

want only one thing. Lutie tries to protect her 8-year-old son and her virtue, an impossible task:

"Streets like the one she lived on were no accident. They were the North's lynch mobs, she thought bitterly; the method the big cities used to keep Negroes in their place. And she began thinking of Pop unable to get a job; of Jim slowly disintegrating because he, too, couldn't get a job, and of the subsequent wreck of their marriage; of Bub left to his own devices after school. From the time she was born, she had been hemmed into an ever-narrowing space, until now she was very nearly walled in and the wall had been built up brick by brick by eager white hands."

"The Street" was based on the nine years Petry spent in Harlem, working primarily as a journalist. "I can only guess at what she went through when she moved to New York and saw all those disenfranchised people, totally lacking power in a way that she and our family never did," her daughter once told me. "Her way of dealing with the problem was to write this book."

"The Street" was well reviewed when it appeared in 1946, enough to become a best-seller, and it went on to become a classic. It will always have a place in literary history because it was the first book by a black woman to sell more than 1 million copies, but the real reason it will survive is because it's good, a triumph of realism.

Sadly, the book is also a measure of how far we have fallen.

In 1992, when the original publisher, Houghton Mifflin, bought back the rights and reissued "The Street," it got a front-page review in the Los Angeles Times Book Review. Petry's Harlem, Michael Dorris wrote, "hard as it was, now seems in some respects almost nostalgically benign. The streets of New York, as she describes them in the mid-1940's were indisputably mean to the downtrodden, but in those days it was still possible for a Lutie Johnson to walk 12 blocks safely, at midnight, or to ride the last subway alone. It was a place where the worst thing a child might bring to public school was a penknife, a place where neighbors tried to watch out for one another, where violent death was a rare and awful occurrence."

After "The Street," Petry wrote in quick succession two other novels for adults, "Country Place," a story about a Connecticut town that featured no black characters, and "The Narrows" about a doomed interracial love affair. During the '50s, she wrote several fiction and nonfiction books for young people. While "The Narrows," particularly, has its supporters, her fame primarily rests on "The Street."

One of the problems with interviewers is that they ask pesky questions like "When are you going to publish a new book?" Five years ago, Petry answered that she was working on things, but I didn't really believe it and I don't think she expected me to believe it. She had said what she had to say, and saw no need to obscure it with inferior work. It's a lesson many other novelists could learn.

Petry had little tolerance for fools or academics, two categories she regarded as essentially synonymous. From a 1989 interview with a scholar who wrote "the first post-structuralist study to reveal a hidden text" in Petry's novels:

Q. Richard Wright mentions in "How Bigger Was Born" that he experienced "mental censorship" when writing "Native Son," that he worries about what blacks and whites would say about Bigger and whether Bigger would perpetuate stereotypes. How much mental censorship did you experience when you were writing "The Street"?

A. None.

Q. Were there ever concerns on your part or on the part of your editor about "The

Street" being overshadowed by or having to measure up to "Native Son"?

A. No.

When I interviewed Petry in 1992, she said that I should stop by the next time I was in the area. This is the sort of thing interview subjects often say; what they really mean is that they hope you're not going to write something nasty. They don't actually expect or want you to come visit.

Petry, though, did. So a few times when I was in that corner of Connecticut I called her up and dropped in for a couple of minutes. I last saw her about two years ago. She was a little more stooped but seemed as if she would live forever. George, who survives her, puttered around and didn't say much as usual. I walked down the block to the old family drugstore, where I looked out the window that Petry's father would look out Sunday mornings to catch a glimpse of his wife coming back from church.

"Come here," he would tell Ann. "Look at your mother. Isn't she beautiful?"

Tuesday, I noticed a teenage girl on the Metro reading a beat-up paperback of Petry's biography of Harriet Tubman. Although I didn't know it, Petry had died the day before. Like any good writer, her work survives.

Mr. DODD. Ann Petry's father was a pharmacist who opened up a pharmacy in 1902 in Old Saybrook, CT. Although she learned the pharmacy trade from her father, her contribution, of course, was in literature.

Her famous novel, "The Street," written in the 1940's, was a remarkable piece of journalism that is still read today by younger generations. She followed that novel with two others that received wide recognition, "The Narrows," and "A Country Place," about a Connecticut town that many thought could be Old Saybrook. She wrote a number of short stories and articles. Ann Petry was truly a very remarkable person.

She did not have much use for fools and academicians, she once said, and she said she was usually speaking about one and the same person when talking of fools and academicians. I do not know that I agree, but she was a person of curt opinion, straightforward talk, and was well admired and loved in the town of Old Saybrook. Her contributions to literature have brightened the lives of many, many people.

We express our sorrow for the loss of Ann Petry.

Mr. DORGAN. Mr. President, my colleague from Ohio has indicated I should proceed to seek 10 minutes of time, at which point he intends to resume his discussion. I appreciate his courtesy.

I ask unanimous consent to proceed for 10 minutes.

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

DISASTER SUPPLEMENTAL APPROPRIATIONS BILL

Mr. DORGAN. Mr. President, yesterday we completed a disaster supplemental appropriations bill that addresses some of the needs of the serious disaster that occurred in my State of North Dakota and the three-State region of South Dakota, North Dakota,

and Minnesota. I am pleased to say at the end of the day Senator STEVENS, Senator BYRD, and so many others, on a bipartisan basis, in this Chamber were willing to add sufficient resources so that people who lost their homes, people who lost their businesses, who feel helpless and hopeless, will now have some hope that there will be recovery in our region of the country.

Mr. President, 25,000 people in Grand Forks, ND, woke up this morning, not in their own bed, not in their own home, some in a shelter, many with friends, some in other towns, because much of that town is still evacuated. In East Grand Forks, across the river, 9,000 people have left the town. The entire community was evacuated, and the mayor indicates nearly none of them are back.

The blizzards, the floods, and the fires were the worst we have ever seen. The need for the rest of the country to extend a helping hand, to say we want you to recover and rebuild and get back on your feet, is welcome news. I appreciate very much the resources, some \$500 million of community development block grant funds, that resulted, finally, in this legislation enacted yesterday by the U.S. Senate.

I thank all my colleagues for that help, on behalf of all North Dakotans.

THE BUDGET

Mr. DORGAN. On another subject, Mr. President, I want to encourage those who are negotiating on a budget deal. I happen to think there is great merit in reaching a bipartisan agreement on a balanced budget deal, and when I use the term "deal," I am talking about the negotiations between the principals about how to get to a balanced budget.

I am inclined, based on what I know, to support it. I have observed and asked those involved in the negotiations to consider that the Social Security surpluses are still not dealt with appropriately, and they need to do more in order to make certain that we have not claimed to have balanced the budget, when, in fact, we have done so by using Social Security surpluses. That will not complete the job. I hope those who are negotiating that will not stop short of the goal. We need a balanced budget and we need to preserve the Social Security surpluses above that to save for the baby boom generation when it retires.

AMERICA'S JUSTICE SYSTEM

Mr. DORGAN. Finally, Mr. President, on a subject I came to the floor to speak about for a couple of minutes, I have been to the floor of the Senate repeatedly to talk about our justice system. Our judicial system, in many respects, is a remarkable and interesting system. In some respects, it is broken.

I have talked on this floor of case after case of violent crimes, committed

by violent criminals, who we knew were violent, but yet were turned out of prison, and in many cases turned them out of prison or jail early because they earned good time for early release.

Parole, probation, early release for good time means that the young boy I have spoken about on the floor of the Senate, Jonathan Hall, murdered, stabbed over 50 times, by a man who had kidnapped and murdered twice before and was out early on good time, living in young Jonathan Hall's neighborhood, killed that young boy and threw him down a pond. The young boy, when they found him, had dirt and grass between his fingers, because he obviously had not been dead, despite being stabbed 50 times, and tried to climb out of the pond before he died.

Why was he dead? Because someone was let out of jail early to live in that neighborhood and kill young Jonathan.

Bettina Pruckmayr, a young woman who came to Washington, excited about a wonderful future, stabbed many, many times by someone at an ATM machine, someone who had been in jail and let out of jail early, who should never have been let out on the streets. I will come again to talk about that.

It is disgraceful that the average sentence served for committing murder in this country is 7½ years. The average sentence served in jail or prison is 7½ years—that is a broken system.

There is more to the broken system that I want to mention today. That is the trial that is now going on in Denver, CO, about the Oklahoma City bombing case. I will not talk about the merits or what I think about the case, but I want to talk about something that is haywire in the public defender system.

The 6th amendment to the Constitution offers a right to every American to a fair trial. Therefore, an indigent defendant has a right to a public defender. We have an alleged murderer on trial in Denver who drove a truck up in front of a courthouse and killed many, many people. No one will forget the memory of the fireman holding that young child from the day care center in his arms, dead as a result of some murderous coward who decided to kill innocent people with a truck bomb.

Now, what happens when someone who is indigent is arrested and goes on trial for committing a crime of that type? Let me tell you what happens.

The public defender system in this country today offers that defendant, on trial now in Denver, 14 attorneys. Yes, Mr. McVeigh has 14 lawyers working for him, paid for by us, and 6 investigators on top of the 14 lawyers. We are also paying 25 expert witnesses, and we paid for 9 foreign trips by his lawyers and his investigators to Israel, trips to Italy, Great Britain, Syria, Jordan, Hong Kong, the Philippines, and all these trips were paid for by the American taxpayer under the public defender system, which offers someone

who allegedly committed murder by a truck bomb at the Oklahoma City courthouse offers him 14 lawyers, 6 investigators, 25 witnesses, and 9 foreign trips to 8 foreign countries. It is estimated to cost \$10 million of taxpayers' money for a defense.

I support the sixth amendment. I support public defenders being offered to indigent people accused of crimes. But, Mr. President, the Administrative Office of the Courts estimates that there is a 68-percent jump in the cost of court-appointed attorneys in Federal capital cases. In 1 year alone, there is a 68-percent jump in the cost. The Administrative Office of the Courts will overrun 1997 appropriations for these expenditures. The appropriation was \$308 million. It will overrun by \$25 million.

Now, I am not a lawyer. I suppose some will say, well, you need to understand this. I do not understand this. The sixth amendment guarantees the right to a fair trial. I believe it guarantees the right for an indigent defendant to be given a defense, and for that defense to be paid for by the American taxpayer. I do not believe any twisted interpretation of that should persuade us, the American taxpayer, to pay for 14 lawyers, 6 investigators, 25 expert witnesses, and trips to foreign countries in a case like the Oklahoma City bombing case.

Now, I don't know what the answer is. But I know this is broken. I am hoping, as I sift through this with some of my colleagues, that we can find a way, yes, to preserve the rights under the sixth amendment to every defendant, but to stop this sort of nonsense. The records, incidentally, in this case are sealed, so we don't know exactly what has been spent. It has been estimated that from \$3 million to \$10 million, in early April, was spent in this circumstance. But when I see this sort of thing happening, I get angry again about a judicial system that seems broken. I am tired of people being let out of jail early to kill again. We have over 3,000 people in prison in this country right now who were in for having committed a murder and, while they were out early, have committed another capital crime. At least 3,000 families ought to feel that someone is an accomplice when they let out a known violent criminal early only to commit murder again.

That system is broken, and one more evidence of a broken system is the lack, somehow, of restraint in a circumstance where we take a public defender requirement under the sixth amendment and decide this is a pot of money that has no bottom, hire as many lawyers as you want, and somebody will say, yes, dig as deep as you like and some will say, yes, because the old taxpayer pays for that. There ought to be a limit, and we ought to start talking about it when we see this kind of twisted logic resulting in this kind of waste. I think it is time for Congress to act.

Do I know the specific answer? No, I don't. But I think we need to define, decide, and discuss limits in this area, so we tell those folks involved in the public defender system that there is a limit. No, there is not a limit on sixth amendment rights, but there is a limit on the use of taxpayer funds to hire 6, 8, 10, 12, or 14 lawyers. It is time that we use a little common sense. I hope when we come around on the appropriations side—and I am on the Appropriations Committee—and look at appropriating again in this account, we can start thinking about how this money ought to be used. Is there a sensible limit? I sure hope to be one of those who helps to find that out in the future.

I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Connecticut.

HAPPY BIRTHDAY KATHARINE HEPBURN

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague from Ohio, who has quite graciously allowed me to go forward for a few moments to join my colleague from Connecticut in kind of a statement of pride and gratitude, to commemorate and recognize the birthday this Monday of a beloved constituent but really one of the great motion picture actresses of all time, Katharine Hepburn.

As Senator DODD said, we have known Katharine Hepburn in Connecticut not only as one of our own, but as somebody who, quite appropriately, has preserved her privacy. We try our best to do that, and I suppose it is inconsistent to publicly acknowledge that this great lady is approaching her 90th birthday, on May 12. But in this case, we respectfully and humbly break the privacy and want to publicly honor her for the extraordinary career that she has had.

She grew up in a small Connecticut town and has always consider herself—and still does—the "local girl," as she puts it. She is the only four-time winner of the Academy Award for best actress, as I say, for the great roles she has played, 3 of which were won after the age of 60. Katharine Hepburn is, in the words of my colleague—and it is interesting that we both chose the same phrase, working independently—a national treasure.

For nearly 70 years of a brilliant acting career, she has captured the essence of not just what it means to be a great woman and a great person, but the American spirit both on and off the silver screen. In her leading roles and in her life, Katharine Hepburn has stood as a symbol of dignity and of independence, someone who, in the best American/New England traditions, has proudly lived life on her own terms, and with it, great results came.

Katharine Hepburn once said of her home in Connecticut, "I think I'm lucky because people with careers are