

now. And if something good can come out of this tragedy in Colorado, I pray that it will.

When that young girl affirmed her faith with a gun at her head, subjecting herself to summary execution by a laughing, diabolical shooter, I think we ought to take time to pause a minute and think about that, because this is really serious. It is deeper than whether or not you prosecute with 4 or 20 gun laws in the United States. It is deeper than that. That is what I am saying. But it does not mean that effective prosecutions of gun laws can't reduce crime.

Let me tell you this story.

Within the last month I, as chairman of the Judiciary Subcommittee on Juvenile Crime, called a hearing. We were going to discuss a program known as Project Exile in Richmond which the leader of it called "Trigger Lock with Steroids." Not only did they prosecute every gun violation they could find in Richmond, they ran ads on television saying: "We will prosecute you." They put up signs saying how long you would serve in the Federal slammer if you carried a gun during a crime or illegality.

Their prosecutions went sky-high. But there were questions in the Department of Justice. The program was not supported because it was not the trend with this Department of Justice. But they kept doing it. And just last year they found they had over a 40-percent reduction in violent crime in Richmond. And the U.S. attorney, appointed by the President of the United States, President Clinton, testified and others involved with it—the chief of police in Richmond—testified that they were convinced that aggressive criminal prosecutions in a trigger-lock-type fashion of violent criminals, and other criminals who carried guns, helped drive down the murder rate.

I thought we ought to have a hearing about it. I wanted to highlight that and encourage it. What I want to say to you is funny, almost; and maybe something good came from that hearing. The hearing was set for Monday in our little, lowly committee, the Senate Judiciary Committee Subcommittee on Juvenile Crime. On Saturday, before that hearing, the President went on his national radio show and said he wanted to adopt the Richmond project and promote and expand it.

So I hope maybe our hearing had something to do with getting the attention of the Department of Justice. But I have not seen any numbers to indicate that. It is easy to say words. But what we most often heard is that, we want new laws—which are not being prosecuted—and if we can pass a law, then we can say we did something.

I have been in this body just 2 years. I think there is a real problem here. Whenever there is a national matter of intense interest, what happens? We up and pass a law and say we did something. "Hey, give me a medal. I passed a law. I am against assault weapons. I

am fighting crime." If you have been in the pit and dealt with criminals professionally for a long time, you know it takes more than that. It takes a sustained effort.

If you do it consistently and aggressively, and you crack down on gun violations, you can in fact reduce the crime rate. Ask the U.S. Attorney and the chief of police in Richmond if it is not so.

I do hope the statement that the President made in his radio show really indicates a commitment to get these numbers up, because this is not acceptable for any administration, but particularly one which claims that the prosecuting of criminals and violations of Federal gun laws is a high priority of theirs. Obviously it is not. We have a 40-percent reduction.

So, maybe somebody says, "JEFF, that is just political." It is not political with me. It is something I have lived with. I prosecuted these kinds of cases. I believe it reduces murders. I believe it saves the lives of innocent people. And I would like to see an effective program conducted by this administration. And it has in fact been demolished, as these numbers show. It undermines the effectiveness of that effort.

There are innocent people, I will assure you, today who have been shot and wounded—some people who have been killed—who would not have been had the Triggerlock Project continued.

So it is something that I have been raising since I first got to this Senate—at virtually every Judiciary Committee hearing I have had. I hope this tragedy will do one thing: It will get the attention of the President and the Attorney General and the Chief of the Criminal Division and the Associate Attorney General and Deputy Attorney General, and they will start sending the word out to their prosecutors. And they have more of them now than they had in 1992 when I was there. They ought to be putting more of these people in jail. If we do, they will make some difference. But I really don't think even those prosecutions are likely to have any significant impact on the bizarre few people who are willing to go to a school and slaughter their own classmates, commit suicide, worship Adolf Hitler, and think of Marilyn Manson as something cool. That is a different matter with which we have to deal.

I hope as a nation we will confront it honestly and directly and begin to bring back in every school system, because some parents apparently are not doing it, a program that teaches character and good values like we are used to in America. There are those who say, well, you cannot do that, that is violating civil liberties, you cannot express a concern about right and wrong in a classroom because that is a value judgment.

Well, we are suffering today from 30 or 40 years of liberalism, relativism, that anything goes. Well, some will say that is just old-fashioned talk.

No, it is not. No nation, in my view, can remain strong in which there are no values which we can affirm. If we can't affirm that Adolf Hitler is bad, what are we? If we can't affirm that Charles Manson is not a fit person to emulate, then what are we as a nation? If we can't say that telling the truth is more important than telling a lie, that reality is better than spin, then we are in trouble.

I hope we have not reached that. I think the American people are good. I hope this tragedy has some ability to cause us to confront that and, if so, our Nation would be better for it.

Mr. President, I thank the Chair for allowing me to address this body on this important issue. I have shared with the Senate some thoughts and concerns of mine that have been a part of me for a long time. I believe it is something our Nation has to consider, and I hope and pray we will.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

MEASURE PLACED ON CALENDAR—S.J. RES. 22

Mr. MCCAIN. Mr. President, I understand there is a joint resolution at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will read.

The legislative assistant read as follows:

A joint resolution (S.J. Res. 22) to reauthorize, and modify the conditions for, the consent of Congress to the Northeast Interstate Dairy Compact and to grant the consent of Congress to the Southern Dairy Compact.

Mr. MCCAIN. Mr. President, I object to further proceedings on this matter at this time.

KOSOVO

Mr. MCCAIN. Mr. President, first I will discuss an issue that is going to come before the Senate either late this week or next week. I am not sure. That is the issue of Kosovo. I believe it is important we address the issue. I believe it is important we address the issue as we have previous foreign policy issues.

In the case of our resolution supporting United States involvement in Bosnia, we had a Dole resolution and we had a couple of others that were voted on. In the case of the Persian Gulf resolution, we had a resolution that was proposed by then-Senator Dole, who was then the minority leader, and one that was proposed by Senator Mitchell. I hope we will proceed in a fashion where more than one resolution is considered and voted on at the

time. That is our responsibility, and I hope we intend to do it.

I strongly urge the majority leader to accept a vote on a resolution that I have already introduced.

THE Y2K ACT

Mr. McCAIN. Mr. President, let me say we are ready to move forward on the bill. We have a couple of amendments that can be accepted by both sides. I would like to move forward with that and hope that both supporters and opponents of the bill will come to the floor.

Today I see a Statement of Administration Policy:

The Administration strongly opposes S. 96 as reported by the Commerce Committee, as well as the amendment intended to be proposed by Senators McCain and Wyden as a substitute. If S. 96 were presented to the President, either as reported or in the form of the proposed McCain-Wyden amendment, the Attorney General would recommend a veto.

Let me say, I am glad to see the administration's position on this. I think it makes it very clear as to whose side they are on. I hope all the manufacturers, the small businesses, the medium size businesses and the large businesses in America will take careful note of the administration's absolute opposition to an effort that would solve this very, very serious issue.

Of course, they support amendments that are proposed by the trial lawyers which would gut this legislation. I have no doubt that if we accepted the amendments that are going to be proposed, it would gut it. But let us come to the floor and debate these amendments and move forward.

We have been on this bill now for 3 days. We still haven't had a single amendment. I say to the opponents of this legislation and the substitute that Senator WYDEN and I proposed, come to the floor. Let us debate your amendments and let us move forward. There is a cloture petition that will be voted on tomorrow. We may have to move forward in that fashion.

In USA Today, Mr. President, there is an interesting column under Technology by Kevin Maney: "Lawyers Find Slim Pickings at Y2K Lawsuit Buffet."

Y2K lawyers must be getting desperate, in much the way an overpopulation of squirrels gets desperate when there aren't enough nuts to go around.

So far, there's been a beguiling absence of breakdowns and mishaps because of the Y2K computer problem. The ever-multiplying number of lawyers chasing Y2K lawsuits apparently have had to scrounge for something to do. At least that's the picture Sen. John McCain [R-Ariz.] painted on the Senate floor Tuesday.

McCain, who is sponsoring legislation to limit Y2K lawsuits, told the story of Tom Johnson. It seems that Johnson has filed a class action against retailers, including Circuit City, Office Depot and Good Guys. The suit charges that salespeople at the stores have not warned consumers about products that might have Y2K problems.

For one thing, that's like suing a Chrysler dealership because the sales guy didn't tell you a minivan might break down when you're 500 miles from home on a family vacation. Or suing a TV network for failing to announce that its shows might stink.

Beyond that, Johnson doesn't claim in the suit that he has been harmed. He's just doing it for the good of humanity—and "relief in the amount of all the defendants' profits from 1995 to date from selling these products."

* * * * *

Think Johnson's case is an anomaly? We haven't even hit seersucker season, and the lawsuits focusing on Jan. 1 are flying. More than 80 have been filed so far. If you sift through the individual suits, a few seem understandable. The rest seem like *Rocco Chilelli v. Intuit*.

Chilelli's suit says older versions of Intuit's Quicken checkbook software are not Y2K ready and alleges that Intuit refuses to provide free upgrades. Filed in New York, the suit is a class action on behalf of "thousands of customers (who) will be forced to spend even more money to acquire the latest Quicken version and may be required to spend time acquainting themselves with the updated program and possibly re-inputting financial information."

After much legal wrangling, the Supreme Court of the State of New York, County of Nassau, found that—duh!—no damage had yet happened, as the calendar hasn't yet flipped to 2000. The case was dismissed.

Mr. President, the column goes on to talk about the frivolous suits that have been filed already. We need to act.

I note the presence of the Senator from South Carolina. I ask if he is ready to consider two Murkowski amendments at this time, which have been agreed to by both sides.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLINGS. 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. HOLLINGS. Mr. President, my distinguished chairman continues to say let's talk, let's vote, let's move along. He thinks it is a procedural question. I guess, in a way, it is when it comes to joint and several.

Mr. President, there is an old story told about the days when they used to block minorities from voting down in Mississippi. A gentlemen presented himself at the poll and the poll watcher showed him a Chinese newspaper. These were the days of the literacy tests in order to be able to vote. He presented him with a Chinese newspaper and he said, "Read that." The poor voter takes it and turns it around different ways and says, "I reads it." The poll watcher said, "What does it say?" The poor minority says, "It says: Ain't no minority going to vote in Mississippi today."

Now, Mr. President, in a similar vein, when you have been in this 20 years, like Victor Schwartz down there at the NAM, when you have been in speaking

panels before the manufacturers groups, when you have seen every trick of the trade that they have had to repeal the 10th amendment and take away from the States the administration of the tort system, and you know that there are the strong States righters but they are willing to do this, and when you know there is a non-problem—I emphasize "nonproblem"—in the sense that there have only been 44 cases brought and over half have already been disposed of—some 10 others have been settled, and only 8 or 9 are pending—and you know that here we have a contract case, not a tort case, and you have to have privity of contract under joint and several in contract cases.

But you know this extreme strain about punitive, about joint and several, and all of these other hurdles they put in there to discourage anybody bringing a suit, setting precedence, if you please, in the tort field, then like the poor voter that "can read" the Chinese newspaper, I can read S. 96. That is right. I can read the McCain-Wyden amendment. What that says is, we don't care about Y2K, but we do care about reforming torts and federalizing it and taking the richest, most capable crowd in the world and giving them all kinds of rights and defenses and privileges and take away from middle sector, the small businessman, the small doctor.

We put into the RECORD, Mr. President, where an individual doctor up in New Jersey—he came before the committee—bought this particular computer in 1996. He talked about the salesman who bragged in terms that it would last 10 years. Like the old adage regarding the Packard, he said, "Ask the man who owns one. Go and see these. They will last for years. This will take you into the next century." And then he finds, of course, that this past year it broke down. It didn't work and he could not get his surgical appointments straight, and otherwise. So he called the salesman and the company, and they absolutely refused.

After several weeks he writes a letter and demands, and they still refuse. A couple of months pass and he gets an attorney. When he gets the attorney, at first they don't respond. But somehow the attorney, or others, had the smarts to put it on the Internet. The next thing you know, they had 17,000 doctors who were similarly situated, and the computer company immediately settled and replaced them free.

When the demands were first made, they said, "Yes, we can fix it for you for \$25,000," when the instrument itself, the computer, only cost \$13,000 in 1996. But to fix it was \$25,000. He didn't, of course, have the \$25,000. So all of those cases were settled to the satisfaction of both parties, the computer company, and everything else.

So these are not bad back cases, or some that are indeterminate with respect to injury, pain, and suffering, and a sentimental kind of case of a person