

believe that Marines are downright good for the country; that the Marines are masters of a form of unfailing alchemy which converts unoriented youths into proud, self-reliant stable citizens—citizens into whose hands the nation's affairs may safely be entrusted . . . And, likewise, should the people ever lose that conviction—as a result of our failure to meet their high—almost spiritual—standards, the Marine Corps will quickly disappear."

May God bless each and every one of you and may God bless our Corps!

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CONFERENCE OF MAYORS ENDORSE MINIMUM WAGE INCREASE

Mr. KENNEDY. Mr. President, the United States Conference of Mayors recently gave its ringing endorsement to an increase in the minimum wage. On June 15, at their annual conference in New Orleans, the mayors unanimously adopted a resolution calling for such an increase.

The resolution was sponsored by Mayor Thomas M. Menino of Boston, who is renowned for his leadership on behalf of working families in our city, and I commend Mayor Menino for this important and constructive initiation.

Thanks to the leadership of Mayor Menino, the Conference of Mayors has highlighted the needs and concerns of America's workers. The adoption of the Mayors' resolution makes it all the more important for Congress to act, and to act this year.

Mayors are on the front lines at the local level. They know the day-to-day realities of the lives of working Americans. They have seen firsthand how the decrease in value of the minimum wage leaves workers unable to support their families. By next year, the real value of the minimum wage will have dropped by \$2.50 an hour from its peak 30 years ago. For a generation, we have allowed the value of the minimum wage to decline unfairly at the expense of millions of hard working American men and women and their families.

The unfortunate reality is that in 1999, large numbers of Americans work 40 hours a week, 52 weeks a year, yet still can't support their families. Their wages don't enable them to put food on the table or a reasonable roof over their heads. A minimum wage worker earns \$10,712 a year—\$3,100 below the poverty line for a family of three.

Every day, working families across the country are forced to turn to emergency food assistance to supplement their diets, and then to emergency shelters for a place to sleep. A 1998 U.S. Conference of Mayors survey found that 61% of people requesting emergency food assistance were families—parents and their children. The majority of cities also reported an increase in requests for emergency shelter by homeless parents with children. As the Mayors' survey emphasized, these are working Americans, yet they are not earning enough to make ends meet.

The majority of minimum wage workers are adults struggling to

achieve a decent standard of living. Instead of enabling workers to reach this goal that all families deserve, today's minimum wage tramples on that dream for a better life.

Now is the time to raise the minimum wage. The country's economy is soaring to new heights and setting new records for growth and prosperity. The economy is the best in decades, and yet millions of America's hardest workers are not sharing in this prosperity. The Dow Jones Average is touching 11,000. The highest compensated CEO in 1998 was paid \$117 million. But minimum wage workers still can't lift their families out of poverty.

Minimum wage workers deserve better. They serve our food, take care of our children, clean our office buildings, and perform countless other basic jobs. When hard working Americans put in a full day's work year round, they deserve a fair share of the nation's prosperity.

Over 11 million workers would benefit from an increase in the minimum wage. They should not have to rely on food aid or shelters.

Mayor Menino and mayors across America want action, Congress should heed their call to action and raise the minimum wage.

I ask unanimous consent that the text of Mayor Menino's resolution, adopted unanimously by the Conference of Mayors, be printed in the RECORD.

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

RESOLUTION NO. 14

(Submitted by the Honorable Thomas M. Menino, Mayor of Boston)

FEDERAL MINIMUM HOURLY WAGE RATE ADJUSTMENT

Whereas, the current federal minimum hourly wage rate is inadequate to raise families out of poverty; and

Whereas, the real value of the minimum wage continues to fall short since its highest level in 1968; and

Whereas, the purchasing power of the minimum wage continues to fall short and fails to allow families to make ends meet; and

Whereas, millions of workers paid by the hour earn at or below minimum wage and the majority of minimum wage workers are adults; and

Whereas, the poverty line for a family of four leaves many minimum wage earners unable to survive and they are the sole breadwinners for their households; and

Whereas, the majority of the average share of household income is earned by a minimum wage worker; and

Whereas, the income disparities between the races have been widening, not narrowing; and

Whereas, the minimum wage is one factor in these wide income disparities, as minorities work disproportionately in minimum wage jobs; and

Whereas, these minimum wage jobs often lack medical, sick or vacation leave, other benefits and job security; and

Whereas, these minimum wage jobs are a major factor in the decision of millions of workers who would likely drop out of the labor force because they see no future in such employment, but there are no other alternatives to raise a family; and

Whereas, many citizens who cannot survive on minimum wage seek alternatives outside the traditional job market that may, at time, be destructive to them, their families, and the total society; and

Whereas, studies have shown that raising the minimum wage does not result in job losses.

Now, therefore, be it Resolved, That the federal minimum hourly wage rate should be increased to encourage significantly greater labor force participation and enable minimum wage job holders to support themselves and their families at income levels above the nationally defined poverty level.

Projected Cost: Unknown.

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SENATE INACTION ON THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, it is the responsibility of the Senate Foreign Relations Committee to consider treaties submitted by the President as soon as possible after their submission. Normally, most treaties are considered within a year of being submitted. The President of the United States transmitted the Comprehensive Nuclear Test Ban Treaty to the Senate on September 23, 1997.

The Senate Foreign Relations Committee has not held a single hearing on this important Treaty in the 646 days since the President sent the CTBT to the Senate for its consideration. In comparison, the START I Treaty was ratified in 11 months, the SALT I Treaty in 3 months, the Conventional Armed Forces in Europe Treaty in 4 months, and the Limited Nuclear Test Ban Treaty in 3 weeks.

As of today, 152 countries have signed the CTBT, including Russia and China, and 37 countries have ratified the Treaty. The world is waiting for the United States to lead on this issue. I hope my colleagues will urge for this Treaty's rapid consideration.

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CHILD SURVIVAL AND DISEASE PROGRAMS FUND

Mr. DEWINE. Mr. President, I would like to express my strong support for the Child Survival and Disease Program Fund. Last year Congress, allocated \$650 million plus \$50 million in supplemental emergency funds to the Child Survival and Disease Program Fund for Fiscal Year 1999. As in the past, House Subcommittee Chairman Callahan has taken the lead in protecting these child survival programs and I commend him for his leadership on this issue. For FY 2000 the Clinton Administration, however, has budgeted \$40 million below the \$700 million allocated last year. In order to preserve the benefits of these important programs for children worldwide, as we have done in the past, we should accept in conference the House language that Chairman Callahan proposes.

It is a tragedy that millions of children die each year from disease, malnutrition, and other consequences of poverty that are both preventable and

treatable. The programs of the Child Survival Fund, which are intended to reduce infant mortality and improve the health and nutrition of children, address the various problems of young people struggling to survive in developing countries. It places a priority on the needs of the more than 100 million children worldwide who are displaced and/or have become orphans.

The Child Survival and Disease Programs Fund includes initiatives to curb the resurgence of communicable diseases such as malaria and tuberculosis. According to the World Health Organization, in 1999 alone, more children will die of tuberculosis than in any other year in history. In the underdeveloped world, the Child Survival and Disease Programs Fund works towards eradicating polio as well as preventing and controlling the spread of HIV/AIDS.

Aside from addressing issues of health, the Child Survival and Disease Programs Fund also supports basic education programs. An investment in education yields one of the highest social and economic rates of return—because it gives children the necessary tools to become self-sufficient adults. According to the World Bank, each additional year of primary and secondary schooling results in a 10-20% wage increase. Unfortunately, there are still 130 million primary aged children who are not attending any school, 2/3 of those children are girls.

The programs supported by the Child Survival and Disease Programs Fund are effective because they save three million lives each year through immunizations, vitamin supplementation, oral rehydration therapy, and the treatment of childhood respiratory infections, which are the second largest killer of children on earth. If every child received vaccinations, an additional two million children each year would be saved from these terminal diseases. Eliminating the symptoms and causes of this poverty is not only the humane thing to do—it is also a necessary prerequisite for global stability and prosperity.

In my view, Congress needs to maintain its support for these valuable programs. It is my hope that the Senate Foreign Operations Subcommittee will accept the proposed House language. The Child Survival and Disease Programs are effective and are important. They should be continued.

I see the Chairman of the Senate Foreign Operations Subcommittee on the floor and urge his continued support for that program.

Mr. MCCONNELL. I thank the Senator from Ohio for his statement. I have listened very carefully to his remarks, and I commend him for his tireless efforts in supporting children's causes, here in the United States and throughout the world. I would like to assure him that I will give every possible consideration to his request when we go to conference.

Mr. DEWINE. I thank my distinguished friend from Kentucky, and I yield the floor.

#### THE MILITARY AND EXTRATERRITORIAL JURISDICTION ACT OF 1999

Mr. LEAHY. Mr. President, I support S. 768, which was significantly improved during the Judiciary Committee mark up with a substitute amendment that I cosponsored with Senators SESSIONS and DEWINE. This important legislation will close a gap in Federal law that has existed for many years. S. 768 establishes authority for Federal jurisdiction over crimes committed by individuals accompanying our military overseas and court-martial jurisdiction over Department of Defense employees and contractors accompanying the Armed Forces on contingency missions outside the United States during times of war or national emergency declared by the President or the Congress.

Civilians accompanying the Armed Forces have been subject to court-martial jurisdiction when ‘‘accompanying or serving with the Armies of the United States in the field’’ since the Revolutionary War. See *McCune v. Kilpatrick*, 53 F. Supp. 80, 84 (E.D. Va. 1943). It is only since the start of the Cold War that American troops, accompanied by civilian dependents and employees, have been stationed overseas in peace time. Provisions of the Uniform Code of Military Justice provide for the court-martial of civilians accused of crimes while accompanying the armed forces in times of peace or war. The provisions allowing for peace time court-martial of civilians were found unconstitutional by a series of Supreme Court cases beginning with *Reid v. Covert*, 354 U.S. 1 (1957). With foreign nations often not interested in prosecuting crimes against Americans, particularly when committed by an American, the result is a jurisdictional ‘‘gap’’ that allows some civilians to literally get away with murder.

A report by the Overseas Jurisdiction Advisory Committee submitted to Congress in 1997, cited cases in which host countries declined to prosecute serious crimes committed by civilians accompanying our Armed Forces. These cases involved the sexual molestation of dependent girls, the stabbing of a serviceman and drug trafficking to soldiers. The individuals who committed these crimes against service men and women or their dependents were not prosecuted in the host country and were free to return to the United States and continue their lives as if the incidents had never occurred. The victims of these awful crimes are left with no redress for the suffering they endured.

This inability to exercise Federal jurisdiction over individuals accompanying our armed forces overseas has caused problems. During the Vietnam War, Federal jurisdiction over civilians was not permissible since war was never declared by the Congress. Major General George S. Prugh said, in his text on legal issues arising during the Vietnam War, that the inability to discipline civilians ‘‘became a cause for major concern to the U.S. command.’’

More recently, Operation Desert Storm involved the deployment of 4,500 Department of Defense civilians and at least 3,000 contractor employees. Similarly large deployments of civilians have been repeated in contingency operations in Somalia, Haiti, Kuwait and Rwanda. Although crime by civilians accompanying our armed forces in Operation Desert Storm was rare, the Department of Defense did report that four of its civilian employees were involved in significant criminal misconduct ranging from transportation of illegal firearms to larceny and receiving stolen property. One of these civilians was suspended without pay for 30 days while no action was taken on the remaining three.

Due to the lack of Federal jurisdiction over civilians in a foreign country, administrative remedies such as dismissal from the job, banishment from the base, suspension without pay, or returning the person to the United States are often the only remedies available to military authorities to deal with civilian offenders. The inadequacy of these remedies to address the criminal activity of civilians accompanying our Armed Forces overseas results in a lack of deterrence and an inequity due to the harsher sanctions imposed upon military personnel who committed the same crimes as civilians.

I expect the deployment of civilians in Kosovo and elsewhere will be relatively crime free, but regardless of the frequency of its use, the gap that allows individuals accompanying our military personnel overseas to go unpunished for heinous crimes must be closed. Our service men and women and those accompanying them deserve justice when they are victims of crime. That is why I introduced this provision as part of the Safe Schools, Safe Streets and Secure Borders Act with other Democratic Members, both last year as S. 2484 and again on January 19 of this year, as S. 9.

I had some concerns with certain aspects of S. 768 that were not included in my version of this legislation, and I am pleased that we were able to address those concerns in the Sessions-Leahy-DeWine substitute. For example, the original bill would have extended court-martial jurisdiction over DOD employees and contractors accompanying our Armed Forces overseas. The Supreme Court in *Reid v. Covert*, 354 U.S. 1 (1957), *Kinsella v. Singleton*, 361 U.S. 234 (1960) and *Toth v. Quarles*, 350 U.S. 11 (1955), has made clear that court-martial jurisdiction may not be constitutionally applied to crimes committed in peacetime by persons accompanying the armed forces overseas, or to crimes committed by a former member of the armed services.

The substitute makes clear that this extension of court-martial jurisdiction applies only in times when the armed forces are engaged in a ‘‘contingency operation’’ involving a war or national emergency declared by the Congress or