decline in living standards here, or we can ensure that our work force has the high-skill, sophisticated productivity that will command a living wage in this global economy. It was very interesting to me that during the recent debate about immigration, some of the most influential voices against restricting legal immigration came from Silicon Valley and the high-technology business community: They argued there was a shortage of American workers trained for their work, and they would be unable to maintain their competitive position if limited in the option of importing talent, so the need to educate our work force, as a society and a country, has never been more important.

And so we are faced with a challenge of more monumental proportions than ever before. President Clinton recently referred to education as central to our national security. Yet, we still approach education generally, and education funding in particular, with the perspective of an age long past. Schools are still paid for primarily through the local property tax. Elementary and secondary education has long been almost the exclusive preserve of State and local government, and there has traditionally been a resistance to the National Government having anything to do with the circumstances in which Johnny learns to read.

Such a view misses the changes that have transformed the world and brought us closer together. We have, now more than ever, a community interest that calls for cooperation among and between all of the instruments of our collective will. National, State,