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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

REVISED NOTICE

If the 106th Congress, 1st Session, adjourns sine die on or before November 17, 1999, a final issue of the Congressional Record for the 106th Congress, 1st Session, will be published on December 2, 1999, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-60 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through December 1. The final issue will be dated December 2, 1999, and will be delivered on Friday, December 3, 1999.

If the 106th Congress does not adjourn until a later date in 1999, the final issue will be printed at a date to be announced.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Records@Reporters".

Members of the House of Representatives' statements may also be submitted electronically by e-mail or disk, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerkhouse.house.gov>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, signed manuscript. Deliver statements (and template formatted disks, in lieu of e-mail) to the Official Reporters in Room HT-60.

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By order of the Joint Committee on Printing.

WILLIAM M. THOMAS, *Chairman*.

NOTICE

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MICHAEL F. DiMARIO, *Public Printer*.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Richard Foth, Falls Church, VA.

We are pleased to have you with us.

The guest Chaplain, Dr. Richard Foth, offered the following prayer:

We come today, heavenly Father, with thanksgiving for Your many gifts to us. We are unworthy of the blessings that this Nation enjoys, but we are grateful for the privilege of living in a free land.

As the Senate comes to the close of its deliberations for this year, may wisdom and foresight prevail. Between the pressure to wrap up business and the compromises necessary to make that happen, help the men and women of this body determine to take the long view.

In a place where pressing for votes and pleading for causes each day is the stock-in-trade, let there be a baptism of clear seeing this week. Where great clouds of dust have been raised over critical issues, may the wind of Your Spirit bring new insights. Where significant needs may have been lost in the legitimate but lengthy parliamentary debate, help common ground to be found.

Thank You, Lord, for these gifted public servants, and thank You in advance for the fresh oil of Your grace which they need in these closing hours of their work. May our Nation, our people, and the world be better for it.

In that Name above every name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. Senator CRAPO is recognized.

ORDER FOR MORNING BUSINESS

Mr. CRAPO. Mr. President, I ask unanimous consent that the Senate be in a period of morning business until 12 noon today with the time equally divided between the majority and minority leaders or their designees.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. CRAPO. The Senate will be in a period of morning business until 12 noon to accommodate a number of Senators who desire to introduce bills and make statements. Following morning business, the Senate may resume consideration of the bankruptcy reform legislation.

For the information of all Senators, progress has been made on the appropriations process, and it is hoped that the Senate will receive the remaining bills from the House today or early in the day on Wednesday. Rollcall votes are not anticipated today. However, they may occur, if necessary, to proceed to legislative or executive matters. Senators can expect votes to occur throughout tomorrow's session, possibly as early as 10 a.m., in an effort to complete the appropriations process.

I thank my colleagues for their attention.

I note the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. CRAPO assumed the chair.)

Mr. FEINGOLD. 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. FEINGOLD. Mr. President, I ask unanimous consent to speak for 15 minutes.

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

THE FEDERAL DEATH PENALTY ABOLITION ACT OF 1999

Mr. FEINGOLD. Mr. President, I rise today to speak on the Federal Death Penalty Abolition Act of 1999, a bill I introduced last Wednesday. This bill will put an immediate halt to executions and forbid the imposition of the death penalty as a sentence for violations of Federal law.

Since the beginning of this year, this Chamber has echoed with debate on violence in America. We have heard about violence in our schools and neighborhoods. But I am not so sure that we in Government don't contribute to this casual attitude we sometimes see toward killing and death. With each new death penalty statute enacted and each execution carried out, our executive, judicial and legislative branches, at both the State and Federal level, add to a culture of violence and killing. With each person executed, we are teaching our children that the way to settle scores is through violence, even to the point of taking a human life.

Those who favor the death penalty should be pressed to explain why fallible human beings should presume to use the power of the state to extinguish the life of a fellow human being on our collective behalf. Those who oppose the death penalty should demand that explanation adamantly, and at every turn. But only a zealous few try. We should do better. And we should use this moment to do better as we step not only into a new century but also a new millennium, the first such landmark since the depths of the Middle Ages.

Across the globe, with every American who is executed, the entire world

watches and asks, How can the Americans, the champions of human rights, compromise their own professed beliefs in this way? A majority of nations have abolished the death penalty in law or in practice. Even Russia and South Africa—nations that for years were symbols of egregious violations of basic human rights and liberties—have seen the error of the use of the death penalty. Next month, Italy and other European nations—nations with which the United States enjoys its closest relationships—are expected to introduce a resolution in the U.N. General Assembly calling for a worldwide moratorium on the death penalty.

So why does the United States remain one of the nations in the distinct minority to use the death penalty? Some argue that the death penalty is a proper punishment because it is a deterrent. But they are sadly, sadly mistaken. The Federal Government and most States in the United States have a death penalty, while our European counterparts do not. Following the logic of death penalty supporters who believe it is a deterrent, you would think that our European allies, who don't use the death penalty, would have a much higher murder rate than we do in the United States. Yet, they don't; and it is not even close. In fact, the murder rate in the United States is six times higher than the murder rate in Britain, seven times higher than in France, five times higher than in Australia, and five times higher than in Sweden.

But we don't even need to look across the Atlantic to see that capital punishment has no deterrent effect on crime. Let's compare Wisconsin and Texas. I am proud of the fact that my great State, Wisconsin, was the first State in this Nation to abolish the death penalty completely, when it did so in 1853. So Wisconsin has been death penalty-free for nearly 150 years. In contrast, Texas is the most prodigious user of the death penalty, having executed 192 people since 1976. So let's look at the murder rate in Wisconsin and in Texas. During the period from 1995 to 1998, Texas has had a murder rate that is nearly double the murder rate in Wisconsin. This data alone calls into question the argument that the death penalty is a deterrent to murder.

I want to be clear. I believe murderers and other violent offenders should be severely punished. I am not seeking to open the prison doors and let murderers come rushing out into our communities. I don't want to free them. But the question is, Should the death penalty be a means of punishment in our society?

The fact that our society relies on killing as punishment is disturbing enough. Even more disturbing, however, is the fact that the States' and the Federal Government's use of the death penalty is often not consistent with the principles of due process, fairness and justice.

It just cannot be disputed that we are sending innocent people to death. Since