

leader to legislate on issues the majority is interested in. I also have a responsibility—I think both leaders have a responsibility, all leaders—to get our work done.

Included right up front on that list of getting our work done is passing the appropriations bills.

I am doing my job. Most of these appropriations bills I don't particularly like, to tell you the truth. It doesn't necessarily make me feel real good to be worrying about all the appropriations bills, but it is part of the job, part of the process.

There is not a single bill that comes through here where a single Senator likes everything in it, but we move the process along. I can think of a whole bunch of things in State, Justice, and Commerce I would like to knock out, and a lot of things I would like to add, but I will not do that because the Senator from New Hampshire and the Senator from South Carolina put their work in there, it was passed by the committee, probably unanimously, and we ought to move it forward.

I will be glad to work with the Senator to try to lock in a time next week to get this issue debated. I am glad to debate it. I don't know how many times we will hear: You Republicans caused this problem. I am saying: All right, OK, we acknowledge it. Let's fix it.

I bet when the vote comes, it will be overwhelming. Both sides know this needs to be corrected. Let's get on with it. I don't know what the final vote will be, but I will be surprised if it is not 80-20. It will probably be more than that, 90-10. Why not do it? It is the right thing to do. It is good for the institution.

I thank Members for their patience while I responded. If we are ready, we can go forward and set up a time to have this issue debated and voted on. Hopefully, it will be within a reasonable timeframe.

Mr. DASCHLE. Mr. President, I have to respond to a couple of points made by my friend, the distinguished majority leader.

First, with regard to the Social Security lockbox, if ever our point was made on a particular bill, it is this one. This is exactly why we are here. I am amused and completely appreciate what it is Senator LOTT has just said once more: Why do we need so many amendments? This is a simple little idea—Social Security lockbox. Why do we need so many amendments? This is just a simple idea.

Mr. President, a simple idea can have profound consequences. There may be one or there may be more than one way to enact a simple idea.

Senator LAUTENBERG offered on the Senate floor an agreement that said we will limit ourselves—and here we are again, the minority—we will limit ourselves to 12 amendments. Our Republican colleagues objected. That wasn't good enough. Twelve amendments was too many.

We find ourselves, time and time and time again, not filibustering a bill. I do not remember the last time the minority filibustered a bill because we didn't want it to pass. The only time I can recall we have filibustered—and fortunately we have never lost—is on our procedural right to offer amendments. That is the only time, that I am aware of, we have fought, because our rights need to be protected. I am compelled to set the record straight, and I am compelled again to respond. This is why we are in this box.

Ideally, what will happen is, a bill could get laid down, Democrats and Republicans could offer amendments; if it got out of line, Senator LOTT and I could say: People, we have to get this bill done. We have to get this bill done. Will you limit yourself? Let's develop a finite list of amendments.

Often that works. I have some of the best lieutenants I could hope to have, and when I sic them on the caucus, it is amazing how responsive the caucus is. It works. I come back and report to the majority leader, we can do this in 15 amendments, and we can do this tonight, and it works. That is one model.

The other model is, we are presented with a confrontation. A bill is filed, the tree is filled, a cloture vote is taken. That is the other model. That model doesn't work, and it will never work. I don't care whether it is an appropriations bill or an authorization bill, we will not allow that to work.

We can continue to play that out until we die of old age. It is not going to work, not as long as we are here. If we are going to get cooperation, then I am willing to look at that Social Security lockbox again. Twelve amendments doesn't seem too many to me. Yes, there may be some irrelevant amendments—not irrelevant, but non-germane amendments. They are certainly relevant to us.

I think the Republicans demonstrated last week, with the Patients' Bill of Rights, they can deal with it if we offer amendments. They can deal with it. They are in the majority. They have the votes to defeat our proposals. I am not sure I know what they are afraid of.

In any case, I have spoken long enough. As the majority leader has noted, the time has come to move on. I am willing to work with him to make the most of the time remaining this week and certainly next week.

I yield the floor.

Mr. LOTT. Mr. President, briefly, I note that in the presence of the President I was led to believe that, on the Social Security issue, two or three amendments would be enough on the lockbox. Then I am told later, well, we need 12 or 15. That is what I have to deal with all the time.

We can go back and forth as to what happened. We need a Social Security lockbox. We need to find a way to do it. The Senate is the only impediment to having that done.

What I propose to do with regard to rule XVI is ask consent—I am not

doing it now—that when the Senate convenes on Monday, the 26th, we proceed to the original resolution to be placed on the calendar by the majority leader, immediately following the asserting of this agreement, and the resolution be considered under the following time constraints—this is the resolution; obviously, it is very short and very simple—that the resolution be limited to 3 hours for each leader or his designee, no amendments or resolutions be in order, and final adoption be in order prior to recess or adjournment of the Senate on Monday. We could have that vote at the same time we have the vote on the juvenile justice conferees cloture, if necessary.

I ask the Democratic leader to consider that. If the Senator can check to see when Senator KENNEDY will be back—I talked to him myself early this week, and I had the impression he would be back early next week, but I didn't press him in terms of Monday, Tuesday, Wednesday, whenever.

That is, I think, a fair way to do this. That is how it was outlined to me. I think we ought to do it. Hopefully, we can make some progress now on the underlying commerce bill.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

Mr. LOTT. I ask unanimous consent to lay aside the pending amendment until 4 p.m. today, with no call for the regular order served to bring back the amendment before that time. That way, we will have time to talk, and meanwhile our managers can go forward.

Mr. REID. Mr. President, reserving the right to object, while the two leaders are on the floor, the original point of order was made by me, so I believe I have a right to talk about this.

I am not going to talk about the substance of the amendment but talk about our two leaders. Speaking for Democrats and Republicans, we are very proud of our leadership. The majority leader and the minority leader, I think, do an outstanding job of representing their respective interests. The legislative branch of government depends on these two men leading their respective caucuses.

We should be doing less procedural battling and more substantive battling. I hope the majority leader hears what the Democrats are saying. We want to legislate. We are not trying to stop anything from going through. We want our rights to be protected. We want the ability to offer amendments. That is all we are saying.

This was proven in the very good debate we had. We were allowed to have the debate as a result of the work done by our minority leader. I think it is important we have more issues debated here. I hope during this weekend the two leaders realize, as I know they do,

the importance of having the Senate act as the Senate and that we start debating substantive issues.

I think this colloquy between the two leaders was very substantive and informative. I hope it will lead to a much better and more productive Senate.

The PRESIDING OFFICER (Mr. GORTON). Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BUNNING). Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that there be 2 hours of debate, equally divided, on the amendment that is about to be offered by the Senator from Delaware.

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

Mr. GREGG. No second degrees.

Mr. HOLLINGS. No points of order, no second degrees.

Mr. GREGG. No second degrees. And at the end of that time, we are prepared to accept it.

Mr. HOLLINGS. We are prepared to accept it. And as I said, no points of order.

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

#### AMENDMENT NO. 1285

(Purpose: To provide additional funding for community oriented policing services)

Mr. BIDEN. Mr. President, parliamentary inquiry. Is the amendment at the desk?

The PRESIDING OFFICER. No, it is not.

Mr. BIDEN. I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN] for himself, Mr. SCHUMER, Mr. ROBB, Mr. DASCHLE, Mr. REID, Mr. HARKIN, Mr. LEAHY, Mr. AKAKA, Mr. BINGAMAN, Mr. DURBIN, Mr. GRAHAM, Mr. LIEBERMAN, Mr. HOLLINGS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEVIN, Mrs. LINCOLN, Mrs. MURRAY, Mr. REED, Mr. WELLSTONE, Mr. BREAUX, Mr. MOYNIHAN, Mr. BAYH, Mr. DORGAN, Mr. BRYAN, Mr. KERRY, Mr. CLELAND, Mr. SARBANES, Mr. ROCKEFELLER, Mr. DODD, Mrs. BOXER, Ms. LANDRIEU, Ms. MIKULSKI, Mr. FEINGOLD, Mr. BYRD, Mr. SPECTER, Ms. COLLINS, Ms. SNOWE, Mr. TORRICELLI and Mr. JEFFORDS proposes an amendment numbered 1285.

The amendment is as follows:

On page 32, after line 7, insert the following:

#### COMMUNITY ORIENTED POLICING SERVICES VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 104-322) (referred to under this heading as the "1994 Act"), including ad-

ministrative costs, \$325,000,000 to remain available until expended for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, of which \$140,000,000 shall be derived from the Violent Crime Reduction Trust Fund: *Provided*, That \$180,000,000 shall be available for school resource officers: *Provided further*, That not to exceed \$17,325,000 shall be expended for program management and administration: *Provided further*, That of the unobligated balances available in this program, \$170,000,000 shall be used for innovative community policing programs, of which \$90,000,000 shall be used for the Crime Identification Technology Initiative, \$25,000,000 shall be used for the Bulletproof Vest Program, and \$25,000,000 shall be used for the Methamphetamine Program. *Provided further*, That the funds made available under this heading for the Methamphetamine Program shall be expended as directed in Senate Report 106-76: *Provided further*, That of the funds made available under this heading for school resource officers, \$900,000 shall be for a grant to King County, Washington.

On page 21, line 16, strike "\$3,156,895,000" and insert "\$3,151,895,000".

On page 26, line 13, strike "\$1,547,450,000" and insert "\$1,407,450,000".

On page 27, line 13, strike "\$350,000,000" and insert "\$260,000,000".

On page 30, line 21, strike all after "Initiative" through "Program" on line 23.

On page 35, line 1, strike "\$218,000,000" and insert "\$38,000,000".

Mr. BIDEN. Mr. President, let me begin by thanking the chairman of the subcommittee and the ranking member. This is a bit unusual. I am violating what the Senator from South Carolina would recognize as the Russell Long rule.

When I first came to the Senate, Russell Long, the distinguished Senator from Louisiana, was chairman of the Finance Committee. One day I walked up to him because I had an amendment to a finance bill. He said: I will accept it. I said: Thank you very much, Mr. Chairman. Then I got back to my seat in the back row, and a staff person who had worked here longer than I had—I had only been here about 3 months—said: Senator, you really want a rollcall vote on that.

So I went ahead and I did my little spiel. Then I asked for the yeas and nays. The roll was called, and Russell Long voted against the amendment and encouraged others to vote against it. It was defeated. I walked up to him and said: Mr. Chairman, my Lord, you told me just 15 minutes ago you would accept my amendment. He said: Yes, I would accept your amendment. But I did not say anything about a rollcall vote.

We are not going to have, I hope, a rollcall vote on this amendment. I want to thank the chairman of the subcommittee for accepting the amendment. I apologize to him for speaking on something that is going to be accepted. But I think this is of such consequence that it is important to remind our colleagues of what we are about to redo.

A few weeks ago, the Appropriations Committee zeroed out all funding for the COPS Program, nearly closing the doors of what I believe to be the most

successful Federal-State cooperative law enforcement program of our time.

This amendment corrects the committee's elimination of the funding for the COPS office in the fiscal year 2000. It restores funding for the COPS office to perform many of the significant functions in support of law enforcement—particularly in getting more cops out on the street.

In doing so, it supersedes—or, basically, makes void—the language in the committee report on pages 62 and 63 that would have directed the Justice Department to take steps to dismantle the COPS office. Under this amendment, the COPS office will remain alive and well for fiscal year 2000.

I am pleased today we have put aside partisan politics in support of this effective law enforcement program. Let me make it clear, although some of my colleagues on the Republican side worry a little bit about this being a Democratic program, it is not a Democratic program. It is a bipartisan program. It is a program where even this amendment has garnered the cosponsorship of four Republicans and the commitment of another several to vote for it. I predict there will be more Republicans to vote for it as well.

I am glad that we have listened to the police officers on the street, the police chiefs, the prosecutors, the mayors, the citizens of our communities, and our constituents about why they think the COPS Program has worked so well.

As I said, today, joined by 42 of my colleagues, including four Republicans, I offer this amendment to restore the COPS Program for fiscal year 2000. This amendment restores \$495 million in funding for the COPS Program for the year 2000.

This is just one-third of the \$1.43 billion that was appropriated in 1999. But it preserves this vitally important program that has thus far funded over 100,000 cops in communities across the country.

Here is how it will work: \$170 million will come from unobligated balances for this fiscal year for the COPS office; \$5 million in unobligated funds from the Bureau of Prisons; \$140 million are shifted back to the COPS office for programs that it already has successfully administered in the past.

These include the Cops Connect Program, which provides equipment and upgrades so that officers from different jurisdictions can talk to each other and share vital information; it also includes targeted funding for equipment that protects police officers, such as bulletproof vests; and for training to identify and take down methamphetamine and other drug laboratories.

And \$180 million are put back into the COPS Program to fund the hiring of up to an additional 2,400 officers in our public school system.

Most importantly, this amendment restores to the COPS office its primary function: putting more cops on the street. Under this amendment, there

will be funding sufficient to put 1,500 additional local law enforcement officers out on the streets in our communities.

I think we can all agree that this is a small price to pay for lower crime rates, safer communities, safer schools, more advanced law enforcement equipment, and more responsive police departments.

I am thrilled to be joined by so many of my colleagues. As I said, there are 42 cosponsors. I ask unanimous consent that a list of the cosponsors be printed in the RECORD.

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

SPONSORING

Joe Biden (DE) (sponsor).

COSPONSORS

- (1) Daniel Akaka (HI).
- (2) Jeff Bingaman (NM).
- (3) Tom Daschle (SD).
- (4) Dick Durbin (IL).
- (5) Bob Graham (FL).
- (6) Tom Harkin (IA).
- (7) Ernest Hollings (SC).
- (8) Tim Johnson (SD).
- (9) Edward Kennedy (MA).
- (10) Robert Kerrey (NE).
- (11) Herb Kohl (WI).
- (12) Frank Lautenberg (NJ).
- (13) Patrick Leahy (VT).
- (14) Carl Levin (MI).
- (15) Blanche Lincoln (AR).
- (16) Patty Murray (WA).
- (17) Jack Reed (RI).
- (18) Harry Reid (NV).
- (19) Charles Robb (VA).
- (20) Charles Schumer (NY).
- (21) Paul Wellstone (MN).
- (22) John Breaux (LA).
- (23) Patrick Moynihan (NY).
- (24) Evan Bayh (IN).
- (25) Byron Dorgan (ND).
- (26) Richard Bryan (NV).
- (27) John Kerry (MA).
- (28) Max Cleland (GA).
- (29) Paul Sarbanes (MD).
- (30) John Rockefeller (WV).
- (31) Christopher Dodd (CT).
- (32) Barbara Boxer (CA).
- (33) Mary Landrieu (LA).
- (34) Barbara Mikulski (MD).
- (35) Joseph Lieberman (CT).
- (36) Russell Feingold (WI).
- (37) Robert Byrd (WV).
- (38) Arlen Specter (PA).
- (39) Susan Collins (ME).
- (40) Olympia Snowe (ME).
- (41) Robert Torricelli (NJ).
- (42) James Jeffords (VT).

Mr. BIDEN. It is a challenge for us to apply the lessons we have learned over the past years. More cops on the street means crime goes down. Law enforcement knows this. The American public knows this. We know this. And we must act now.

We all recognize the importance to communities across our country of ensuring the continued success of lowering crime rates.

Look at this chart. Since the COPS Program began as part of the 1994 crime bill, arrests have gone way up.

This is total arrests. Look at all the support we have on this. All the law enforcement organizations endorse this program. The mayors endorse this program. I thank, by the way, these orga-

nizations for their continued support of the COPS Program and for their extraordinary help with this amendment in particular.

To the law enforcement community, I say thank you. We should all say thank you. We could not have done this without your hard work and support, your phone calls, your letters. Your personal appearances have resonated with all of us. You are always on the frontline on this, and you have always taken a stand against crime. You should be proud.

I am proud of them. In a recent survey done for the National Association of Police Organizations, 85 percent of those surveyed think we should extend the COPS Program. The American people don't want the program to end. Although we do not extend the COPS Program beyond its authorized period through this fiscal year, my friend from New Hampshire and my friend from South Carolina know that I have continually attempted to extend the program. I will be back in another fora trying to extend the COPS Program so that we continue this beyond the year 2000.

For years, when I first wrote this crime bill, back in the early 1980s, we would debate this, and we would debate it and debate it. The editorial writers in this country, primarily from the most established newspapers, were very critical of my notion that we should vastly increase the number of cops. They would write editorials. One—I think it was one of the major papers, the New York Times, Washington Post, LA Times, but I don't recall which—said: Been there, done that.

Well, the truth is, we were never there. The truth is, for the previous 20 years, before the Biden crime bill, we did not add appreciably to the number of cops in America. If my memory serves me, in the 20 largest cities in America over the previous 20 years, although crime had grown significantly, we only added about 1 percent more cops than existed 20 years earlier. We had never done this before.

After all the hearings I held as chairman of the Judiciary Committee, being exposed over all those years to the leading criminologists in the country, the psychologists, psychiatrists, law enforcement officers, social workers, all the experts, I came away convinced of only a few things.

One is, if there is a cop on one corner of the street and no cop on the other corner and a crime is going to be committed on a corner, it is going to be committed where the cop is not. Sounds pretty basic. It is basic. This single most important reason why, beyond the sheer numbers, this COPS Program has worked, in my view, is because in order to get Federal money to hire local cops under this program, local law enforcement departments had to decide, as my friend from Virginia knows, to set up community policing. When he was Governor, he talked about this. When he was Governor, a lot of

the Governors and mayors knew about this.

It was hard to do. Cops didn't want to get out of their cars and walk on the beat, figuratively and literally. There was resistance. So we said: Look, if you want another cop paid for in part by the Federal Government, your whole department has to be a community policing department. You have to go back and interface with the community. You have to know who owns the corner store. You have to know who lives in the house in the middle of the block. You have to know where the drug trafficking takes place. You have to know where the gymnasium is where the kids hang out. You have to know where the swimming pool is. You have to know the people.

And so one of the reasons, I argue, for the extraordinary success of the program is not merely the added numbers of cops but because of the way in which they are required to utilize their existing police forces in order to get any new cops.

Now, granted, in one sense this is a small victory in that it only continues the program through the time it was intended to continue it.

I hope we can reach some bipartisan consensus before we get to fiscal year 2001 to extend, as my friend from New Hampshire has proposed in an amendment we will vote on later today, the violent crime trust fund that pays for these cops, the Federal share. I hope we can get some bipartisan support on extending the program that continues to put more local law enforcement on the ground with the help of Federal dollars.

I will reserve the remainder of my time in a moment, but I want to make it clear that I truly appreciate the willingness of the Senator from New Hampshire to reinstate, at least in part, the funding for this program which would allow the office to continue through the year 2000. I see my friend has risen, and I am happy to yield to him at this time.

Mr. GREGG. I thank the Senator from Delaware. I appreciate his fine comments. We are going to accept his amendment at the point when all the folks who want to speak on it have had an opportunity.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. I yield 10 minutes to my friend from New York.

The PRESIDING OFFICER. The Senator from New York is recognized.

PRIVILEGE OF THE FLOOR

Mr. SCHUMER. Mr. President, I ask unanimous consent that Ben Lawskey, a detailee from the Judiciary Committee, be granted full floor privileges during the remainder of consideration of S. 1217.

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

Mr. SCHUMER. Mr. President, I am proud to join my colleagues, the Senator from Delaware and the Senator

from Virginia, in offering this amendment to preserve the COPS Program for fiscal year 2000.

Three days ago, we received the latest news on crime in America, and the news is good. According to the latest National Crime Victimization Survey, nonfatal, violent crime fell 7 percent from 1997. Other figures recently released by the FBI indicate that murders dropped about 8 percent between 1997 and 1998. Overall, the Nation's crime rate has fallen more than 21 percent since 1993 and now is at its lowest level since 1973.

My home State of New York has been a shining example of crime reduction. Crime is down from one end of New York State to the other. In Buffalo, it has fallen by more than 30 percent; in Albany, it is down 24 percent; in Nassau County, it is down 24 percent; in New York City, overall crime declined 44 percent and murder dropped more than 60 percent.

Why the continued good news on crime? Well, I would be happy to concede to those on the left that a strong economy has something to do with it. I would be happy to concede to those on the right that tougher punishment for violent offenders and aggressive crime fighting by both Republican and Democratic mayors have played a significant role. But just as clearly, enhanced community policing and the COPS Program deserve their share of the credit.

I say to anyone in America, ask your local police about the drop in crime in the neighborhoods they patrol. Ask the local neighborhood and civic associations. They will tell you, inevitably, about new partnerships between police and neighborhood residents. They will tell you about successful efforts to deter vandalism, loitering, and disorderly conduct—the seeds of more serious neighborhood deterioration.

As pleased as we all should be about the crime fighting successes of the past years, now is no time to stand pat. Old and new law enforcement challenges require us to maintain our vigilance and our efforts. Indeed, the war on crime is sadly a war that never ends. The surest way to prevent a return to the bad old days of untamed streets and unsafe schools is to do what works: Yes, lock up violent offenders; yes, invest in prevention programs; and yes, hire and retain community policing officers.

When I authored the COPS Program in the House of Representatives and worked with the Senator from Delaware—we worked in tandem then because I was a House Member and he a Senator—I knew that not only the increased number of police, but the change in the type of policing, to community policing, was going to work. And work it did.

There is almost unanimous agreement from law enforcement, from people on both sides of the criminal justice argument, on the left and on the right, that the COPS Program has been a shining success. So when I read the

words in the committee report, “The Committee directs that from within available funds the COPS office close by the end of the fiscal year 2000,” I was distressed, perturbed, and I was shocked because this is a Government program that works. This is not an ideological program, and it has such broad support.

The police agencies, the mayors, and town councils that have put COPS funds to such good use over the past 6 years felt the same way. I have received many letters from New York police chiefs and mayors over the past few weeks about this appropriations bill, and every one contains a similar refrain: Please keep the COPS Program in business.

As the Senator from Delaware knows, we made special efforts when we wrote the law to make sure small towns, villages, and counties were included. There was a special set-aside so that not all the money would go to the big cities. I was then a city representative—and, of course, I represent the whole State—representing the people who were most fervently for the program, the small town mayors and local county people, who could not have afforded these police but for the COPS Program.

It also has let us accomplish so much. In addition to hiring officers, it purchased new technology and implemented innovative programs to stop domestic violence, all because we created in this program the flexibility that if you could take cops off the desks and put them on the streets, patrolling the streets, it would work.

Well, 10,505 newly funded officers later, even the most skeptical New Yorkers—and we have many skeptics in our State—are converts to the cause of the COPS Program.

I am proud of this amendment which would keep the COPS Program in business for this fiscal year, negating the report language to the contrary. That is certainly an improvement over the committee's bill, which didn't provide any funding of the program. At the same time, I believe the COPS Program deserves even greater funding for fiscal year 2000 than provided in this amendment because fighting crime is a key to building strong communities. In my State, many of the communities have rebounded, including New York City, because it is much safer.

So I believe it should be a top priority for this Congress to reauthorize the COPS Program. Senator BIDEN and I already tried to do it as an amendment to the juvenile justice bill. We will soon introduce, along with the Senator from Virginia, Mr. ROBB, a freestanding bill to reauthorize the program, and we will not rest until we get the job done.

But this is an important step forward. I congratulate my friends from Delaware and Virginia for their hard work on the issue. I also thank my friend, the Senator from South Carolina, Mr. HOLLINGS, for his invaluable

assistance with this amendment. Again, we will not rest until we get the job done.

Mr. BIDEN. Mr. President, I yield 10 minutes to my friend from Virginia.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, first let me thank my friend and colleague from Delaware, as well as my friend and colleague from New York, for their support.

As a cosponsor of the Biden amendment, I would like to express my strong support for the effort to preserve and restore funding for the COPS Program.

I believe many of our colleagues share my view that protecting our Nation's citizens from all enemies, foreign and domestic, is a critical obligation of the Federal Government. We are committed to try to make all of our communities safer from the threat of crime. Today, by supporting this amendment and the COPS Program, all of us can make good on this commitment.

The Biden amendment will prevent the COPS Program from expiring as the underlying bill provides. Over the next year, the \$495 million in funding provided by the amendment will put 1,500 new officers on the beat, hire 2,400 school resource officers to reduce violence in schools, keep hundreds more officers out in their communities rather than behind their desks, purchase bulletproof vests, and provide better communications equipment and technology. In short, this amendment will make a difference to the safety of our communities.

I am particularly gratified to see the resources devoted to school safety. Even before the tragic killings in schools across the Nation, I worked to amend the Commerce-State-Justice appropriations bill in 1997 to permit the use of COPS funding for school safety grants. The following year, with the help of Senators GREGG and HOLLINGS, we expanded that program. As a result, this year more than \$167 million in school safety grants, including funding to hire school resource officers, is going to communities across the Nation.

More generally, the Community-Oriented Policing Services program, or COPS, is one of our best strategies for fighting the war on crime. The rationale is straightforward, and the results are impressive. In the simplest terms, COPS funding means more police on the beat, which means less crime.

The dynamics of COPS in community policing are, of course, more complex. The goal is not simply more bodies but better neighborhoods. By giving law enforcement the resources to actively engage their communities, we develop trust and better communications; we allow officers to be proactive and prevent crime before it occurs.

The bottom line is that the COPS program works. This Nation has the

lowest crime rate in 25 years. The murder rate is at the lowest point in 30 years.

In my home State of Virginia, we provided funding to put nearly 2,000 additional officers on the streets. As we have added those officers, we have seen a drop in crime. Between 1992 and 1997, murders declined by 17 percent in Virginia Beach, by 30 percent in Norfolk, and by 48 percent in Newport News.

With these statistics, it is not surprising how many are urging the Senate to step up to the plate again. My colleagues have already mentioned the many organizations asking us to continue COPS funding, including the Fraternal Order of Police and the United Conference of Mayors.

In a letter to Majority Leader LOTT, Sheriff Dan Smith, president of the National Sheriffs Association, stated:

It is imperative to effective crime control that the COPS program survive. It is a program that is vital to effective law enforcement, and to sheriffs in both rural and urban jurisdictions.

I urge my colleagues to support the Biden amendment. We should not be satisfied with the lowest crime rate in 25 years. We should work for the lowest crime rate ever. This important amendment will help us to achieve that goal.

I again thank my distinguished colleague from Delaware for his continued leadership in this important area. I am delighted to work with him and with others, and I look forward to the continuation of this vital program.

I yield any time I may have remaining to the principal sponsor of the amendment, the Senator from Delaware.

Mr. BIDEN. I thank the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I now yield 5 minutes to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I thank my distinguished colleague, the Senator from Delaware, for yielding me this time.

I am pleased to be a cosponsor of this important amendment to restore funding for the successful COPS Program. We know it works and it should be continued. Later on, I will also be offering an amendment to restore funding for the Edward Byrne Memorial Grant Program—another vital resource for local law enforcement.

I voted against this bill in committee for one main reason: it drains the critical funding needed by our local and state law enforcement to help them do their jobs—to fight the drug problems in our communities and to keep our streets safe. The bill before us cuts the Byrne grants by more than 18 percent. The local law enforcement block grant is cut by 24 percent. Neither of these cuts makes sense.

Our communities need them to beef up their drug and violent crime task

forces. These grants go straight to the state and local agencies. Why would they be cut? Violent crime has gone down, but does that mean we should give up the fight? Drugs and crime are a continuous battle and now is not the time to let up.

I've received dozens of letters from Iowa police chiefs and sheriffs describing the kind of setbacks that they would suffer if these cuts go through.

This amendment which restores just about a third of the fiscal year 1999 level funding for Community Oriented Policing Services Program, would be a good first step to giving our local communities the support they need to do their jobs. Police chiefs and sheriffs from across the country have told us loud and clear—the COPS Program is one of the 1994 Crime Act's most effective programs.

Consider this: Serious crime is retreating all across the United States. Since the COPS Program began, violent crime across the nation has dropped 21 percent—in part because local law enforcement used these federal grants to hire more officers to keep our streets safe, and to upgrade their operations with new technology. In Iowa, the murder rate has plummeted 34 percent from last year. Now is not the time to cut back on our efforts to fight illegal drugs and violent crime.

Rural America will pay the heaviest price if this amendment is not adopted. The COPS Program made a special commitment to include small towns and rural areas. Half of all COPS funding goes to agencies serving jurisdictions of under 150,000 in population. And its making a difference. I hear it all the time from sheriffs and police chiefs throughout Iowa.

I got a letter just the other day from Police Chief Douglas Book of Forest City, Iowa—a town of 4,500 people. He said zero-funding COPS would be detrimental to his operation. He wrote:

\*\*\* COPS, by the addition of one officer, has allowed us to provide a school resource officer for 20 hours per week. Something that was non-existent before COPS. Through the addition of the COPS funded officer we were able to be proactive in various areas of our community. One very successful operation resulted in a 75 percent drop in juvenile assaults \*\*\* This funding literally deals with the quality of life in America. Results, not politics, must be the guiding factor \*\*\* COPS works. Fund it. [Douglas Book, Forest Hill Police Chief, 6/23/99]

Here's another letter I received from Coralville, Iowa Police Chief Barry Bedford:

Without the COPS Program, we would not have been able to keep up with the tremendous increase in the calls for service and crime-related activities, nor would we be able to obtain the vitally needed mobile data computers. This is a program that needs to continue if we are going to keep our communities safe.

The chiefs are right. Community policing works. It's a flexible program that is responsive to law enforcement needs. More cops on the beat have an undeniable effect on crime and a community's sense of security.

Funds to hire more than 100,000 officers have been awarded since 1994 by the COPS to more than 11,300 state and local law enforcement agencies across the nation. That's more than half the policing agencies in the country. As a result, these officers are joining agencies that serve more than 87 percent of the American public.

Iowa alone has received over \$37 million to hire 544 officers. COPS funds have also been used to put computers in police cars in Dubuque, help officers in Grundy Center deal with vandalism and help Waterloo police fight drugs. COPS grants have helped community and county police departments hire civilians to do paperwork so more officers can be out on the streets. In short, COPS has made our streets and communities safer.

It makes no sense to block such a successful program that directly benefits our communities and makes them safer for our families. While crime is down—this is not the time to claim victory and retreat. So I urge my colleagues to support our amendment that restores this crucial law enforcement funding and I also urge that any language in this bill that mentions closing down the COPS office this year be deleted.

I compliment my colleague from Delaware for being a great leader on this program. This amendment should be supported and adopted if we truly want to support our police officers and our sheriffs' departments throughout this country.

I yield the floor.

Mr. BIDEN. Mr. President, I thank my friend from Iowa, and I compliment him for his continued support and early support for this program.

I now yield 5 minutes to my friend from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from Delaware. I am delighted to join with him as an original cosponsor of the amendment. I am pleased to work with him with respect to this question of the funding of the COPS Program nationally.

As the Senator from Delaware knows well, back in 1994 I brought the original amendment to the floor for the 100,000 police officers at a time when people said we weren't going to be able to find the money.

We managed to reach an agreement through the ingenuity of the distinguished Senator from West Virginia, Mr. BYRD, and an agreement with Senator GRAMM back then to split some money with respect to prisons, which ultimately became the foundation of a rather remarkable increase in funding for police officers on a national basis.

The Senator from Delaware, then chairman of the Judiciary Committee, had spent many long years working and fighting to recognize the need to have police officers in the streets of America. My own experience as a former prosecutor brought me to the

Senate with a long-term understanding of and commitment to the notion that crimes usually aren't committed right in front of a police officer. On too many streets in America, and too many corners of our communities, we were literally, only a few years ago, abandoning those streets to criminals. The ratio of police officer to a felony was diminishing. Felonies were going up; the police officers were going down. And there was a direct correlation to the disorder, even the chaos in some places, that we were inheriting as a result of the lack of capacity for enforcement.

Having run one of the largest district attorney offices in America, one of the 10 largest counties in the country, Middlesex County in Massachusetts, I learned firsthand it is not just a police officer on a street at a particular moment of time who is going to intercept a crime or break up a fight or provide order; those police officers who make arrests have to go to court. They have to be able to testify in cases. They have to have time to investigate cases. It takes an enormous amount of street work, of nonvisible work, to be able to adequately staff and supply the police force of the country, the investigative capacity of the country, in order to bring cases.

We too often were losing cases because we couldn't bring the officer to court. The officer needed to be out on the streets because of the shifts. Judges would dismiss cases because prosecutors were failing to put them together in time to meet the swift and speedy prosecution standards.

Finally, we got people to understand that it makes a difference to have a police officer walking a beat. That is another problem that occurred in America for a long period of time. We put police officers in a car; they drove around; criminals could pretty well predict when the car was going to come through. The car created a barrier between the officer and the street, so to speak. People didn't build relationships. They didn't build relationships with good citizens in the community, and they also didn't build relationships with bad citizens from whom they often learned who may have done one thing or another against the law.

Through awareness of that in 1994, we began an effort to put police officers back on the streets of America, to build those relationships, and to provide our departments with the indispensable foundation on which the life and economic development of a community exists. That is called the opposite of chaos. It is peace. That is why they are called peace officers.

The fact is, we have been on a wonderful trend line, an extraordinary trend line, where crime has been going down. Most violent crime has been going down, although not all; there are a couple areas that have gone up in the last year. The fact is, the kind of threat the average citizen felt in their community has diminished. In commu-

nity after community after community, all across this country, police chiefs, police officers, mayors, everybody involved in the effort to provide order, will share stories of the remarkable ways in which the community policing program has made a difference in the lives of our fellow citizens.

It is extraordinary to me that plans were laid in the original Republican budget to eliminate funding for this, one of the most successful programs that we have had.

If you look at the city of Boston in the 1990s, we had a gang epidemic. There was a surge in youth violence. The Boston Police Department responded by developing a very innovative youth violence task force, an aggressive intervention strategy, and a program to control trafficking of firearms. However, much depended on the \$750,000 COPS anti-gang initiative grant. That has become a model program in the country. Countless police chiefs and others have used that program as a way of instituting a similar effort in their own cities.

Every year since 1993, the number of juveniles killed by guns has decreased, a 60-percent decrease from 1990 to 1998. From July 1995 to December 1997 not one youth was killed with a firearm.

The rate of violent crime involving a firearm has decreased 43 percent since 1995. Property crime has dropped to its lowest levels since the 1960s and has been cut in half since 1990. House break-ins and car thefts have also hit a 35-year low.

The federal assistance through the COPS program has given local communities like Boston the tools to fight crime effectively. This makes our streets and schools safer, our homes more secure and improves the quality of life for everyone. In 1997, a Boston Public Safety Survey found that more than three-quarters of the residents feel somewhat to very safe alone in their neighborhoods at night, an increase of close to 20 percent just since 1995. Feeling safe to walk the streets is a right, not a privilege for those who can afford it. Every community deserves the type of security that Boston residents currently enjoy. The COPS program has played an important role in fostering that security.

Listen to what Paul Evans, Commissioner of the Boston Police Department, has had to say. In a letter to me, which I will now read, Paul reminds us that

Over the past five years, the COPS office has been a strong and effective partner in our efforts in Boston, and in cities across the country. COPS funds have supported the hiring of 109 new officers like Jamie Kenneally, who has quickly become a community fixture, walking his beat and serving as a one-man-anti-crime unit on Centre Street in Jamaica Plain.

Mr. President, other COPS initiatives have supported Boston's internationally recognized youth violence strategy, which yielded a 75-percent decrease in youth homicides. Also, COPS supported the citywide Strategic Plan-

ning and Community Mobilization Project that brought together more than 400 police and community stakeholders to create partnerships for public safety that have been replicated in communities across the country.

The effects of the COPS programs in Boston have been replicated across Massachusetts and across the nation. Here is a letter from Edward Davis, Superintendent of Police in Lowell, Massachusetts. In the letter, Superintendent Davis says the Lowell Police Department has seen a dramatic decrease in crime and the fear of crime over the past six years. Violent crimes have decreased more than 60 percent as a result of the hard work of police officers, citizens, and the support of the Federal Government.

Paula Meara, Chief of Police of Springfield, Massachusetts believes that COPS funding has unquestionably improved the quality of life for Springfield residents. In 1997 and 1998, Homicides in Springfield have declined by 40 percent and serious crime has dropped by 12 percent. Chief Meara believes that any reduction in funding for the COPS program will have catastrophic results and will be detrimental to the quality of life for every resident in Springfield.

The COPS program has been a demonstrated success in Massachusetts and across the nation. It deserves continued federal support. Adopting the Biden amendment is a good first step toward continuing federal assistance for local communities. However, there is much more that we need to do. First, we must find additional funds for the COPS program in conference to insure that communities that are currently plagued with crime and violence can fight back with a cop on the beat. Second, we must continue to work with local police departments to develop innovative community-based approaches to fighting crime. This approach will help allow every community free itself of the crime and violence that lowers the quality of life and limits economic development. Mr. President, it is time we end the debate of whether to fund the COPS program, and move onto the far more important question of how to enlarge and expand this successful program for the challenges before us today.

I ask unanimous consent a series of letters from police chiefs with respect to that program be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

BOSTON POLICE DEPARTMENT,  
Boston, MA, July 14, 1999.

Hon. JOHN F. KERRY,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR KERRY: I am writing to express my urgent opposition to efforts in the Senate to eliminate funding for the COPS Office. Like you, I strongly support Senator Biden's amendment to restore that funding.

Over the past five years, the COPS Office has been a strong and effective partner in



our efforts in Boston, and in cities across the country. COPS funds have supported the hiring of 109 new officers whom we could not otherwise have put to work in Boston's neighborhoods, officers like Jamie Kenneally, who has quickly become a community fixture, walking his beat and serving as a one-man anti-crime unit on Centre Street in Jamaica Plain.

Other COPS initiatives have supported Boston's internationally-recognized youth violence strategy, which yielded a 75 percent decrease in youth homicides. Also, COPS supported the New England Regional Community Policing Institute, which is a training consortium led by the Boston Police Department and that delivers state-of-the-art community policing training across the region. As one of its first initiatives in Boston, COPS supported our citywide Strategic Planning and Community Mobilization Project, that brought together over 400 police and community stakeholders to create the partnerships for public safety that have been replicated in communities across the country. COPS supports our initiatives in reducing domestic violence and other key areas of our mission.

The COPS Office is a major success story from the 1994 Crime Act, which you were so pivotal in enacting. I add my voice to what I know is a chorus of police executives who want this important work to continue.

Please let me know if there are other ways I can support Senator Biden and you in your fight to save COPS.

Sincerely,

PAUL F. EVANS,  
Police Commissioner.

LOWELL POLICE DEPARTMENT,  
Lowell, MD, July 15, 1999.

Hon. JOHN F. KERRY,  
U.S. Senate,  
Boston, MA.

DEAR SENATOR KERRY: The Lowell Police Department (LPD) has seen a dramatic decrease in crime and the fear of crime over the past six years. Part I Crimes have decreased by over 60% as a result of the hard work of police officers, citizens, and the support of government officials. This support is most evident by the resources provided by the U.S. Department of Justice Community Oriented Policing Services (COPS) Office.

Since 1993, the COPS Office has provided well over 4 million dollars to the LPD for the hiring of sworn and civilian personnel, as well as the implementation of innovative problem-solving initiatives. Through the Universal Hiring Program, Lowell has been able to hire 37 additional police officers, and COPS More allowed for the redeployment of over 30 officers into the community. The Advancing Community Policing Initiative allowed for the development and implementation of innovative training and management initiatives. The Problem-Solving Partnerships grants support youth and neighborhood challenges. Furthermore, the Community Policing to Combat Domestic Violence grant supported efforts targeted and addressing domestic violence citywide.

Equally important is the impact that COPS Office resources have had on law enforcement across the country. The COPS Office has been instrumental in enhancing the profession of policing, and challenging law enforcement to think and act in a more strategic manner. Embedded in all of the COPS grant programs, is an underlying theme of building and strengthening community partnerships with public and private organizations.

It is without reservation that I support the continuing efforts of the U.S. Department of Justice COPS Office and their state and local law enforcement partners. I would be happy

to provide further information from my agency as well as from the citizens of Lowell, Massachusetts if necessary.

Very truly yours,

EDWARD F. DAVIS, III,  
Superintendent of Police.

THE CITY OF SPRINGFIELD, MA,  
July 15, 1999.

Senator JOHN KERRY,  
Russell Senate Office Building,  
Washington, DC.

DEAR SENATOR KERRY: The Springfield Police Department is a community oriented, full service, municipal Police Department. Community Policing was initiated in a pilot area of Springfield in 1993 and was expanded citywide thanks to the assistance provided through funding by the Department of Justice COPS Universal Hiring Grant Initiative. One hundred twenty-eight (128) officers have been hired thanks to the assistance of the Department of Justice and Federal Funding. Nationwide studies proved that traditional law enforcement strategies were insufficient and outdated when applied to today's complex law enforcement issues. After initiating community policing in 1993, the police department recognized immediate positive results. It became clear that when community police officers spent more time and focused more attention on the issues, calls for return service diminished substantially.

Community Policing was implemented "city-wide" in 1995 after a successful trial period, which included several pilot areas. The city was receiving high praise from residents for Community Policing efforts but expansion was hampered due to manpower constraints. The city was still recovering from economic depression and officer lay-offs in 1988. Community Policing in Springfield is both a philosophy and an organizational strategy that promoted new partnerships between people and their police. It is based on the premise that both the police and the community must work together to identify, prioritize and solve contemporary problems such as drugs, fear of crime, social/physical disorder and overall decay with the goal of improving the quality of life in our city. Without sufficient officer staffing Springfield was struggling to answer the constant need for immediate officer response to critical incidents while at the same time allowing officers the time necessary to commit to working with the community. Federal COPS funding provided the funds vital to hiring the essential additional officers to move forward and expand Community Policing in Springfield.

The City is organized into nine Community Policing Sectors. Management and services have been decentralized by transferring Captains out of headquarters into the sectors, assisted by Lieutenants, Sergeants and Officers—all assigned on a long term basis. Investigations have been organized to maximize sector responsibility with investigators from all of the Department's Bureaus assigned by Community Policing Sector. Neighborhood based beat management teams and regular community meetings comprise an essential component of this department's policing initiatives. The Springfield Police Department has worked continually toward enhancing its services to the residents of our city through collaborations with other services providers with the goal of meeting and exceeding citizen expectations. The Department of Social Services, Department of Youth Services, School Department, Springfield Health and Human Services, Department of Code Enforcement, District Attorney's Office, Hampden County Sheriff's Department (Corrections), Juvenile and Adult Probation Divisions, and Parole Department all work with our Community Policing Offi-

cers and have representatives assigned to Community Policing Sectors. Springfield is particularly proud of its Youth Assessment Center—named after Captain Joseph A. Budd, who commanded the Youth Aid Bureau and championed youth causes for many years. The Center became operational in 1997 and is among the first of its type in the nation. Funding supplied through the COPS Universal Award made this center possible. Any reduction in funding this center, which has become a national model, would jeopardize the health and welfare of our city's youth. It represents a collaboration of police and other major agencies, working together to better serve our city's children. Its primary focuses are: Early Intervention, Youth Diversion, and Prevention. Among the agencies that work with Youth Aid personnel at the Center on a daily basis are: Springfield School Department, District Attorney's Office, Department of Youth Services, Department of Social Services, Department of Youth Services, and the Center for Human Development (Project Rebound). Children in need of services, or youths that surface with law Enforcement Programs are brought to the center and not to the police station. At the center, trained investigators gather data relative to health, school and home issues—relating to drugs, sexual abuse, and domestic violence. If necessary, immediate and direct referral to the appropriate agency for assistance is provided.

COPS funding has provided officer staffing levels vital to proactively target the issue of school violence. Springfield has nineteen (19) officers and one Sergeant assigned full-time to patrol our Springfield's fifty-five (55) schools. These officers work with school officials, and numerous other service agencies to prevent incidents of violence. Student Support Officers are specially trained in mediation techniques and are a resource to school officials and students.

COPS funding has allowed us to develop many diverse programs to improve the quality of life in our Community.

Citizens Police Academy—Since 1996 we have held seven academies with approximately 175 residents attending twelve week interactive training sessions.

COP SHOP—Based on the Citizen Police Academy but directed at high school age youths who have shown an interest in Law Enforcement.

COPS AND KIDS—An after school program meeting three times a week at our Mounted Patrol facility targeting youths at risk, 12 to 14 years of age.

COPS IN SHOPS—Undercover officers posing as liquor store employees to target underage alcohol violations.

Community Chaplains on Call Program—A multi denominational volunteer group of clergy that respond to critical incidents within the City of Springfield and surrounding communities.

S.A.R.A Problem Solving Initiatives—Collaborative efforts by police and other stakeholders to prioritize and combat quality of life issues such as Open Drug Dealing, Auto Theft, Vandalism, Graffiti, and Youth Violence.

COPS Funding has unquestionably improved the quality of life for Springfield residents. Statistics show hard evidence that the Community Policing Initiatives financed by COPS Funding continues to be our most successful efforts to date.

From the period including 1995 to 1996 Springfield experienced 33 homicides. From the period including 1997 to 1998 as Community Policing expanded Springfield experienced a drastic reduction of homicides, with a total of 20. This is a 40% reduction over these two-year periods.

For the first six months of 1999 Springfield experienced one (1) homicide.

From the period 1997 to 1998 Springfield experienced an 11.98% reduction in UCR Part 1 Index Crimes. This category includes Rape, Robbery, Burglary, Aggravated Assault and Auto Theft.

For the same period Springfield experienced an 8% reduction in all other crimes not categorized in UCR Part 1 Index Crimes.

COPS funding is essential to the continued success of the Springfield Police Department's efforts to improve the quality of life for our citizens. Community Policing has become a way of life in the City of Springfield. Any reduction in funding will have catastrophic results and will directly effect public confidence in their Police Department and will be detrimental to the quality of life for the citizens of Springfield.

Very truly yours,

PAULA C. MEARA.

*Chief of Police.*

Mr. KERRY. I thank the Senator from Delaware for his leadership as well as for his courtesy.

Mr. BIDEN. I yield 5 minutes to my friend from Minnesota.

Mr. WELLSTONE. Mr. President, I thank Senator BIDEN for his great leadership on this issue. I hope I am an original cosponsor, and, if not, I certainly ask unanimous consent to be named a cosponsor.

I want to talk about a program that is extraordinarily important to the safety of communities. That's the COPS Program. In 1994, Congress enacted the Violent Crime Control and Law Enforcement Act. This act established a program known today as the COPS Program. This program has had unparalleled success.

The authority to hire officers under the COPS Program expires in fiscal year 2000. Although the President's Budget provided for an initiative that would allow a continuation of support for hiring police, the Senate Appropriations Committee markup does not include such funding.

This is not the time to cut back on funding police programs for our communities. The COPS Program authorized the hiring of 100,000 police officers and allowed states and localities to concentrate those officers on community policing. Funds were used for purposes such as: Training law enforcement officers in crime prevention and community policing techniques; development of technologies that emphasize crime prevention; linking community organizations and residents with police; and developing innovative programs.

In 1998, the COPS Program initiated the Safe Schools and Indian Country law enforcement improvements initiatives. The Safe Schools Initiative included \$167.5 million for partnerships between law enforcement agencies and schools to improve safety in elementary and secondary schools and to hire school resource officers.

Under the Indian country law enforcement improvement initiative funding was available for hiring uniformed officers and assisting with other law enforcement improvements on tribal lands.

Under the COPS Program, the Youth Firearms Violence Initiative was devel-

oped to assist police departments in combating the rise of youth firearms violence.

As a result of the additional police officers in the community and the innovative programs funded by the COPS programs, we have seen historic crime reductions over the last few years. Crime is at its lowest rate in 25 years and has declined for 6½ consecutive years.

The COPS Program is strongly supported by every major law enforcement group. Why? Because it responds directly to their needs.

I want to share with you a number of examples of how different communities in my home State of Minnesota have successfully used COPS funding and how their communities have benefited. The Anoka Police Department has refined its juvenile conferencing program—a program which essentially brings together youthful offenders with the victims of their offenses. The basic idea is that this confrontation will cause the young person to see the consequences of his/her actions and make it less likely to occur again. It also has eased the pressure on the court system.

In short, Police Accountability Conferencing is a non-traditional way of dealing with juvenile offenders. Modeled after a program in Australia, it brings the victim, the offender and their relatives together with an officer, who serves as a mediator, to discuss the ramifications of the offender's actions and decide on a mutually agreeable form of punishment.

This commitment to young people is a classic example of how COPS grants can be utilized effectively.

In addition, Anoka has a COPS officer who is also used as a school liaison officer. During the summer, this officer works with the landlords association in dealing with landlord-tenant issues.

Anoka Police Chief Ed Wilberg views the COPS Program as a very successful one—one which really does help to meet the needs of his community.

In both the St. Paul and Minneapolis, the Police Departments have been able to free up more officers so that they can do proactive work. Because of the COPS Program their work is not limited to responding solely to 911 calls.

For instance, Chief Robert Olson of the Minneapolis Police Department talks about being able to commit "significant additional resources in both police officers and equipment" to address the core cause of crime in Minneapolis. He reports that "The catalyst for helping the city commit to those resources was the Federal COPS program."

Chief Olson further states that

There is still a significant need for federal support of community-oriented policing services . . . Law enforcement needs that federal support . . . and I hope that when these issues are presented that you will consider a continuation of the mission of the COPS Office in whatever form seems appropriate.

In St. Paul, this is what the Chief's office had to say:

The COPS grants have allowed us to hire police officers, increase efficiency through the use of technology, put greater emphasis on our problem solving efforts and enhance the linkage we have with our community. The COPS program is one of the best things President Clinton and Congress has done for law enforcement. We would like to see more funds for technology and support to further enhance our efforts.

In White Bear Lake, a rural community, COPS funding has enabled restructuring so that more officers are in the community. White Bear Lake has divided its community in 19 sub-communities with at least one officer assigned to each community. Quite simply, White Bear Lake jumped light years ahead because of the technology that the COPS grants allowed them to purchase—which has the direct result of police officers being in the community.

In the Shakopee Police Department, the COPS Program has been a godsend to an agency its size. It has allowed the department to hire additional officers in a diverse community that is growing every rapidly.

Within the last few months they were able to hire community service officers to provide services that ordinarily would have to have been performed by sworn officers. This means that additional sworn officers are freed up to do work in the community. Currently the Police Department is working to hire school resource officers. The school district has agreed to help with the cost. This would not be possible without COPS.

Here, I say to Senator BIDEN, is the quote I have been saving for you.

Police Chief Ken Froschheiser of Thief River Falls said that COPS "has been so successful that if the citizens heard that it was going to be pulled, we would be hung." He also said that he jokes with the school district that he really doesn't have two officers, that the school district has two employees.

His school liaison officers are in the school 12 months of the year. They do things like bike patrols and help create block programs which allows his officers to be closer to the community, neighborhood by neighborhood. The COPS Program provided the resources to do the school work that he wanted to do. He also has noticed an increased collaboration with other city and county agencies, for example, the school district, social services and the court system.

The point is simple: under a community policing philosophy, law enforcement agencies recognize the need for cooperation with the communities they serve. Each community has numerous resources that can be used with law enforcement to solve problems.

The Upper Midwest Community Policing Institute, which is funded in part by COPS, is working in partnership with the Minneapolis Police Department to provide outreach and training to the large Somalian community in the Cedar-Riverside neighborhood and the officers who serve them.



In the near future, this Institute will be exploring community policing applications to the problem of domestic violence. Importantly, the Institute is working closely with a large number of Tribal Law Enforcement agencies to provide training and technical assistance. This work has included helping to facilitate the white Earth Tribe and Mahnom County agreement to resolve jurisdictional issues. COPS allowed this to happen. This Institute is an important piece of the COPS picture. It exemplifies the success of a law enforcement approach that is tailored to community needs.

The success of the COPS story goes on and on. COPS provided resources which allowed departments throughout Minnesota to upgrade technology and to redevelop the whole notion of community policing.

At the national level: The United States Conference of Mayors states that the COPS Program has been critical in the significant reduction in crime and that the nation's mayors always cite the COPS Program "as a working example of what can be accomplished when red-tape is reduced to a minimum in favor of results-oriented programming". The nation's mayors urge reauthorization of the program.

The COPS Program also is supported by the National Sheriffs' Association, The International Brotherhood of Police Officers, the National Association of Police Organizations, The Police Executive Research Forum, The National Troopers Coalition, The Major Cities Chiefs, and the International Association of Chiefs of Police.

Mr. President, why would we eliminate such a successful program? This is a time to build on our successes. This country needs additional resources to enhance crime fighting efforts. We need better communications systems in more communities to deter criminals, and to improve the ability of different jurisdictions to interact. We need to provide more communities with state of the art investigative tools like DNA analysis. We need to be able to target crime hot spots by making resources such as crime mapping available to more jurisdictions. We need new community based programs to ensure the safety of our school children.

The COPS amendment being offered today by Senators BIDEN and SCHUMER will enable us to continue the COPS Program which will expire next year. The amendment will support the hiring and training of up to 50,000 more cops over 5 years. It will support new technology to fight crime. It will provide funding for community prosecutors. The amendment puts cops in schools and supports partnerships between schools, law enforcement and the community. Communities and their students feel particularly vulnerable in the aftermath of the Littleton tragedy. It is important to continue our support of the dialogue between schools, law enforcement and the community so that communities can continue to fash-

ion solutions to the problem of school violence.

This program has been a success over the last 5 years. It has benefited communities throughout this nation. It should be continued.

Mr. BIDEN. Mr. President, I yield 5 minutes to the Senator from Nevada.

Mr. REID. Mr. President, as we prepare to agree to this amendment reauthorizing the COPS Program for an additional year, I wish to take a moment to recognize the work of the Senator from Delaware on this issue. The senior Senator from Delaware has offered an amendment that is very important to the country. He also, earlier this year, offered an amendment to the juvenile justice bill to reauthorize this program. That effort, supported by everyone in the minority, was defeated.

Fortunately, though, for the people of the State of Nevada and this country, we had the support of the police officers from all over the country, the district attorneys from all over the country, the sheriffs from all over the country. Law enforcement officers, officials, literally called upon us, their Senators, to express their overwhelming support for the reauthorization of this program. So I extend every bit of appreciation possible to the Senator from Delaware for his persistence and also for his ability to energize law enforcement officials in this country. It is because of their interest and their trust in the Senator from Delaware that we have reached this point.

I have in my hand four pieces of paper filled with the names of cities and towns, Indian tribes, universities from all over the State of Nevada, that have received help from this program, from Bolder City in the far southern tip of Nevada to the Yomba Shoshone Tribe in the northern part of the State. They received grants of money and police officers to allow the State of Nevada to be a more peaceful place.

Hundreds of police officers are now patrolling the streets all over the State of Nevada as a result of the legislation that was previously passed. It is very important we move forward.

I speak as someone who has been a police officer, someone who has been a prosecutor, someone who has defended people charged with crime. I am convinced there are many important ways to cut back on crime, but there is nothing more important than having a police officer seen on the street. A police officer who is known to be in the area certainly will deter crime.

This program is good. We are fortunate we are now having another opportunity to make sure this program goes forward.

Mr. FRIST. Mr. President, I am happy today to support continued funding for the Community Oriented Policing Services, or COPS program. During consideration of the Juvenile Justice Bill in May, I opposed Senator BIDEN's amendment which would have authorized the COPS Program for 5 more years. I took that position because I

felt that Senator BIDEN's proposal, which would have cost taxpayers \$7 billion, needed to be carefully scrutinized in the normal legislative process. His proposal would have more than doubled the current funding authorization, and did not address the serious problems that exist with the current program.

Today, however, I am happy to support continued funding of the COPS Program for FY 2000. Local law enforcement officers from across Tennessee have contacted me to let me know of their support for this program. Tennessee has benefitted from almost \$120 million in Federal funds since the COPS Program began. Police Chief Jamie Dotson of Chattanooga told me that the COPS Program has assisted him in hiring an additional 76 police officers. The police chiefs of Memphis, Nashville and Knoxville all support the program.

I look forward to working with my colleagues on reauthorization of the COPS Program. I want to ensure that we build flexibility into the system, so that communities may use the Federal funds to best suit their needs, be they more policemen in schools, purchase of new technology, bullet proof vests, or overtime payments to keep policemen on our streets fighting crime. Additionally, I want to ensure that we carefully scrutinize the program to eliminate waste of scarce taxpayer resources. I am grateful that my colleagues have been able to work out a compromise so we can continue to fund this program, and I am proud to continue my support.

Mr. FEINGOLD. Mr. President, I rise today as a proud co-sponsor of the amendment offered by my distinguished colleague from Delaware, Senator BIDEN. Despite the proven track record of the Community Oriented Policing Services (COPS) Program and widespread support from the law enforcement community, the current version of the Commerce-Justice-State appropriations bill almost completely eliminates this important program. Senator BIDEN's amendment, however, corrects this terrible flaw in the bill. It would preserve the Office of Community Oriented Policing Services and fund the hiring of roughly 1,500 police officers through FY 2000.

Since its inception in 1994, the COPS Program has provided an unprecedented level of resources to communities across the nation in the fight against crime. The COPS Program has awarded \$6 billion to 11,300 communities to fund the hiring of more than 100,000 police officers. The addition of 100,000 police officers represents a nearly 20% increase in the number of officers on the streets. And more cops on the streets means lower crime. Crime is at its lowest rate in 25 years and has declined for seven consecutive years. The COPS Program has a lot to do with that happy statistic.

What is community policing and how has it reduced crime? Community policing is a law enforcement strategy

that emphasizes establishing community partnerships, putting more officers on the street, decentralizing command functions, and promoting innovative, community-oriented strategies to prevent crime. With the recent wave of schoolhouse shootings like those that occurred in Littleton, Colorado and Jonesboro, Arkansas, there is a growing sense among Americans that we are no longer safe in our homes, in our schools, in our communities. One sure way to reduce crime and restore peace of mind is through community oriented policing. The COPS Program does just that.

COPS has had a positive, and very tangible, impact on communities throughout the country, including in my home state of Wisconsin, by putting more police officers on our streets and making our citizens safer. In the state of Wisconsin alone, the COPS Program has funded the equivalent of over 1,100 new officers and contributed roughly \$70 million to communities to make it happen. The COPS Program has succeeded because it helps individual officers to be a friendly and familiar presence in their communities. They are building relationships with people from house to house, block to block, school to school. This community policing helps the police to do their job better, makes the neighborhoods and schools safer and, very importantly, gives residents peace of mind.

The current Commerce-Justice-State appropriations bill, however, threatens the progress in community policing and the reduction of crime our nation has seen in recent years. First, it eliminates the federal funding for local law enforcement to hire additional, needed officers. Second, it eliminates the COPS office and transfers the administration of technology and school resource officer grants to the Office of Justice Programs. This is absurd and ignores the success of the COPS Program.

As I travel through Wisconsin and talk to sheriffs, police chiefs and other law enforcement officers, I hear the same refrain, time after time: the COPS Program is vital to their work and has enabled them to get more officers out from behind their desks and onto the streets. I agree. The COPS Program has been a shining example of an effective partnership between local and Federal Governments. It provides federal assistance to meet local objectives. It does not interfere with local prerogatives. It does not impose mandates. The program provides funding to counties, towns and cities to enable communities to put more police on the street. Individual police and sheriff's departments have discretion over how those funds are used, because they know what problems their communities face and the places they need help most.

Mr. President, zero funding for hiring officers means fewer cops on the streets. Shutting down the COPS office

means local law enforcement will lose the ability to participate closely in determining what funds they receive and how they are used. Senator BIDEN's amendment, however, would provide for continuing the much-lauded COPS Program to ensure that we have an additional roughly 1,500 police officers in our communities in Wisconsin and throughout the nation. I urge my colleagues to join me in supporting this amendment and continuing our drive to put more police officers on the streets and to reduce crime in our communities.

I yield the floor.

Ms. SNOWE. Mr. President, I rise today to thank the Chairman, Senator GREGG, and the Ranking Member, Senator HOLLINGS, for accepting the one year extension of the Community Oriented Policing Services Program. This extension, being offered by Senator BIDEN, with my support, will allow communities in Maine and across the country, to continue receiving assistance from this very successful program.

The COPS program was created in 1994, when President Clinton signed into law the Violent Crime Control and Law Enforcement Act. Not only does it provide grants that help communities hire additional police officers to help with the war on crime, the COPS Program also provides funds to acquire new technologies and equipment and provides police with opportunities to work with schools to address persistent school-related crime problems. This program is so worthwhile that one of Maine's police chiefs said it is one of the most innovative programs he has seen in his thirty-five years in police work.

Since its creation, COPS grants have been awarded to more than half the policing agencies in the country. In Maine there are an additional 258 police officers in 90 city and county police forces as a result of the COPS Program. All across my state, from the Androscoggin County Sheriff's Department to the Town of Ft. Kent and from the Kennebunk Police Department to the Washington County Sheriff's Department, I am proud that the State of Maine has been able to utilize almost \$18 million in COPS program funding to hire these new police officers. These new police officers have helped reduce the amount of violent crime in Maine and across the country. In fact, since 1994, violent crime in America has fallen by 13%.

By restoring \$495 million for Fiscal Year 2000, the Community Oriented Policing Services program will be able to fund the deployment of almost 4,000 more police officers. These new additions to the front lines of the war on crime will allow our communities to continue to reduce violent crime in America.

Again, Mr. President, I appreciate Senator GREGG's willingness to accept this amendment.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Delaware.

Mr. BIDEN. Mr. President, I will make a few brief comments, and I am prepared to yield the remainder of my time. I thank my friend from New Hampshire for accepting the amendment.

This was part of an original bill called the Biden crime bill at the time. At the time, when we introduced the notion of all these new cops partially being paid for by the Federal Government, I was told a couple of things. One, local authorities would not like it because they would have to come up with part of the funding. Two, it would be cumbersome to administer. Three, we would find ourselves in the position where it really wouldn't make much of an impact on the community.

I suggest the reason I wrote the bill the way I did originally was to take into consideration all three of those concerns. First of all, everyone will know, from their home States, that there is no redtape in this program. The day after we passed the crime bill in 1994 in my office, I sat with the Attorney General of the United States and her staff, and, to her chagrin, I said we must get this application down to one single page. They looked at me as if to say: What do you mean, one single page? That is not possible for a Federal program which is going to cost \$30 billion. But that is what it is. It is a page. That is the reason why there is an infinitesimally small portion of this COPS Program and the crime bill program money being spent for administration.

The second thing was, I remember my friend from South Carolina telling me at the time: If you don't do this the right way, this is going to get hung up in every State. That is why we didn't send this money to Governors. The Presiding Officer is a former Governor. We love former Governors. But this doesn't go through State legislatures. The local police chief in Columbus, OH, does not have to convince anybody in your State capital they need more cops. They can go directly to the source.

From a little town in Massillon, OH, they can go straight to the source. They do not have to go to the legislature; they can go straight downtown after their city council in Dover, DE, Smyrna, DE, Wilmington DE. It enabled local law enforcement agencies to determine their own needs and thereby eliminate the waste. By the way, I got in trouble with Governors for writing it that way, for not sending it through State legislative bodies.

The third thing it does, and there was criticism of this when it was done, it says you do not get any money unless you have a certain kind of police department. What do you have to do? If you have 10 cops in your police department, you cannot fire two and apply for Federal money to hire them back. That is what was done under the

LEAA, the Law Enforcement Assistance Act, when I first got here. This program said there was a maintenance of effort. We would help you get the 11th cop, but you couldn't cut it to 9 to go back to 10.

We said: By the way, you have to have a community policing operation. Why is that important? Mayors and Governors do not want community policing. It is harder to do. It costs more money. The cops organizations—I love them all—didn't want it. It costs more money. If I am a cop in a tough district, I would rather be riding in a patrol car with another guy than I would be walking through by myself. So they did not want it. We said: No money unless this gets leveraged. If you have 10 cops and you want one of ours to raise your force to 11, all 11 have to be community cops. That is the key.

Why do I say this? If the Federal Government gets out of the business of helping here, it will not only be the loss of the money; I predict it will be the loss of the willingness to maintain community policing even though it works, even though every mayor knows it works and every county official knows it works. It is expensive and it is hard. Mark my words: The day the COPS Program ends, initially 5 percent, 10 percent of the communities in America will go away from community policing, and 10 years from now we will be back to where we were.

That leads to my second concluding point. People said back when the original bill was written: BIDEN, why are you only doing it for 5 years? I said, one of two things are going to happen. Maybe at the end of the 5 years those of us who support this concept are going to be right; it is going to be proven, as in the old expression, the proof of the pudding is in the eating. At the end of the 5 years, the pudding either tastes good or it tastes bad. If it tastes bad, all the king's horses and all the king's men will not keep the COPS Program going because it will be branded for what it is, a waste of time and money. But if the pudding tastes good, all the king's horses and all the king's men cannot stop it from being reauthorized for another 5 years.

So far, the king's horses and king's men have stopped it from being authorized for another 5 years. It is a different issue. It is different than continuing it for this next year. But I want to say, I think the proof is in the eating. Our streets are safer. Go out and ask any of your mayors, any of your county executives, any of your town councils, any of your police departments. You come back and tell me anyone who said: Eliminate this program. They may have suggestions to make it better, and we should listen to them but not eliminate it.

This leads me to my exact last point. I am a Democrat. I take great pride in the fact that I wrote this bill. Originally, it was the Biden bill. When it passed and became law, I remember saying to President Clinton: Let's call it the Clinton bill.

We lost the Congress that year, and he thought we lost the Congress in part because of the gun amendments. He said: Keep it the Biden bill.

It started working really well, and now it is the Clinton bill. It is good it is the Clinton bill, but I want to make this the Republican bill, and I mean this sincerely. I want COPS to become like Social Security has become. Initially, Republicans hated Social Security and they were against it. Roosevelt came along, and Democrats supported it. Over the years, they have not only become politically committed, they are as committed as we are. They really understand how important it is, but for a long time it was not invented here.

This COPS bill was bipartisan in its inception. When the first so-called Biden crime bill that had this in it originally passed out of the Senate, it was called the Biden-Hatch crime bill until it got to the other side. Gingrich did not like the look of it politically, and even though it passed in the Senate with 97 votes originally—what passed the Senate originally was the same thing that ended up becoming law. It had 97 votes originally. It went over to the House of Representatives, and when it came back, I had to get seven Republicans to pass it. Only seven Republicans voted for it.

From that point on, the bad news about the crime bill has been: We Democrats beat our chests about how we did it, and the Republicans did not, which is literally true. And the Republicans have said: My Lord, we can't continue to support a program from which the Democrats are getting such benefit. Let's end this.

Let's go back and pretend this was part of the crime bill that passed out of here, which it did, with 97 votes. This is a bipartisan idea, and my plea is let continuing the program through its authorization period of the fiscal year 2000 be the first step, and the second step, that Republicans and Democrats join together and reauthorize for another 5 years this program and reauthorize for another 5 years, as my friend from New Hampshire has suggested, the trust fund.

It is time—and I know this sounds ridiculous in this atmosphere—to take the politics out of this. This is working. There is enough room for all of us to claim credit. There is enough room for everybody to say, look, listen to what Ronald Reagan used to say when he first became President: If it ain't broke, don't fix it. This ain't broke.

Now let's put a Republican stamp on it and a Democratic stamp on it—an American stamp—just as we do on Social Security. We will be doing the Nation a great favor, and maybe, just maybe, we will get back in the habit a little bit of cooperating as Democrats and Republicans.

I thank my friend from New Hampshire for being willing to accept the amendment. I appreciate his accommodation in allowing us to speak to it in

spite of that, and I truly look forward to the possibility that in the coming months we will be able to move beyond this and have a bipartisan—a Republican amendment. I will sign on to a Republican amendment reauthorizing this and call it the Republican crime bill. I do not care what we call it. I sincerely mean that. But let's keep a good thing going.

I thank my friend, again, very much. I thank my friend from South Carolina who, when this bill was being written 5 years ago, was the major engine behind it. He was the one who allowed it to get through the committee in the first place.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I yield myself such time as I may take on this. I appreciate the comments of the Senator from Delaware and his commitment to this program.

The committee's decision to end this program was based on a number of factors. The first factor was our allocation, which was so low. We had to simply apply resources where we thought they were most needed.

The second factor was basically, in our opinion, the administration had taken the money to fund the COPS Program from some other very important law enforcement initiatives. For example, the administration did not fund the additional 1,000 Border Patrol which we think is critical. They did not fund the expansion of strike team efforts by the DEA. They did not fund the Boys and Girls Clubs initiatives. They did not fund the juvenile block grants. They did not fund the local law enforcement block grants. They did not fund the interagency drug enforcement grants. The money which came out of those accounts was essentially used to expand the COPS Program.

The funding which this committee has made to the COPS Program has been extraordinary, and it has been strong over the years. In fact, the original program called for 100,000 cops. This committee has funded 105,000 cops over the years and with our final funding we had in place.

We also as a committee, with the support of the Senator from South Carolina, initiated aggressive programs of mentoring in schools using police officers. We think this is an important effort, and in our bill we expanded that amount. That is how we arrived at the number we did.

I am willing to look at the extension of the COPS Program, but I think we have to look at it in the context of the resources available to us. When the administration sent up a budget as they sent up and essentially played games with the other law enforcement accounts, things which have to be done, which we knew had to be done and they knew had to be done, and then they underfunded those accounts, that is what created the basic problem in the initial bill.

Working with the Senator from Delaware, we have been able to work out this resolution, which I think is a reasonable one and one with which I know the Senator from South Carolina agrees.

If there is no further debate, I urge adoption of the amendment.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, the Senator from Delaware has made an outstanding presentation. I join in the comments of my distinguished chairman. We are ready to accept the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1285) was agreed to.

Mr. HOLLINGS. Mr. President, I move to reconsider the vote.

Mr. GREGG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DASCHLE. 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. DASCHLE. Mr. President, before we take up the next amendment, let me just comment briefly on the amendment already agreed to, offered by the Senator from Delaware, Mr. BIDEN.

I am pleased to be a cosponsor of this amendment. I am very pleased with the action taken this afternoon by the Senate. The amendment certainly signals our continuing strong commitment to this innovative approach to crimefighting; that is, the COPS Program.

The crime rate in the United States has gone down for 6 consecutive years—the longest period of decline in 25 years. And we received even more good news recently. This year's National Crime Victimization Survey reports that the number of Americans who were victims of violent crimes dropped 7 percent between 1997 and 1998.

That is great news. Of course, no one claims we have won the war against crime, but we are certainly winning some important battles. The 100,000 officers placed on the beat since the COPS Program began in 1994 have been on the front lines of this vital effort.

Why would we jeopardize that success? The additional officers put on the beat since 1994 have revolutionized community policing, and the COPS Program has helped foster an unprecedented crime-fighting partnership between communities and Federal, State and local law enforcement. Why should we let something that has proven to be so effective wither on the vine?

We should instead build on the success of this program, which has been

endorsed time and again by every major law enforcement organization.

I have seen firsthand how valuable the COPS Program has been in communities in my home State. South Dakota's law enforcement officials are among the most well-trained and capable public servants in the country.

South Dakota's crime rate is low, and its streets are safe, but, just as in more populated States, South Dakota families still worry about the safety of their streets and neighborhoods.

In my State, and in rural America in general, the COPS Program can double the size of some police or sheriff's departments by providing funding to hire just one or two additional officers. Many of the small towns and counties in my State are faced with tight budgets, limiting the amount of resources they can devote to law enforcement personnel. By providing those resources, the COPS Program has had a profound impact on these communities.

Law enforcement officers in South Dakota have described that impact to me.

They have testified about how the COPS Program has helped them.

Let me share just one of those stories, because I think that it provides a vivid example of how this program can truly make a difference.

In the days immediately following the Littleton, CO, tragedy, parents throughout the Nation were terrified by a rash of bomb threats and a fear of "copycat" crimes. In South Dakota, we had to deal with over 30 bomb scares.

One of those threats was called into Tri-Valley, a school in a rural community outside of Sioux Falls, SD. Fortunately, Tri-Valley has a police officer, called a "school resource" officer. His name is Deputy Preston Evans, and his position is funded by a COPS grant.

On the day of the bomb threat, as students were being evacuated from the school, a number of students came up to Deputy Evans and told him they knew who had made the threat. By the end of the day, two suspects had been arrested.

Those students were able to confide in Deputy Evans for one reason they trusted him. And they were able to trust him because they knew him—they had a relationship with him. How many acts of violence or mischief are deterred in schools like Tri-Valley because the students can confide in such a person, who might not be there without the COPS Program?

In a video conference yesterday, I spoke with some of the law enforcement leaders in South Dakota—Minnehaha County Sheriff Mike Milstead and Sioux Falls Police Chief Clark Quiring, and many others. They told me how the COPS Program has provided them the flexibility to increase their presence in schools.

They mentioned how important it is for students to feel secure. As Sheriff Milstead so eloquently noted, "there is not a bigger barrier to learning—than fear."

For his generation, the greatest fear was going home that afternoon with a bloody nose, he told us.

Littleton reminds us that kids today have a lot more to worry about than just a fist-fight with a school-yard bully.

But thanks to the COPS Program, children today have someone they can turn to.

Dr. Bill Smith, the Instructional Support Services Director for the Sioux Falls School District, joined the law enforcement leaders in yesterday's video conference and told me that we now have evidence that officers in schools are welcome and helpful.

When students throughout the Sioux Falls district were asked in a year-end survey whom they would go to if they had a problem, 44 percent said they would confide in their school resource officer before anyone else.

That is a remarkable statistic:

44 percent of the students said they would go to their school resource officer before they would turn to their teacher or principal. I can think of no more compelling evidence of how this program can make a real difference than that.

Today, the Senate will help ensure that the COPS Program, and officers like Deputy Evans, will continue to make a difference—in our schools, on our streets, and in our neighborhoods.

The action taken by the Senate just now is a tribute to the men and women across the country who risk their lives every day to make our communities safer.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, one of the important items contained in the Commerce-Justice-State appropriations bill is the appropriation for the Census Bureau.

I think we all agree, a fair and accurate census is a fundamental part of our representative democracy and good government. As required by the Constitution, census results will determine how many members of the House of Representatives will come from each of the states. Those results will also determine how many federal dollars, funding a wide array of important programs, will return back to the state. We're talking about over \$180 billion that will go to state and local governments and the distribution of additional billions in state funds. This same data is a vital component in determining where to build roads, hospitals, schools; even your local Wal-Mart or McDonald's location is based on this same information.

The Census Bureau projects that the U.S. population will near 266 million in

2000. Cost estimates for administering Census 2000 were projected to be anywhere between \$4 and \$4.8 billion. Those projections were based on the assumption that "sampling" would be used to provide the fairest and most accurate count to date.

The U.S. Supreme Court, however, this last year ruled by a narrow 5-4 majority that the use of sampling was prohibited by law for the purpose of apportioning seats in the House of Representatives. Since the Court decided the case on statutory grounds, it found no need to decide whether the Constitution also barred the use of modern statistical methods for purposes of congressional apportionment. The Court went on to affirm that the law requires the Secretary of Commerce to use modern statistical methods, where feasible, for all other purposes.

As a result of the Court's decision, the Administration is required, if feasible, to release two sets of population figures in 2001: one set of adjusted, unsampled numbers to be used for apportioning seats to the States, and a second set of adjusted or sampled, numbers to be used for all other purposes. The Court's decision has added the potential of \$1.7 billion to the cost of the census. These funds will be used to hire census takers to handle the 50% increase in the number of households that must be visited.

This includes \$954 million for non-response follow-up. To get responses from all households that don't answer the mail survey, the Census Bureau will hire more enumerators and will expand follow-up to any unprecedented 10 weeks. Training will be increased to sustain quality with a larger workforce that will total over 800,000 employees.

The Census Bureau will need an additional \$268 million for data collection infrastructure, \$229 million for coverage improvement efforts, and \$219 million for a variety of data collection operations, things like rural area data collection, the "Be Counted Program," enumeration of soup kitchens, shelters, and redeliveries.

Every single dollar the Administration is asking for is necessary. Without it, we will have a highly inaccurate census count. I believe we're on the path to another census nightmare similar to the 1990 experience. Nationwide, we missed 8.4 million people, mostly inner city and shanty town minorities; they double counted 4.4 million Americans, most of whom were white college students. My home State of Illinois suffered the eighth highest undercount in 1990; in the city of Chicago alone, they somehow didn't count 2.4 percent of the population. If you said they counted 97.6 percent of the population, it sounds good. But missing 2.4 percent is crucial. That's an astonishing figure considering the national average for undercount hovers around 1.6 percent. That may not sound like a lot but that 0.8 percent differentiation equals almost 70,000 people. The city of Chicago estimates that the undercount was sig-

nificantly higher: maybe as much as 250,000 people. The Census Bureau missed 114,000 folks for the whole state.

What does that mean for my constituents back home in Illinois? The city of Chicago did a study last year and, if you follow the premise that the Bureau missed 68,000 people, estimated revenue loss for the city of Chicago would have totaled just under \$100 million. If you follow the 250,000 undercount figure, the city of Chicago would have lost over \$327 million. Let me give some figures that show why we're trying to raise awareness about this topic.

Head Start in the city of Chicago, a program to provide early education for kids, lost over \$28 million because of the census undercount. The Older Americans Act for senior citizens lost over \$5 million. WIC funds, nutrition funds for children, lost over \$2.5 million. Child care funding, we lost over \$3 million. This is no small affair. We have to remedy the situation.

I have a letter, dated May 7, 1997, from my colleagues Senator LOTT, Senator NICKLES, then-Speaker Gingrich, and House Majority Leader ARMEY. In this letter, the Republican leadership in both Houses state:

We are firmly committed to working with the House and Senate Budget Committees and Appropriations Committees to provide a level of funding sufficient to perform the entire range of constitutional census activities, with a particular emphasis on accurately enumerating all groups that had historically been undercounted.

Mr. President, I ask unanimous consent to have the letter printed in the RECORD.

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

CONGRESS OF THE UNITED STATES,  
Washington, DC, May 7, 1997.

Dr. MARTHA FARNSWORTH RICHE,  
Director, Bureau of the Census, Department of  
Commerce, Washington, DC.

DEAR DR. RICHE: We are writing about one of the most critical constitutional functions our government performs: the decennial census. Based on recent media reports, we are concerned that a misunderstanding of congressional priorities is driving the Census Bureau's plans for the 2000 census. Consequently, we fear that the Bureau is on the verge of formalizing plans that do not reflect the House and Senate's goal to perform the most accurate census possible that is consistent with the Constitution. We would like to take this opportunity to clarify the three main principles that comprise the congressional mandate for Census 2000 and which should guide the actions of both Congress and the Bureau as you finalize census preparations in coming months.

#### INCREASED ACCURACY

Accuracy and completeness are absolutely essential if the census is to provide the reliable data necessary to support the business of government. Despite criticism, the 1990 census was the most accurate in history. Still, we expect to improve on its success in 2000. To reach the level of accuracy we expect, to ensure that communities that have been undercounted in the past are fully and accurately counted in the future, we must physically count each and every American.

We cannot rely on statistical schemes that compromise accuracy for the sake of econ-

omy. Despite the Bureau's insistence that statistical estimation is more accurate than actually counting Americans, the fact remains that if statistical adjustment had been allowed in 1990, Pennsylvania would have erroneously lost a congressional seat to California. Voters should not be disenfranchised through the use of statistical guessing.

Census data must also be as valid at the census tract and block level as they are at the state and national levels. Under sampling, as the area gets smaller, the margin of error grows wider. Individuals who rely on accurate census data for reapportionment will receive census counts with a range of possible numbers to choose from in drawing lines for congressional, state and local elections. The result will be chaos in government, uncertainty for voters, lawsuits lasting for the better part of a decade, and worst of all, the further erosion of our citizens' confidence in their government's ability to do its job and do it right.

#### CONSTITUTIONALITY

Equally important is the constitutionality of Census methodology. Taxpayers are investing a minimum of \$4.2 billion to conduct Census 2000. We must protect their investment by using only methods that are clearly and undisputably allowed by the Constitution. If the Census is conducted with methods that are later ruled unconstitutional, taxpayers will not only have lost their original investment in Census 2000, but will likely be asked to spend an additional \$6 billion or \$7 billion to do the entire census over again.

Legal experts who testified recently before the Senate Governmental Affairs Committee agreed that it would be calamitous if the Supreme Court were to declare Census 2000 unconstitutional. The Court has not addressed the constitutionality of statistical sampling in the Census, however the Constitution clearly states that the Census should be an "actual Enumeration" of the population, and Title 13 U.S.C., Section 195 states that sampling cannot be used for purposes of the apportionment of the U.S. House of Representatives. We strongly believe that the Bureau's proposed use of statistical sampling exposes taxpayers to the unacceptable risk of an invalid and unconstitutional census.

#### ALLOCATION OF SUFFICIENT RESOURCES TO CONDUCT AN ACCURATE AND CONSTITUTIONAL CENSUS

Recent news reports have quoted you and other Census Bureau officials as citing a congressional mandate to spend less money in the 2000 Census. While we certainly seek to promote economy and efficiency in all aspects of government, the constitutional requirements governing the census leave us no choice when it comes to cutting corners in order to save money; we cannot do it. On the contrary, the census must be funded at levels necessary to comply explicitly with the Constitution.

We are firmly committed to working with the House and Senate Budget Committees and Appropriations Committees to provide a level of funding that is sufficient to perform the entire range of constitutional census activities, with a particular emphasis on accurately enumerating all groups that have historically been undercounted. Towards this end we are eager to see aggressive and innovative promotion and outreach campaigns in hard-to-count communities, the hiring of enumerators within those localities, and maximizing Census employment opportunities for individuals seeking to make the transition from welfare to work.

We look forward to working with you on these and other issues to ensure that the 2000 decennial Census is the most accurate and

Constitutionally sound census ever conducted.

Sincerely,

NEWT GINGRICH,  
*Speaker of the House.*  
RICHARD K. ARMEY,  
*House Majority Leader.*  
TRENT LOTT,  
*Senate Majority Leader.*  
DON NICKLES,  
*Senate Assistant Majority Leader.*

Mr. DURBIN. I thank the Chair.

Let me wrap up by saying that our goal is the most accurate census possible. The census has a real impact on the lives of real people. We have to do everything for a fair, accurate, and complete count.

It is my understanding that my colleagues, Senators GREGG and HOLLINGS, the chairman and ranking member of the Subcommittee on Commerce, Justice, State, and the Judiciary, will hold a hearing in the very near future on this issue of underfunding. I look forward to the resolution of this important issue.

I have spoken with the White House as well. They assure me that this issue will be resolved, and we won't repeat the disastrous census undercount of 1990 in the year 2000.

I thank the Chair, and I yield back the remainder of my time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I was going to send an amendment to the desk. Might I ask my colleague from Indiana—I would like to hold my position on the floor, but I saw him—did he come to the floor with the intention of speaking or introducing an amendment?

Mr. LUGAR. If I may respond to my distinguished colleague, I came to the floor to offer an amendment to the bill.

Mr. WELLSTONE. Mr. President, if Senator LUGAR came with the intention of offering the amendment, I was just trying to help Senator GREGG and Senator HOLLINGS move this along.

So might I ask unanimous consent that I be allowed to follow Senator LUGAR with the next amendment?

Mr. GREGG. Mr. President, I think that makes a great deal of sense since we may be able to work something out on the Senator's amendment.

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

Mr. WELLSTONE. I thank my colleague.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

#### AMENDMENT NO. 1289

(Purpose: To appropriate funds for the National Endowment for Democracy and to offset such appropriations with a reduction in the Capital Investment Fund)

Mr. LUGAR. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Indiana [Mr. LUGAR], for himself, Mr. GRAHAM, Mr. MACK, Mr. HATCH, Mr. KERREY, and Mr. LIEBERMAN, proposes an amendment numbered 1289.

On page 78, between lines 8 and 0, inset the following:

#### NATIONAL ENDOWMENT FOR DEMOCRACY

For grants by the Department of State to the National Endowment for democracy as authorized by the National Endowment for Democracy Act, \$30,000,000, to remain available until expended: *Provided*, That, in lieu of the dollar amount specified under the heading "CAPITAL INVESTMENT FUND" in this Act, the dollar amount under that heading shall be considered to be \$50,000,000.

Mr. LUGAR. Mr. President, I wish to state the purpose of my amendment. The purpose of the amendment is to restore funding for the National Endowment for Democracy. I am pleased to be joined by Senator GRAHAM and Senator MACK, who serve with me as members of the Board of Advisors for the National Endowment for Democracy. We are proposing funding the NED at \$30 million, which is \$2 million below the President's request and \$1 million less than this year's funding level. It is also \$1 million below the authorization level that has already been approved by the Senate.

Our amendment proposes to shift \$30 million from the Capital Investment Fund in the State Department title of the bill. I regret very much having to propose this shift because I, like the chairman of the subcommittee, believe the Capital Investment Fund is important to the effective operation of the Department of State and that the account is underfunded. But if we are successful in making the offset, I will work with the chairman and others to try to help find the moneys to help restore that funding to the Capital Investment Fund.

The problem the subcommittee faced was a serious problem. There is simply inadequate funding in the 150 function of the International Affairs Account. That scarcity of funds forced difficult choices about priorities and required much give and take. In my judgment, the National Endowment for Democracy must be a high priority. There is no funding for the National Endowment in the bill before us. That is why we are compelled to propose the amendment I have just introduced.

The reason for proposing the amendment is that the appropriations bill provided no funds—none at all—for the National Endowment. The Endowment did not even merit a mention in the bill; it is completely ignored. This zero-funding decision was made even though the Senate approved a straight-line funding level of \$31 million in the State Department authorization bill, which we considered earlier this year, and even though successive administrations and successive Congresses have supported full, or near full, funding for the NED year after year.

It is a unique phenomenon perhaps that the NED has enjoyed strong bipar-

tisan support since 1983 when it was created by the Reagan administration. The NED has consistently gained the support of both Republican and Democratic administrations since then and of every Republican and Democratic Congress over the past 15 years. But not in this bill.

The committee report accompanying the bill does recommend that funds for the NED be found among other divergent State Department accounts. This simply is not a good idea. Funding directly from the State Department would make the NED a grantee of the State Department and make it an arm of the Department. This would eliminate NED's line item, destroy its independence, and undermine its ability to gain access to grassroots organizations fighting for freedom and democracy in other countries all over this world—the very heart of NED's effectiveness.

For this reason, former Secretaries of State have written of the importance of retaining the independence of the NED in a 1995 letter. They wrote:

We consider the nongovernmental character of the NED even more relevant today than it was at NED's founding twelve years ago.

NED's effectiveness comes in good part because it has an independent status, functions as a nongovernmental organization, and has a board that operates as an independent board of advisors. We have faced and confronted challenges to the NED numerous times in the past. The Senate has debated funding for the NED six times since 1993. Two years ago, we faced a comparable effort to slice and dice the NED. I proposed an amendment at that time to restore funding, and it was approved by the Senate by a vote of 73-27. A few weeks ago, in another challenge to NED, this time proposing a different manner by which NED allocates its internal grant-making funds among the four core institutes; the amendment was defeated by an almost identical vote of 73-26. That has been the pattern, fortunately, over the years.

Let me just say I am sympathetic to the extraordinary difficulty facing the managers of the bill. There are so many critical issues in the various titles of the appropriations measure, and the NED is a very small item by comparison. But this is just the point. The NED has been a very cost-effective vehicle for promoting democracy, human rights, and civic society around the world. Given its presence in some 90 countries, many on the threshold of democratic breakthroughs and others struggling with the transition to a more open society, NED's relatively small funding level is a genuine bargain. It is an exceptional investment in security for the United States of America.

We often speak in broad generalities about promoting democracy, expanding democratic values, and promoting human rights around the world. The point that must be made is that doing



so is very much in our national interest. These are not whimsical ideas. Securing strong democracies should be one of the most effective means of combating and deterring the spread of terrorism, coping with the proliferation of weapons of mass destruction, promoting market economic practices and principles and creating opportunities to expand our markets, supporting fair labor practices, and forestalling the destabilizing effects stemming from refugee flows.

None of these goals comes easily, and, as a Nation, we have decided it is in our national interest to encourage and to assist those in other countries who share the same ideals as we do in the United States. The NED is a key instrument in achieving these democratic goals and values.

Over the past 15 years, the NED and its four core institutes have worked openly with willing counterparts in other countries to spread the ethos of democracy around the world. The four core institutes working with the NED itself are each affiliated with domestic American institutions. They are: A, the International Republican Institute, the IRI, and B, the National Democratic Institute, the NDI, which help build political parties, help to ensure free and fair elections, and strengthen governing institutions and civic society. They are loosely affiliated with the Republican and Democratic Parties. Then, C, the Center for International Private Enterprise, CIPE, which promotes the growth of private enterprise in a democratic process, is affiliated with the Chamber of Commerce, and (d) the American Center for International Labor Solidarity, which has links to AFL-CIO and supports the development of independent trade unions. The Solidarity Movement in Poland was an early grantee, for example. The NED itself funds grassroots organizations that promote independent media, human rights, civic education and the rule of law in other countries.

Testimonials on behalf of the NED have poured in from former Presidents, former Secretaries of State and former national security advisors, from grantees and non-grantees alike. These testimonials represent a veritable Who's Who in the world movements for democracy and human rights. These names include His Holiness the Dalai Lama; Harry Wu, the Human Rights Activist; Elena Bonner, Russia civil rights advocate; Clement Nwankwo, Chairman of the Transition Monitoring Group in Nigeria; Vaclav Havel, President of the Czech Republic; Lech Walesa, leader of the Solidarity movement in Poland; and countless others from some 80 to 90 countries in every region of the world.

Mr. President, I had hoped to avoid a debate on this issue this year. I had hoped that some agreement or arrangement could be made so that we could move ahead without delaying this appropriation bill. That certainly has been my intent. I regret that this has not been possible.

The amendment is now before the Senate.

I simply say that in the early 1980's when clearly it was the intent of the United States to push for democracy and human rights that the means of doing that were not at all clear to President Reagan and our Secretary of State. As a matter of fact, many felt it was inappropriate that the President and the Secretary of State sought to intervene in the affairs of other countries around the world suggesting changes of government, although this is clearly what we wanted to see.

The changes in Eastern Europe could not have occurred without Lech Walesa, and Lech Walesa's movement which were heartily adopted by the AFL-CIO of this country. Through informal but very effective means of finance and organization, that fledgling labor movement in Poland was given not only strength but legitimacy throughout the world as a democratic movement of change, an alternative to a government which at the time seemed very solid.

At the same time, from my own recollection and experience, I recall the efforts of the Roman Catholic Church in Central America and in the Philippines, and of American businesses who were farsighted and who understood the interests of our country laying freedom for people and democracy in contract law and the rule of law—the same principles we debate now with regard to Russia, as we have worked with Russians.

How do you establish these situations, and do so without violation of diplomatic principles? Because our Nation, our President, our Secretary of State, must deal with leaders as they are constituted now and with their foreign ministers and defense ministers.

But a very unique organization came from these considerations. It was called the National Endowment for Democracy.

It included Republicans, Democrats, labor officials, Chamber of Commerce people, and a check and balance so that our own American view had four dimensions. This was not ideological, not official, but arose from the best grassroots leadership of this country. And it was effective.

The changes in the world we now take for granted—the celebration we had at the 50th anniversary of NATO, the accession of Poland, Hungary and the Czech Republic into NATO—we take for granted that democracy there came forward.

The point I am making is that it did not come forward because our State Department advocated that and brought it about, although clearly they support the shift to democratic systems. There was no official governmental way of bringing about those responses, which require money, fledgling newspapers, grassroots organizations, a how you print ballots, and how you register voters. All the nitty-gritty of politics we take for granted, but

which could not be taken for granted in those countries which had not enjoyed those options.

The issue before the Senate, very frankly, is that some Members I suspect may have become weary of the democracy business. They may think that was important then and this is now.

I would just suggest that at the NED board meetings which I attend regularly there are routinely 80 to 100 proposals in which the National Endowment for Democracy and its core groups debate on these principles. We take seriously the idea of democracy and human rights. We think that is still a very important subject in this world. This is not routine. It is not freely dismissed as something that was lost in the budget. It was not mentioned, but the State Department might find if it came to their attention.

We believe that the statement by the Senate ought to be clear—that we stand for democracy and the National Endowment for Democracy is a very good way to achieve democracy, and to do so year by year in a systematic and effective way.

I point out that it is important, I suppose, to have this debate each year as a wake-up call. There may come a time when we become so blasé and so routine about our functions that we forget human rights. But I hope that will never be the case.

I suspect that those who are still struggling in parts of southeastern Europe—certainly in many Asian countries—those who are considering democracy in China, those in Latin America and Africa and those who are still trying to make it work out in various provinces of Russia welcome our help. They welcome labor leaders and business leaders from this country. They welcome Senators like JOHN MCCAIN, who heads up the Republican Institute; or ORRIN HATCH, who was there at the beginning of the National Endowment.

Senator CONNIE MACK of Florida, one of our board members now, and Senator BOB GRAHAM of Florida, one of our board members now, have both been so effective in Latin America and Central America, and not just in the 1980's when we were all going down for inspection of elections, trying to help people find out how to campaign, and how to count votes successfully.

A lot of that heavy lifting still needs to be done.

Although this is a debate that I wish did not occur annually, but so be it. It is a time really for Senators to stand up and be counted on whether they feel passionately, as I do, and I think many of us do, about democracy and human rights and what we can do about it effectively.

I am simply making the point that the State Department cannot do that by force. We as American citizens working through grassroots organizations and through informal means can

get the money and the organization to make a difference, which ultimately our President can recognize and our Secretary of State can bless.

I point out, parenthetically, that the incumbent Secretary of State, Madeleine Albright, has served on the Board of the National Endowment for a number of years as has Zbigniew Brzezinski, as distinguished members of the Democratic Party. We now have Paul Wolfowitz, a distinguished American diplomat and scholar, as one of the Republicans, serving on the board.

This has been a case of people giving of their time and their substance in private life even as they go back and forth into the public sector and serve our country in that way.

I finally make the point that we are indebted to excellent editorials that appear in major newspapers in the last few days.

I simply quote a sentence from the New York Times editorial of yesterday in which they call for a vote for democracy abroad, a leading editorial. They say:

It is hard to think of a dictatorship whose opponents have not benefited from the endowment.

That I think is an important point.

As you name the dictatorships of this world, they knew what hit them. In most cases it was the Endowment for Democracy and its advocates, and its supporters that made the difference.

There may be all sorts of theories why these governments rose and fell. But I suggest that those of us who suggest it through the ballot box initiative really had to have a horse to ride on, and the means at least of making those alternatives effective.

I cite, for example, the current discussion in Serbia where many persons believe—starting with our President—that President Milosevic would not be a suitable candidate for reelection or for a continuation. But the press keeps pointing out, What are the alternatives? How do habits change, if it is to occur in a democratic way?

Where are the fair procedures? In fact, where has the United States been in terms of actively boosting those who wanted freedom, who wanted a different kind of Serbia, who espouse those values in this country but had no effective vehicle?

Those are the missions that lie ahead. I hope we will be worthy of the task. I advocate the adoption of the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I rise today to support restoring funding for the National Endowment for Democracy and commend Senator LUGAR for offering this amendment. As reported from the Appropriations Committee, the National Endowment would receive zero funding for fiscal year 2000 with the assumption that the Department of State would provide money from its democracy and human rights accounts.

Since its inception in 1983, NED has sought to maintain an ideological balance, with a bipartisan, multisectoral core structure, as well as a bipartisan board. Its status of being simultaneously public and private has provided insulation from shifts and tides in changing administrations, allowing NED to focus on long-term democracy development. This independent role would be compromised if NED were subjected to State Department control.

For almost 16 years, NED has been instrumental in building the foundations of democracy in over 80 countries, including peaceful transitions in Poland, Chile, and South Africa. Today NED continues to support a diverse portfolio of democracy building initiatives. In the Sudan, NED funds support human rights monitoring and reporting. In the Newly Independent States (NIS) and in Russia, NED has been supporting anti-corruption efforts, market-based reforms, independent media, and civic education. These programs lie in the long term interest of the U.S. because they will help to promote stability in a region plagued by instability. They will help these countries to emerge from the mire of communism.

NED programs are also important in the People's Republic of China. Mr. President, I think we are all aware of the egregious human rights abuses perpetrated by the authoritarian government in China. The insecure government controls pastors and church members through state apparatus, imprisons prodemocracy advocates for their activities, and suppresses the truth through propaganda instead of allowing open media. Thousands of political prisoners languish in prison, many sentenced after unfair trials, others without any trial whatsoever.

Under the totalitarian regime in China, the political system is a sealed door with no clear signs of opening. Many in the United States have placed their faith in economic progress to produce some sort of eventual political change in China. I do not believe that we can afford to make such a dangerous assumption. Even as the Chinese people suffer, so too will the advocates of "trade at all costs" under the current political system, because of the absence of the rule of law. When trying to conduct business in China, American companies must deal with bureaucrats rather than regulations, evasions rather than enforcement, and convoluted rather than competition—because there is no judicious rule of law.

We all want to see democracy in China. But we cannot assume that it will happen by itself. Instead, we must take steps to foster democracy. That is exactly what NED is about. NED funds over twenty programs to promote human rights and democracy in China.

With money from NED, the International Republican Institute supports electoral and legal reform.

The National Democratic Institute monitors civil and political liberties in

Hong Kong following its transfer to China.

The Laogai Research Foundation, run by former dissident and prisoner Harry Wu, conducts in-depth research into China's forced labor prison camps.

Another NED grantee is run by chairman Lie Qing, who spent eleven years in prison for his involvement in the Democracy Wall movement. This organization has been invaluable in monitoring human rights conditions in China and has been helping victims' families bring criminal charges against Chinese leaders responsible for the 1989 Tiananmen killings.

NED also supports VIP Reference, an organization that has taken advantage of the Internet to promote the free flow of information in China—news that has not been filtered or altered by the Chinese government. Besides opening this conduit to freedom, NED also supports research and publications on democracy and constitutionalism, symposia on private enterprise and market economics, and publications relevant to Tibet.

Mr. President, these organizations are not rich by any means. In many cases, their staff works on a volunteer basis, out of their conviction to see freedom in China. They rely on funding from NED to stay in operation because other sources of funding from Hong Kong and Taiwan are scarce. Those potential sources fear offending China. Private businesses often will not fund these groups because they consider it too great a risk in light of their business interests in China. Only Congress has remained committed to funding these advocates of democracy. Without NED funding, we will cripple these programs and remove a key fulcrum in the push for democracy in China.

Democracy building is not a quick fix for totalitarianism, nor will it produce instant change. But in the long run, these programs will produce a result worth far more than they cost today.

I commend Senator LUGAR for taking this leadership role, for offering this amendment. I believe it is critically important we support and pass this amendment, not just for China but for advocates of democracy all over this world.

I urge my colleagues to support a restoration in the National Endowment for Democracy's funding for fiscal year 2000.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, we have all heard the expression stand and be counted for democracy.

Come on, give me a break. No one really thinks a Senator obviously elected to office is against democracy. No one in his right mind could think that the Department of State is against democracy and is incapable.

What we have is a deficit. The Congressional Budget Office estimates at this particular moment we are spending over \$100 billion more than we are

taking in this year. I didn't know this was coming up, but since I get questioned about there being no surplus for the year 1999, the Congressional Budget Office, as of June 30, estimated that we will spend this fiscal year, which ends at the end of September, \$103 billion more than we take in.

The President's own document, the OMB projection, not only states we will have a deficit for the next 5 years, but the deficit and the debt will continue for a 15-year period, the debt going up from \$5.6 trillion to \$7.7 trillion. It is going up to 2.1 trillion bucks and everyone is running around talking about surplus, and we are getting 602(b) allocations at the Subcommittee on State, Justice, Commerce, of \$1.3 billion less than we have this year. We are spending more than we are taking in, and otherwise trying to find \$1.7 billion in the census.

Faced with those constrictions, I wonder where in the world do you find money for the Chamber of Commerce, the AFL-CIO, the Democratic Party and Republican Party—how do you justify it?

Back in the eighties we had Lech Walesa and they did have a wonderful labor movement and they did bring democracy there in Poland. But I don't know of the labor movement that is going on in the People's Republic of China. I have been there three times now and I have yet to meet a labor leader, much less the likes or ilk of Lech Walesa.

So, yes, we stand up to be counted for democracy. We are hoping to sustain the economic credibility of this particular republic by saying we have to make choices. I tried to pay for these programs. I have even introduced a value-added tax allocated to reducing the deficit and the debt and taking care of Social Security. But these friends who come to the floor and talk in fanciful terms about they are for democracy and independent movements for democracy—the inference being, of course, the State Department is not—on the contrary.

I hear about taking it from the Capital Investment Fund. I remember working some 4 years ago with Under Secretary Moose, Dick Moose, who used to be the director of our Foreign Relations Committee who the distinguished Senator from Indiana would remember well. Everybody is talking about security of the Embassies and facilities in the Department of State. The communications computerization of the Department of State and the Embassies overseas and around the world is in terrible shape. It is similar to the Pony Express. So 4 years ago we instituted the Capital Investment Fund to get Y2K compliance. The Chamber of Commerce, that crowd that was running all over the floor fixing the votes for Y2K—a problem that could not possibly happen for 6 months and everybody is beginning to comply and they wanted to upset 200 years of tort law back at the State level where they

know how to administer it best—they came in to do that. And now they want to make darn sure the Department of State is not Y2K compliant.

Tell the Chamber of Commerce to look for democracy somewhere else and money somewhere else. The same for all these other entities that want to get NED, the National Endowment for Democracy. It is a political sop. It has been that for several years and everybody knows it.

We would like to give it all to desirable things. There have been some good things that happened under the National Endowment for Democracy years back, but they continue to embellish and run around with responsibilities they try to find, makeshift and otherwise, so they know it is going to be in trouble when they come to the floor. They get distinguished leadership to bring these amendments. I take it I will be in a minority, but I have gotten used to being a minority of the minority.

With that said, I hope we can save this amount of money somehow, the \$30 million. It is not easy to get the moneys we need all over for the Department of State. I can tell you now, we are on course. To take \$30 million from the telecommunications upgrades and computerization upgrades we are now about doing, and start cutting that back for the Chamber of Commerce of the United States, is out of the whole cloth for this Senator who stands here in the well for democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I join with the Senator from South Carolina in his views on this issue. I recognize we will lose this vote, but we have had our brief day in the Sun at least. The fact is NED's time has gone by. For all the arguments that have been made by the Senators who have spoken on this, the bottom line is this is a relic of the cold war. In a time when we have very limited resources, it is very hard to justify funding the Democratic National Committee, the Republican National Committee, AFL-CIO, and the Chamber of Commerce, all of whom have significantly more resources to put into this than we have available for us out of these very limited accounts.

Many of the things NED has done during the time of the cold war were wonderful. But now we have moved on 10 years from the fall of the Berlin Wall and it is time for us to say enough is enough. Unfortunately, in my opinion, some of the things NED is doing now are not. They end up being a substitute for initiatives which are both inappropriate and sometimes just simply junkets.

That being said, I am concerned, as is the Senator from South Carolina, this will take funds out of the capital budget of the State Department. We have worked hard on this budget. We have taken the State Department from getting a "D" in the area of Y2K compli-

ance to now, just 2 years later, it is one of the agencies getting an "A." Two years ago when we started capital budget expansion, which we initiated in this committee—it did not come from the State Department; although they were very supportive of it, they could not find resources for it—a majority of the Embassies around the world were using rotary telephones. They were using Wang computers. They had no decent facsimile machines. We have radically upgraded the electronic capabilities of the State Department. But we have a long, long, long way to go. It all ties into the need to protect our citizens who are working for us out there and their families.

So when you hit this fund for \$30 million, which represents about 30 percent of the money—and this fund was not increased this year; although I wanted to increase it, we simply could not find the money—you are going to do significant damage, I think, to the State Department's accounts. The State Department, for that reason, is very concerned about this amendment.

That being said, the Senator from South Carolina, being one of the best vote counters in the Senate, and I, being a marginal vote counter as chief whip, we recognize we are not going to win this one. I think we should vote on it and move on. If the Senator from Indiana is agreeable to that, I suggest we urge adoption.

Mr. LUGAR. Will the Senator yield?

Mr. GREGG. Yes.

Mr. LUGAR. I appreciate very much the words of the Senator and I appreciate the desire to move on with the bill. I want to recognize the distinguished Senator from Florida has arrived. He, likewise, shares our enthusiasm for passing the amendment.

Mr. GREGG. I am sure.

Mr. MACK. Mr. President, on this occasion of the almost annual debate on NED, the National Endowment for Democracy, we can and we must declare our commitment to promoting freedom in the world.

Freedom often exacts a price—it indeed is not free. Ronald Reagan understood this when he created NED, as have successive Presidents and Congresses who have consistently funded NED.

Freedom is sacred. It is to be honored, protected, and shared with the world. It is the core of all human progress, and therefore, the spread of freedom enriches us all.

But let us not forget, the price of freedom can be great. Just as we focus in this body these days on our abundance we must not forget those who have come before us; we must not forget in whose shoes we are walking. How many Americans have died; have put their lives on the line in the glorious pursuit of that sweetest of goals—emancipation from oppression and tyranny. We are the direct benefactors of the dedication, selflessness, and even the spilled blood, of countless people.

Should we be proud of those achievements? Of course, but we must also accept the weight—the responsibility—of this gift. The awesome responsibility which we have inherited. Because, when I said that freedom is not free, I was not only speaking of the cost to those currently suffering in the world to throw off the yoke of tyranny, but also the price to us, the benefactors of past actions.

We are once again on the floor of the Senate to defend the National Endowment for Democracy. The last time we fought this battle, 2 years ago, 72 Senators voted to restore the funding to NED after the subcommittee zeroed the account. We are here today facing the same circumstances. The good news with the regularity of this debate, if we look for the bright side, is that we know very well of the strong support in the Senate for NED. And let me explain why.

The history is important. In 1983, Ronald Reagan outlined an initiative for the United States to publicly lead the struggle for freedom around the world. A policy which I remember well as a young House Member and in many ways continues to influence my thinking about American foreign policy. A fundamental pillar of that policy was the National Endowment for Democracy.

Let me read to you from a letter by President Reagan, from July 4, 1993.

On this 217th anniversary of our nation's independence, I am reminded that America's greatness lies not only in our success at home, but in the example of leadership that we provide the entire world.

Our work, however, is not complete. As I look abroad, I see that the struggle between freedom and tyranny continues to be wages. Disappointingly, in some places, it is autocracy, not freedom, that is winning the day. That is why I strongly support continued Congressional funding for the National Endowment for Democracy (NED). Ten years ago, at Westminster, you will recall that I outlined a new, bold initiative for our country to publicly lead the struggle for freedom abroad. As part of this effort, at my request, the National Endowment for Democracy was created.

Mr. President, let me point out a few fundamental things. First, NED is not a "cold war relic," as some critics argue. You will note that President Reagan did not say that the purpose was to defeat communism, to defeat the Soviet Union, or to contain any particular ideology. He said that the mission of NED was to support America's efforts to "lead the struggle for freedom." You should also note that the letter from which I read is dated July 4, 1993—2 years after the fall of the Soviet Union. So let me be clear: NED is not about the cold war and has never been exclusively about fighting communism or the Soviet Union. The National Endowment for Democracy is about freedom.

My second point is that the need for NED is as great today as it has ever been.

We opposed communism because the flawed ideology oppresses people and

empowers tyrants. Communism has almost disappeared as a threat today; but tyranny has not—oppression has not. Indeed, tyranny and oppression continue to rule in far too many places around the globe. If you accept that we were right in the past to oppose freedom's foes, then we have the same task today, perhaps even more complicated than in the past.

This vote, therefore, comes down to a simple issue: does the struggle for freedom continue in the world and does the United States continue to have a role in the struggle for freedom abroad? Does tyranny still reign in far too many places on earth? The answer is quite obviously, "yes."

Let me address some critical questions others have raised.

Does NED work? NED works extremely well by providing resources to the freedom-activists throughout the world. NED identifies people struggling for economic, political, labor, press, and other reforms and gets them the resources necessary to fight against local oppression.

His Holiness the Dalai Lama of Tibet says the following about NED:

The National Endowment for Democracy furthers the goals of your great nation and has provided moral and substantive support for oppressed peoples everywhere. Its unique independent mission has brought information and hope to people committed to peace and freedom, including the Tibetans. I sincerely hope that this institution will continue to receive support, because America's real strength comes not from its status as a "superpower" but from the ideals and principles on which it was founded.

So the final question which someone may rightly put to this debate: why not the State Department? Isn't NED redundant?

To answer this question, I defer to some experts who understand the executive branch and State Department well. I turn to a bipartisan group of former Secretaries of State and National Security Advisors.

In a 1995 letter, former National Security Advisors Allen, Carlucci, Brzezinski, and Scowcroft state that NED:

... operates in situations where direct government involvement is not appropriate. It is an exceptionally effective instrument in today's climate for reaching dedicated groups seeking to counter extreme nationalist and autocratic forces that are responsible for so much conflict and instability.

Let me emphasize that these National Security Advisors state that NED is operating where the U.S. government cannot.

I also have a letter from former Secretaries of State, including Secretaries Baker, Muskie, Eagleburger, Shultz, Haig, Vance, and Kissinger. This distinguished group states the following:

During this period of international change and uncertainty, the work of NED continues to be an important bipartisan but non-governmental contributor to democratic reform and freedom. We consider the non-governmental character of the NED even more relevant today than it was at NED's founding.

Let me review the main arguments. First, NED's necessity did not end with

the cold war, but remains an integral part of America's opposition to the enemies of freedom. Second, the world continues to need America's invaluable work in promoting freedom—perhaps even now more than ever. And finally, NED makes a unique contribution to America's initiative to "lead the struggle for freedom abroad."

Mr. KERREY. Mr. President, I rise today in support of the Lugar Amendment to restore funding to the National Endowment for Democracy.

One of the noblest characteristics of the American people is their desire to spread the promise of freedom and democracy throughout the world. In fact, the history of our nation is replete with examples of men and women who have put their own lives on the line in defense of other people's freedom.

The 9,386 U.S. soldiers buried at the Normandy American Cemetery in France are more than heroes. They are a testimony to the American willingness to defend democracy. Yet, they are just a few of the literally hundreds of thousands of Americans who have sacrificed their lives to secure democracy both at home and abroad.

However, the fight for freedom need not always be waged on the battlefield. Indeed, some of the greatest democratic victories have come, not as a result of our military might, but rather from the power of our ideas.

If you doubt this, ask Vaclav Havel how the irresistible pull of democratic values helped liberate the Czech people. Ask Nelson Mandela about how the persuasive power of American democracy helped encourage the struggle for freedom in South Africa's townships. Ask Kim Dae Jung about the decades of American sacrifice and the difference between life in a free South Korea and a totalitarian North Korea. Mr. President, each of these men have come before Congress to say that their freedom is due in no small part to the willingness of the American people to oppose despotism and to support nascent democratic movements in their country.

The transformation from totalitarianism to democracy that has swept much of the world in the last decade is nothing short of remarkable. Much of the success of this movement can be attributed to U.S. support for democratic movements, including the on-the-ground programs of the National Endowment for Democracy. This is a legacy of which we should be proud. It's a success story we should do a better job of explaining to the American people.

NED was established by Congress in 1983 as a non-profit, bi-partisan organization. It promotes democratic values by encouraging the development of democracy in a manner consistent with U.S. interests, assisting pro-democracy groups abroad, and strengthening electoral processes and democratic institutions. NED accomplishes these goals by providing funding to a wide variety of grantees that operate programs in

more than 80 countries throughout the world.

Mr. President, for over 15 years the National Endowment for Democracy has been at the center of our global democracy efforts. Critics have argued it is a relic of the Cold War. They insist NED's usefulness as an organization disappeared with the Soviet Union. This simply is not the case. As long as there are people still struggling to be free, there will be a need to support democratic reforms. The truth is, almost two-fifths of the world's population still live in un-democratic countries. In these countries, people are not given the ability to speak their minds, to practice their religious beliefs, or to unleash the power of their own enterprise.

NED grantees are in these countries and are working with pro-democracy groups. In Cuba, NED grantees are helping local dissidents use the world wide web to interconnect and to spread independent news. NED sponsors radio broadcasts into Burma in support of the democracy movement led by Aung San Suu Kyi. And in Iraq, NED provides support for the Free Iraq Foundation to disseminate human rights information from within Saddam Hussein's brutal regime.

Beyond extending the power of democracy to those people still toiling under despotic governments, NED is also actively engaged in the effort to solidify democratic progress. Democracy does not exist simply after the first free and fair election—democracy cannot be established solely by the ballot box. Instead, a true democratic society is based on the foundations of the rule of law, respect for the rights of all people, a free press, and civilian control of the military.

In countries around the world, NED grantees are involved in helping develop this broader concept of democracy. For example, in Russia NED grantees are supporting efforts to promote the rule of law and to establish legal guarantees for the ownership of land. In Nigeria, they have supported local pro-democracy groups who were instrumental in facilitating this year's historic elections. These are examples of the hundreds of programs NED and its grantees have been involved with in support of democratic reform.

Mr. President, I come to the floor today to argue that the fight for democracy is as important to U.S. national security today as it was at the height of the Cold War. It is for this reason that I will vote in favor of the Lugar amendment to restore funding for the National Endowment for Democracy. I recognize the tight discretionary spending limits the Chairman and Ranking Member of the Subcommittee were forced to work under. I understand very difficult decisions had to be made in preparing the piece of legislation. However, there are few priorities as great, and few programs as cost-effective, as our global democracy efforts.

I urge my colleagues to support freedom around the world by supporting the National Endowment for Democracy and the Lugar amendment.

Mr. President, I yield the floor.

Mr. GRAHAM. Mr. President, this amendment will restore \$30 million in funding for the National Endowment for Democracy.

I understand that the State Department accounts are severely underfunded and there is no easy way to fund these programs, and I will work to ensure that all the State Department accounts are funded by the time this bill emerges from conference.

In spite of the unfortunate position we now find ourselves, it is nevertheless critical that we restore the funding for the National Endowment for Democracy.

Today we will debate the merits of the NED and the importance of its mission. This will be the seventh time in the last seven years that the Senate debates NED funding.

The last time this debate took place, in 1997, an effort to eliminate NED funding was reversed by a vote of 72-27.

I am hopeful that this current debate will reach a similar conclusion.

But this debate is really about much more than the National Endowment for Democracy.

What we are debating here today goes to the very fundamental nature of our democracy.

Are we to continue to be the beacon of freedom to which oppressed peoples around the world look to for guidance and support in their struggles to attain the same liberties and freedoms that we hold so dear?

Or are we going to shrink from that responsibility and abandon those who seek to change the fundamental character of their nations so that their people may enjoy the benefits of freedom?

Around the world, the NED is a vibrant and effective advocate for the ideals for which our fore fathers risked their lives and sacred honors.

It is our ambassador to the oppressed people of the world who are fighting and risking their lives for freedom.

But you don't need to take my word for this. Let me tell you about some others who believe that the NED is as important as I do.

In 1995, seven former Secretaries of State sent a letter to the congressional leadership that stated:

During this period of international change and uncertainty, the work of the NED continues to be an important bi-partisan but non-governmental contributor to democratic reform and freedom.

Four Former National Security Advisors, Allen, Brzezinski, Carlucci, and Scowcroft, wrote that "the endowment remains a critical and cost-effective investment in a more secure America, and we support its work."

Just this week, the New York Times editorialized on the importance of the NED, and the Wall Street Journal printed a piece by former President Carter and Paul Wolfowitz, an official

in the Reagan and Bush administrations, that did the same.

So many as champions of democracy have recognized the important contribution of NED to their own work.

These include Harry Wu, the Chinese human rights activist, His Holiness the Dalai Lama, Elena Bonner, the chairman of the Andrei Sakharov Foundation, and Vaclav Havel.

To some here in Congress, the NED is a target to undermine and defund.

But to those struggling to overcome oppression in some 80 or 90 countries around the world, NED is a helping hand in their fight for democracy.

I ask my colleagues to stand with freedom and democracy, to stand with those who have led democratic transitions, and to stand with those who continue to pursue the dream of democracy around the world.

I ask my colleagues to stand with the NED.

Mr. KYL. Mr. President, I rise today in strong support of the Lugar amendment, which will restore funding for the National Endowment for Democracy (NED). Since its inception in 1983, NED has been a cost-effective means of ensuring that American democratic principles have the opportunity to flourish around the world. NED works on a bipartisan basis in over 80 countries in every region of the world to help build stable, peaceful democracies. This, in turn, furthers America's national security interests, since working to support secure, strong democracies is one of the most effective means of combating the spread of weapons of mass destruction, terrorism, and destabilizing refugee problems.

NED enjoys strong, bipartisan support, receiving the support of each administration and the bipartisan congressional leadership since its inception. In a recent editorial in the Wall Street Journal, former President Jimmy Carter and Ambassador Paul Wolfowitz, President Bush's Under Secretary of Defense, wrote: "The creation of the NED in the 1980s reflected a bipartisan belief that the promotion of freedom is an enduring American interest and that nongovernmental representatives would best be able to help their counterparts build democracy in other countries."

NED has a strong track record, developed through involvement in virtually every critical struggle for democracy of the past decade-and-a-half. NED provided vital support to the movements that brought about peaceful transitions to democracy in Poland, Chile, and South Africa. Indeed, as a recent New York Times editorial noted: "It is hard to think of a dictatorship whose opponents have not benefited from the endowment."

NED uses its funds efficiently and effectively. A recent audit conducted by the U.S. Information Agency's Inspector General looked at fiscal years 1994-1999 and did not question a single cost related to the management of NED's grants.

NED's independence is the key to its success. Without the restoration of NED's funding as a separate, congressionally mandated line item, NED will have to be funded through the State Department's foreign aid process. This would undermine NED's independence, and therefore its effectiveness.

If NED were to be too closely associated with the Department of State, then NED might be seen as merely a mouthpiece for whatever administration currently occupies the White House. This would dilute its effectiveness.

NED must be allowed to continue to make decisions about where to provide its vital assistance without having first to clear those decisions through the State Department bureaucracy, which may not always share NED's agenda. The United States carries out high-level diplomatic relations with a number of nondemocratic regimes, such as China. The State Department might be tempted to scale back NED's democracy-building activities in such countries if the Department viewed those activities as interfering with the Department's diplomatic agenda. This must not be allowed to happen, and keeping NED independent is the only way to ensure that it does not.

The Lugar amendment restores funding for this vital organization while ensuring its independence. I urge my colleagues to support this amendment.

Mr. SARBANES. Mr. President, I rise to express my support for the amendment of the Senator from Indiana and am confident that it will be approved by a majority of my colleagues.

This is the second time in 3 years that funding for the National Endowment for Democracy has been eliminated in the Senate Commerce-Justice-State appropriations bill. And this is the second time this year that we are debating the NED issue on the floor of the Senate despite consistently overwhelming votes in favor of the NED.

I find it difficult to understand why we keep returning to this matter when the record is clear—there is a consensus of support for the endowment in the Senate. As my colleagues are aware, last month there was an effort on a different measure (State Department authorization bill) to seriously undermine and weaken the National Endowment for Democracy and the work of its core institutes. That amendment was soundly defeated on a vote of 76-23. In 1997, NED funding was restored by the Senate on a vote of 72-27.

Over the years, the NED and its core institutes have done some extremely effective work around the world in strengthening and assisting in the development of democratic institutions, and protecting individual rights and freedoms.

The relationship between NED and its core institutes has worked rather well. These four core entities, including the National Democratic Institute (NDI) and the International Republican

Institute (IRI), represent key sectors of our democratic society: business and labor, and the two political parties which have formed a major part of the American democratic system.

Each sector offers a special expertise in helping develop fledgling democratic systems and has assisted grassroots and indigenous organizations, civic groups, and individuals across the globe in more than 90 countries.

Indeed, many individuals and groups, recognized in the Congress for having fought for human rights, freedom, and democracy, have received vital support from the NED family. They, in turn, have praised the NED because of the critical assistance which made it possible for them to pursue valuable efforts in their own countries.

I should note that the NED has provided support to Chinese dissidents since its establishment in 1983. In fact, the endowment's first grant in 1984 was for a Chinese-language journal edited in the United States and circulated in China.

The NED serves an important role because of the fact that it can operate as an entity independent from any government. And it can support nongovernmental groups which provide opportunities that would not otherwise be available if these activities were undertaken by a government, or governmental agency.

In fact, NED grants have been helpful in leveraging resources from the private sector and encouraging other international institutions to participate as well. And in-kind contributions, for example, come in the form of experts who offer their free time and efforts on a pro bono basis to conduct training seminars and to monitor elections worldwide.

The National Endowment for Democracy has enjoyed broad bipartisan support since it was established in 1983 under President Ronald Reagan. Former Secretaries of State, including Henry Kissinger, Cy Vance, Ed Muskie, George Shultz, and Jim Baker all have been very supportive of NED's work and its "strong track record in assisting . . . significant democratic movements over the past decade."

In a letter this week to my colleague from Florida, national security adviser Sandy Berger reaffirmed the President's and his administration's strong support for the NED. As he indicates, "from supporting election monitoring in Indonesia, to promoting independent media in the Balkans, the NED represents and promotes the most fundamental of American values throughout the world. . . . The President remains one of the strongest champions of the endowment."

The sweeping and profound changes resulting from the end of the cold war provide ample reason as to why we continue to need institutions like the NED which can operate in a cost-effective manner and, at the same time, promote our interests and values. Many of the new democracies which have emerged

from the implosion of the Soviet Union, and the collapse of the Iron Curtain, have benefited from the assistance NED and its grantees have provided.

It is my hope that my colleagues will see the wisdom of continuing support for the NED.

Mr. HATCH. Mr. President, I rise today as a cosponsor of the LUGAR-Graham-Mack amendment to restore funding to the National Endowment for Democracy. I rise as an unwavering supporter of the Endowment since that day in 1982, when President Ronald Reagan announced his intent to create an institution to promote abroad the most fundamental of American political values—democracy.

Since the Endowment was instituted the following year, it has received overwhelming bipartisan support. On six occasions the Senate has debated funding for the NED; on all six occasions the Senate has reaffirmed its commitment. We most recently debated funding the Endowment in 1997 and reaffirmed our support for it in a vote of 72-27. I expect that today the Senate will once again go on record demonstrating support for this venerable institution.

Support for the NED goes beyond bipartisan politics. Rarely is there such near-unanimity in the so-called "foreign policy establishment." But, in recent years, we have seen seven former Secretaries of State from both Republican and Democratic presidents—Secretaries Eagleburger, Baker, Haig, Kissinger, Muskie, Shultz and Vance—co-sign a letter in support of the National Endowment for Democracy.

But the NED's support extends well beyond the Beltway into American society at large. For example, the U.S. Chamber of Commerce strongly supports the Endowment, recognizing that the promotion of democracy requires the rule of law, on which all fundamental, productive commercial activity rests. The AFL-CIO is also a principal supporter of the NED, recognizing the inseparable bond between the advancement of democracy and the protection of independent labor's right to organize.

Both of these organizations, along with the Republican and Democrat parties, form the core groups through which the NED coordinates programs currently active in over 80 countries of the world.

Further, support for the NED is widespread among our nation's media, editorialists and academics. How often, Mr. President, do we see editorials in support of an institution on the pages of liberal and conservative media? There has recently been editorial support for NED expressed by The Washington Post, New York Times, Wall Street Journal and The Washington Times. I ask unanimous consent that the editorials be added at the conclusion of my statement.

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



(See exhibit 1.)

Mr. HATCH. Mr. President, I often detect confusion in foreign policy debate between the concepts of "interest" and "values." For example, the President, at the end of Operation Allied Force over Yugoslavia, declared it an operation in support of our values. I disagree: The NATO actions in Kosovo, which I supported, protected American interests, specifically our interests in a stable southeastern Europe.

The fact is that defining America's national interest is more fundamental than the promotion of democracy. But the reality is, Mr. President, that where we find democracy we are more likely to find it easier to protect our interests.

For this reason, the advancement of democracy as a foreign policy goal has by no means been diminished by the end of the Cold War. I supported the actions of the NED during the Cold War, along with members of both parties. I worked with the NED and International Labor Organization supporting the nascent Solidarity movement in the early 1980s and am deeply proud of the work done by NED's early grantees.

But the world is more complicated, with more challenges to U.S. interests, in the post-Cold War era. We need the NED more than ever. And if we look around this complicated globe, we see that NED's activities are complementing our foreign policy.

China is perhaps the most vexing challenge this country faces. We cannot determine the direction political evolution in China will take. We hope for the day when democracy spreads to the mainland.

Our dear friends in Taiwan, after all, have demonstrated that Chinese political culture is by no means alien to democracy. But on the mainland, the goals of political reform are murky. We don't know what the outcome will be in the next century—it may be democracy, it may be fascism, it may be something else.

There is evidence to be optimistic, as we see the increasing manifestations of grassroots democracy and openness. Unfortunately, there is also evidence to be skeptical, given official actions that imprison democratic activists, outlaw non-political organizations, and threaten aggression against us and our friends. My attitude has always been to plan for the worst, but work for the best possible outcome.

One of those ways to work for the best possible outcome is to support the NED, which has promoted democracy in China since its inception. A brief and incomplete list of NED's activities in China would include:

Supporting, as one of its first grants, a Chinese-language journal that circulated in China in the mid-1980s;

Supporting a New York-based human rights group, Human Rights in China, which assembled basic data on conditions in China;

Assisting Harry Wu's Laogai Research Foundation, which exposed the

abhorrent abuses in China's prison labor system; and,

Contributing to the Tibetan Human Rights Foundation.

In addition, my colleagues who have read the fascinating reports by the International Republican Institute on their work advising on and monitoring village level elections in China will recognize a practical and profoundly significant activity funded by the Endowment. These are among many, many other programs supported by the NED in China.

The skeptics can say that NED's activities are small in comparison to Beijing's power to suppress. That is true. But my view is that it is always better to light a candle than curse the darkness, and the NED has been providing light and support to democrats in China, throughout Asia, and all around the world.

Indonesia just had its first free and open elections in over 40 years. Indonesia is the fourth most populous nation in the world after China, India and the United States.

As a result of this election, a country that has historically had good relations with us, a country that remains of great geostrategic importance, is now set to become the world's third largest democracy. Indonesia is a country with which we've had shared interests; those interests are now advanced because we now have shared political values. The ruling and opposition parties consulted with the NED throughout the period leading to these historic elections.

I could go on and on about NED's activities promoting democracy around the world. I will simply add one more example: Three weeks ago a remarkable conference on emerging democracies was held in Yemen. Yemen, my colleagues will recall, was divided until 1990—South Yemen was one of the most radical countries in the Arab world.

Since reunification in 1990, the NED has worked through its core institutes, the International Republican Institute and the National Democratic Institute, to support that country's transition to democracy. Yemen has had two parliamentary elections and is today one of the few Arab nations that has universal suffrage.

The government of Yemen deserves the credit for this remarkable political evolution and deserves the support of the United States. But we should be proud, very proud, of the efforts that the NED has expounded in assisting this political reform. And, three weeks ago, when representatives from around the world convened in Yemen to see that this nation of 18 million can enhance its culture and empower its people through democracy, it was appropriate that they saw the NED as a supporter of democracy there, and everywhere.

In recognition of these and other activities, brave democracy proponents around the world—individuals that Congress regularly lauds, that we regu-

larly bring to the Hill for their perspectives on their parts of the world—these individuals have spoken of the need to preserve the NED.

Hong Kong's Martin Lee, Chinese human rights activist Harry Wu, Vietnamese human rights activist Vo Van Ai, his Eminence the Dalai Lama have all declared the fundamental and irreplaceable importance of the NED in trying to advance democratic values in China, in Asia, around the world.

I urge my colleagues to think of these individuals as they determine whether the Senate should continue to support funding for the National Endowment for Democracy.

In every region of the world where the U.S. has interests or is challenged—in Bosnia, Kosovo, Iraq—there are people striving and risking their lives for democratic expression. They see the United States as a role model.

The NED is actively working with all of these people, and in doing so, demonstrates America's—and Congress's—commitment to their causes. I urge my colleagues to continue their support for this important institution.

#### EXHIBIT 1

[From the New York Times, July 21, 1999]

#### A VOTE FOR DEMOCRACY ABROAD

In most repressive countries today, civic activists such as election monitors, labor organizers, independent journalists and human rights groups look to Washington for support. But the Senate may vote any day to end one of their most important lifelines. Judd Gregg, Republican of New Hampshire, has persuaded the Appropriations Committee to recommend that the National Endowment for Democracy's funding drop from \$31 million to zero. The Senate should defy him and vote to preserve an organization whose mission is more vital than ever.

The endowment finances four international affairs institutes, run by the Republican and Democratic parties, the Chamber of Commerce and the A.F.L.-C.I.O. The endowment also gives money directly to organizations abroad that promote the rule of law and democracy. One of its strengths is that its budget is independent of the State Department.

It is hard to think of a dictatorship whose opponents have not benefited from the endowment. Among hundreds of other projects, it has provided money and advice for village elections and exposure of prison labor camps in China, human rights groups in Sudan, independent broadcasting in Serbia, families of political prisoners in Cuba and the underground labor movement in Myanmar. Augusto Pinochet might still be ruling Chile if the National Democratic Institute had not helped the opposition set up a parallel vote count during the 1988 plebiscite on his rule, which caught Mr. Pinochet's attempt to rig the outcome. The endowment has earned the right to remain healthy and independent.

[From the Wall Street Journal, July 21, 1999]

#### DON'T TAKE DEMOCRACY FOR GRANTED

(By Jimmy Carter and Paul Wolfowitz)

Last month Indonesia held its first free elections in more than 40 years. The balloting was overseen by a wide array of international observers, including an American delegation organized by the National Democratic Institute and the International Republican Institute. Their efforts have laid the groundwork for Indonesia to become the

world's third-largest democracy (after India and the U.S.) and a beacon of freedom for Asians and Muslims everywhere.

This is only the latest good work done by the two groups, loosely affiliated with the major U.S. political parties, which monitored an election in Nigeria earlier this year. Both groups are funded by a modest grant (\$4 million each) provided by the National Endowment for Democracy.

Fifteen years ago President Reagan and Congress established the NED to spearhead America's nongovernmental efforts at assisting democratic movements around the world. The NED, which today has a budget of just \$31 million, has been one of the most cost-effective investments our country has made to foster peace and democracy.

But last month a Senate subcommittee voted to discontinue funding for this vital program. The senators said they expect the State Department to fund the NED out of foreign-aid spending. This is an unlikely prospect, because the State Department hasn't made any provisions for the endowment.

Even if it did, that would undermine the NED's independence. The creation of the NED in the 1980s reflected a bipartisan belief that the promotion of freedom is an enduring American interest and that nongovernmental representatives would best be able to help their counterparts build democracy in other countries.

Today the full Senate is expected to consider an amendment sponsored by Sen. Richard Lugar (R., Ind.) to restore funding for the NED. It would be a tragic mistake if we took for granted the current democratic trend in world affairs and decided to reduce our support for these efforts.

Like Indonesia, many important countries that have conducted elections—among them Russia, Mexico and Nigeria—need the support of free nations in order to consolidate democratic gains. We must also help movements in Asia and the Middle East striving peacefully to democratize authoritarian countries. And we need to encourage free and fair elections as part of the reconstruction effort in the Balkans. Defunding the NED would undermine this important mission.

[From the Washington Post, June 25, 1999]

#### EXPORTING DEMOCRACY

The National Endowment for Democracy is one of the less known but, in the foreign policy universe, one of the more appreciated aspects of the Ronald Reagan legacy. Congressionally funded but largely independent in its operations, it mainly gives grants to the two political parties and leading business and labor groups to spread the word of civil societies, party development and election procedures, and democratic and human rights advocacy. Recognized abroad, it is scrutinized closely at home, which is fine but a bit unnerving to its supporters all the same.

This week, for instance, Sen. Russell Feingold (D-Wis.), in an authorization bill, sought to strip the endowment of its favor for and reliance on the four "core" groups and to put the whole of the institution's \$30 million budget up for competitive political bidding. It sounded like a reasonable, even democratic proposal, but three-quarters of the Senate wisely accepted the response that the endowment, with its support for the two parties and the AFL-CIO and Chamber of Commerce, already builds in a wholesome set of checks and balances true to the spirit of American democracy.

A lingering difficulty arises from Sen. Judd Gregg (R-NH). Making use of the deference enjoyed by Appropriations subcommittee chairmen, he has held up all

funds sought for the endowment. He would prefer that the administration take the money out of the State Department, which, he points out, funds democracy promotion under its own budget.

Mr. Gregg is right that the Cold War is over. But considerations of strategy as well as sentiment require that the effort to sustain fledgling democratic societies and initiatives ought to be a permanent part of American policy. To tuck the endowment into the State Department, moreover, would deprive it of precisely the independence wherein its chief value lies. Can you imagine, for instance, the "engagement"-minded State Department sponsoring Chinese nongovernmental organizations?

In sum, the endowment is an experiment to exporting democracy that has been working openly, for 15 years. It has been tested in heavy political weather, some of it churned up by its own early misuses. There is reason to believe the Senate would support the appropriation if Sen. Gregg were to let it register its judgment. That would be the democratic thing for him to do.

[From the Washington Post, June 24, 1999]

#### LET THE NED LIVE

At a time when the United States and its allies are engaged in what could be a prolonged war of words with Serbian leader Slobodan Milosevic, it is nothing less than astounding that the U.S. Senate should see fit to zero out funding for one of the most important tools in the nation's ideological arsenal, the National Endowment for Democracy. Mr. Milosevic may have acknowledged military defeat, but he still clings to power with the tenacity of a badger. A major problem in removing Mr. Milosevic is the regrettable fact that he was in fact democratically elected by the Serbs, who therefore also carry responsibility for what happened to them. It will take some effort to persuade them to remove their leader again by democratic means.

This is where the National Endowment for Democracy comes in, and also the other U.S. services and international broadcasters devoted to spreading free and unfettered information and building democratic institutions. To dwell on Serbia for a moment, the state television channel is run by none other than Mr. Milosevic's daughter, a filial relationship replayed throughout the states of the former Soviet Union, where assorted family members routinely are placed in charge of the post-communist "free" media.

If we are concerned about spreading democracy, and we should be, institutions like the National Endowment for Democracy remains vital. What is also vital is that the NED be kept at arm's length from State Department interference, that it not be seen as simply a tool of American foreign policy, but an institution whose basic mission remains fixed.

This year, the Clinton administration has requested \$32 million in funding for the NED for fiscal year 2000, hardly an exorbitant sum given that the NED has programs in 80 countries around the world. Though there is broad bipartisan support in the Senate for the NED, its funding has been zeroed out by the Appropriations subcommittee on Commerce, Justice, State, chaired by Sen. Judd Gregg. It has been suggested that funding ought to come out of the State Department's democracy fund, a bad idea both in principle and in practice—seeing that no such funding has been allocated. Last time the NED survived a frontal assault, it was two years ago when funding was restored on the Senate floor with overwhelming support. Another line of assault was blocked by the Senate yesterday by a 76-23 vote, as Sen. Russ Fein-

gold tried to introduce an amendment to micromanage NED grants through State.

One might get the idea that the U.S. Senate does not consider the promotion of democracy a worthy cause in and of itself. No, it does not produce instant results, but the world's greatest democracy should be in this for the long haul.

Mr. LUGAR. Mr. President, I urge the question.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 1289) was agreed to.

Mr. LUGAR. Mr. President, I move to reconsider the vote.

Mr. GREGG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

THE PRESIDING OFFICER (Mr. FITZGERALD). The Senator from New Hampshire.

#### PRIVILEGE OF THE FLOOR

Mr. GREGG. Mr. President, I ask unanimous consent that Mai-Huong Nguyen, a fellow with Senator FRIST's office, be granted the privilege of the floor during the discussion on the Commerce-State-Justice appropriations bill.

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

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

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

#### AMENDMENT NO. 1291

(Purpose: To amend title III of the Family Violence Prevention and Services Act and title IV of the Elementary and Secondary Education Act of 1965 to limit the effects of domestic violence on the lives of children, and for other purposes.)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk.

THE PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Minnesota [Mr. WELLSTONE], for himself and Mrs. MURRAY, proposes an amendment numbered 1291.

Mr. WELLSTONE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. WELLSTONE. Mr. President, this amendment that I offer, with the support of Senator MURRAY, is an amendment which is really based upon a piece of legislation we have introduced titled "Children Who Witness Domestic Violence Protection Act."

We have come to the floor, Democrats and Republicans alike, and we have talked about the destructive effect of some of the violence that children see on television or children see at

the movies. Unfortunately, an awful lot of children see the most graphic violence in their homes, and they are affected by it.

It depends upon, really, whose study you put the most emphasis on, but somewhere between 3 million and 5 million children in our country all too often are essentially victims of violence in their homes. In about 50 percent of the cases, when a man batters a woman, the children are also battered. Just imagine, colleagues, what it would be like over and over and over again to see your mother beaten up, battered. Just think of the effect it would have on you.

Actually, this is an area in which I have tried to do a lot of work. I would say my wife Sheila has really been my teacher. She knows more than I do, and her education comes from what lots of people around the country who have worked in this area for a very long time have taught her.

But one of the missing pieces, which in no way, shape, or form takes away the emphasis on the effect of this violence on women—sometimes men; most all the time women—one of the missing pieces has been the effect of this violence in homes on the children. Let me give you some examples.

Julie is a 4-year-old girl. She was the only witness to her divorced mother's fatal stabbing. Several months earlier, at the time of the divorce, Julie's father had publicly threatened to kill his ex-wife. Although the father lacked an alibi for the night of the crime, there was no physical evidence linking him to the homicide.

In describing the event, Julie consistently placed her father at the scene and recounted her father's efforts to clean up prior to leaving. Only after the district attorney saw Julie stabbing a pillow, crying, "Daddy pushed mommy down," did he become convinced that the father, indeed, was the murderer.

This is from the work of Jeff Edelson, who actually is a Minnesotan and does some of the most important work in the country. There is no more graphic example of: What do you think the effect on the child is from seeing this?

Dr. Okin and Alicia Lieberman at San Francisco General Hospital are currently treating a 6-year-old boy who observed his father fatally sever his mother's neck. At the beginning of the treatment, he was unable to speak.

Jason, who did not visually witness his parents fighting, described hearing fights this way: "I really thought somebody got hurt. It sounded like it. And I almost started to cry. It felt really, I was thinking of calling, calling the cops or something because it was really getting, really big banging and stuff like that."

These are voices of children in the country.

A lot of the work for this amendment comes from some people who have done very distinguished work in this country.

Betsy McAlister Groves at Boston Hospital is treating a 3-year-old girl, Sarah, who was brought in by her maternal grandmother. Sarah was having nightmares and was clinging and anxious during the day. Her mother had been fatally shot while Sarah was in the same room in their home.

A home is supposed to be a safe place for our children.

Betsy is also treating two boys, ages 5 and 7, whose mother brought them in after they witnessed their father's assault on her. The father was arrested over the weekend and was in jail. The mother was unable to tell the sons the truth, instead claiming that their father had taken a trip to Virginia.

What I am saying to you is that these children do not need to turn on the evening news. They do not need to see the violence in the movies or on television. It occurs right in their own homes.

What I am also saying is that this has a very destructive effect on many children, a profound effect, placing them at high risk for anxiety, depression, and, potentially, suicide. Furthermore, these children themselves may become more violent as they become older. Exposure to family violence, a good number of the experts in the country suggest, is the strongest predictor of violent, delinquent behavior among adolescents. It is estimated somewhere between 20 and 40 percent of chronically violent adolescents have witnessed extreme parental conflict.

It is an important point. When you talk to your judges, and they talk about some of the kids they are dealing with, they will tell you that in a very high percentage of the cases these children have come from homes where either they themselves have been beaten up or battered or they have seen it, they have witnessed it. Usually it is their mother they have seen beaten up.

Let me tell you about Tony and Sara from Minnesota. Tony is 10 years old and his sister Sara is 8. Tony and Sara were severely traumatized after seeing their father brutally attack their mother. They were forced to watch their father drag their mother out to the driveway, douse her with gasoline, and hold a flaming match inches from her.

Tony and Sara are not the only children in our country who are terrified by violence that they see on almost a daily basis.

This amendment, which is based upon work with Senator MURRAY, is a comprehensive first step toward confronting the impact of domestic violence on children. I just want to summarize it because it is my hope that there will be strong support for this on both sides of the aisle.

First of all, what we want to do, based upon, again, work we have seen in Minnesota, we have seen in Boston, we have seen in San Francisco, seen around the country, is we want to make sure we develop partnerships between the courts and the schools, the

health care providers, the child protective services, and the battered women's programs.

When communities apply for funding, the first thing we are going to say is, yes, make this happen at the community level, but do not have different agencies with different mandates. You guys have to show us that you are focusing on these children and you are getting the support services to these children.

I say to my colleague from South Carolina, I have talked to many educators. They say one of the problems they have is that quite often they may have a child in school who is not doing well and they do not know what is going on with that child. And what they find out—and this is the second part of this amendment, training for school officials about domestic violence and its impact on children, making sure they have the training and the support services for the teachers and the counselors—many times these kids haven't slept at night. Many times these kids come to school terrified. Many times these kids act out themselves. Many times these kids are in trouble, and many times we don't know what is going on in their lives.

We have finally started to focus on this violence in homes, too much of it directed toward women. But if you talk to people around the country who are down in the trenches doing the best work, from the academics to the community activists, they will tell you the missing piece is we have not focused enough on the effects on the children. That is what this amendment does.

The third piece of this amendment addresses domestic violence and the people who work to protect our children from abuse and neglect. There is a significant overlap, obviously, between domestic violence and child abuse. In families where one form of family violence exists, there is a likelihood that the other does. In about 50 percent of the cases, if the mother is being battered, the child is being battered. So the problem is these child protective services and domestic violence organizations set up their own separate programs, yet few of them work together to see what is happening within families.

This amendment creates incentives for local governments to collaborate with domestic violence agencies in administering their child welfare programs. The funds will be awarded to States and local governments to work collaboratively with community-based domestic violence programs to provide training, to do screening, to assist child welfare service agencies in recognizing the overlap between domestic violence and child abuse, to develop protocols for screening, intake, assessment and investigation, and to increase the safety and well-being of the child witnesses of domestic violence.

I could go on for hours about this because, honest to God, it is a huge issue in our country. I wish it wasn't.

The second piece of this—and I will be through in 5 minutes—is supervised visitation centers. I have to explain this. Part of the problem is, even if you have a woman who has said: I am getting out of this home, or I am getting my husband out of this home; he is a batterer, and she finally is able to do it—it is not easy—and you have small children, the other parent, the non-custodial parent, usually the man, wants to see the children and should be able to under most circumstances. The problem is, at the time in which he comes to the home to pick up the children or drop the children off, the violence can occur again. There is no safety there. Or the problem is in some cases you are worried about what the father will do to the children. But a judge doesn't want to say: You can never see your children. And sometimes, as a result of that, the children are in real jeopardy. So the second part of this authorizes funding for supervised visitation centers.

These are visitation centers where there can be a safe exchange.

At the risk of being melodramatic, let me dedicate this amendment to 5-year-old Brandon and 4-year-old Alex, who were murdered by their father during an unsupervised visit in Minnesota. They were beautiful children. Their mother Angela was separated from Kurt Frank, the children's father. During her marriage, Angela was physically and emotionally abused by Frank, and Frank had hit Brandon and split open his lip when once he had stepped between the father and the mother to protect the mother. She had an order of protection—Shiela and I both know Angela; she is very courageous—against Kurt Frank, but during the custody hearings, her request for the husband to only receive supervised visits was rejected. Kurt Frank murdered his two sons, these two children, during an unsupervised visit, and then he killed himself.

Honest to God, when there is some question about the safety of these children, we can do better. These safe visitation centers work. It makes all the sense in the world. These children's lives could have been saved. The father could have seen them, but it would have been under some supervision. That is the second part.

Third, the amendment recognizes the importance of police officers. This amendment comes from input from the law enforcement community around the country. What they are saying is: Quite often we are the ones who find the traumatized children behind the doors, beneath the furniture, in the closets, when we go to the homes. We want to know what we can do for these children. We would like to have the training. That is what this amendment provides for.

Then, finally, for crisis nurseries, it is important. A family is in crisis. The mother has two children dealing with an abusive relationship, trying to end the relationship. There is lots of ten-

sion in the home. There is the potential for violence. She wants to be able to take her child somewhere or her two children somewhere where they can be safe for one night or 2 days or 3 days. That is what these crisis nurseries do. They work well.

We have talked about the violence in the media. We have talked about the violence in the video games. But we rarely have dealt with the millions of children each year who are witnessing real-life violence in their homes. I believe we have to figure out ways to get the funding to the communities that will provide the support.

Mr. DURBIN. Will the Senator from Minnesota yield for a question?

Mr. WELLSTONE. I am pleased to yield.

Mr. DURBIN. Mr. President, the Senate and the Nation are fortunate, indeed, to have the Senator from Minnesota. He continues to redirect our attention to the life and death struggles that families go through every single day. Oftentimes he is a lonely voice on the Senate floor, but he is a person of principle and value. If it meets with his permission, I ask unanimous consent to be added as a cosponsor to this important amendment.

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

Mr. DURBIN. I ask the Senator from Minnesota a question. I listened carefully to his presentation and asked for a copy of the amendment to read it more closely.

One of the things I have found in working with law enforcement officials—I think the Senator from Minnesota has highlighted it—is they come upon a scene where a violent crime, maybe a very serious violent crime has been committed, and among all of their concerns, preserving evidence, making certain, if possible, to save any victim who might be battered or injured, there is that tiny little person who has just witnessed this scene.

When I spoke to the International Association of Chiefs of Police, one of the things which we discussed was to put on each investigative report from a violent crime a section that would indicate that the police know that minor children witnessed the violent crime and perhaps a method, then, of providing confidential information to counselors or social workers who would know. Then there is a heads-up, there is a red flag, that there has been a child involved. That child may be so young as to be overlooked as part of the investigation report, and they have suggested—and I think it is valuable, and perhaps at some point we can make it part of this effort—that law enforcement officials would be looking for this because, as the Senator from Minnesota has so eloquently given to the Senate today in his presentation, these kids witnessing violence can have their lives changed dramatically. An intervention at that point could not only make things better for them but could ultimately save their lives.

I ask the Senator from Minnesota if he would be kind enough to consider that either as a suggestion as part of this legislation or in separate correspondence with those who would administer the programs he has suggested.

Mr. WELLSTONE. Mr. President, I wonder if we could do a modification right now—I will work it up in the next couple of minutes—where, as Senator DURBIN is saying, the police would automatically check off the observation that a child or the children are at home as a part of the form. Then, again, if you had it at the community level, that is where this has to happen—the real interface and cooperation with school officials, with child protective services, with health care, with law enforcement, with counselors in the school—the focus would be on the child. These children are falling between the cracks.

Mr. President, that would be an excellent idea. I will try to maybe work on a modification. I am sure my colleagues will allow me to do a technical correction later.

Altogether, this is an authorization for an appropriation, but it is authorization for \$153 million a year for 3 years, which I think is not much to spend for what we can do. Later on, I know this gets resolved in the appropriations battle. I ask my colleagues whether they have a response. I can talk about this in more detail. I can go through the budget. I can talk about each specific program. But if you want to move along and you think this is something you can support, I would be very proud. I think it would be important.

Mr. GREGG. If the Senator from Minnesota will yield, this is a fairly extensive piece of legislation. It may take us a little while to take a look at it. I suggest we lay it aside for a moment and move on to whatever comes next and then come back to it, if the Senator doesn't mind.

Mr. WELLSTONE. Mr. President, I say to my colleague I am pleased to do that. That will give us a chance to add the suggestion of Senator DURBIN, and if we need to debate later on, I can give lots of examples and debate the need for this. If my colleagues support it, that will be great. Let's wait and see what you think. We will temporarily lay this amendment aside.

I yield the floor.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside.

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

AMENDMENT NO. 1292

(Purpose: To clarify that nothing in the Act shall be construed to prevent the use of funds to recover Federal tobacco-related health costs from responsible third parties)

Mr. GRAHAM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself, Mr. DURBIN, Mr. HARKIN, Mr. LAUTENBERG, Mr. CONRAD, Mr. REED, Mr. WELLSTONE, Mrs. MURRAY, and Mr. FEINGOLD, proposes an amendment numbered 1292.

At the appropriate place in title I, insert the following:

**SEC. . AUTHORITY TO RECOVER TOBACCO-RELATED COSTS.**

Nothing in this Act shall be construed to prohibit the Department of Justice from expending amounts made available under this title for tobacco-related litigation or for the payment of expert witnesses called to provide testimony in such litigation.

Mr. GRAHAM. Mr. President, I offer this amendment on behalf of myself, Senator DURBIN, and others, as a means of raising our strong objection to a provision that appeared in the report accompanying the Senate Commerce-State-Justice appropriations bill. That provision was on two pages.

On page 15 of the report, the last sentence in the first paragraph reads:

No funds are provided for tobacco litigation or the Joint Center for Strategic Environmental Enforcement.

Then on page 25, in the lower half of the page, this sentence appears:

No funds are provided for expert witnesses called to provide testimony in tobacco litigation.

My objection is that those two sentences have with them a clear inference that it is the policy of the Senate that the Department of Justice, in a rare instance, should be denied the investigative and prosecutorial discretion to determine whether it is in the interest of the United States and its people for the Federal Government to bring litigation against the tobacco industry and pursue that litigation in an effective manner.

Even more troubling is the sweeping nature of this language, which I believe could be reasonably interpreted to amount to a grant of immunity to the tobacco industry from Federal prosecution.

Further, if the Senate fails to strike this offending report language which grants immunity to the tobacco industry, we will be reversing the intent of a sense-of-the-Senate amendment we adopted less than 4 months ago by a unanimous vote, on March 25. The Senate clearly articulated not only that it was supportive of the Federal litigation but determined that the use of settlement dollars should be primarily to add to the strength of the Medicare trust fund on the basis that it is the Medicare trust fund that has been primarily affected by these excessive health care costs. I will discuss that in a moment.

While preparing a litigation strategy and while allowing the Department of Justice to exercise its traditional range of discretion, it is by no means a guarantee of success. Denying funds to the Department of Justice, tying their hands at the outset, precluding them from the ability to hire expert witnesses will only assure the failure of this important legal initiative.

We all know the tobacco industry is responsible for tens of billions of dollars of tobacco-related illnesses that the Federal Government spends to care for and treat individuals with lung cancer, emphysema, heart disease, and every other illness associated with tobacco use.

The most recent estimate for the costs incurred by the Federal Government for the treatment of tobacco-related illnesses totals \$22.2 billion each year. This includes Medicare, \$14.1 billion; Veterans' Administration, \$4 billion; Federal Employees Health Benefit Program, \$2.2 billion; Department of Defense, \$1.6 billion; Indian Health Services, \$300 million.

Put simply, a vote that retains this restrictive report language would, in essence, grant the tobacco industry immunity against Federal litigation.

I ask unanimous consent that a copy of an editorial from the Washington Post be printed in the RECORD immediately after my remarks.

(See Exhibit 1.)

Mr. GRAHAM. The Post editorial describes the stark implications of rejecting the amendment. The Post states:

It would be an amnesty for decades of misconduct and a retroactive taxpayer subsidy for that misconduct as well.

My second main objection to this language is that on May 20 of this year, the Congress, through a conference committee on the emergency supplemental bill, enacted a provision that denied the Federal Government access to some \$250 billion which the States have secured through their tobacco settlement.

The original amendment, which was introduced by Senator HUTCHISON of Texas and myself, as well as Senator BAYH, Senator VOINOVICH, and other Members of the Senate, passed this Senate by a vote of 71-29. This body could not have spoken with more clarity: Uncle Sam, keep your hands off the States' money.

But in taking that vote, while we said to the Federal Government, "Hands off," I and many of my colleagues, including Senator HOLLINGS and others, had argued that if the Federal Government wants its own money, then it should sue the tobacco industry for the recovery of funds spent for the treatment of tobacco-related illnesses in Federal programs, such as Medicare. If that sentiment was true just a few weeks ago, it is certainly true today.

My third objection is that this report language would be an abdication of our Federal responsibility to deny the Justice Department its most fundamental responsibility. What is that responsibility? It is the responsibility to locate and to investigate areas where individuals, organizations, entire industries, may in fact be liable and responsible for harming the people of the United States of America.

Evidence uncovered by the States in their successful legal efforts against the tobacco industry clearly implicates

the tobacco industry in their complicity to cover up evidence of addiction and illness related to the product they produce and market. To allow the tobacco industry to escape responsibility for these practices and to not investigate it fully to determine whether the Federal Government can recoup funds—funds that come from the taxpayers of America, funds that have been paid out to treat tobacco-related illnesses—would be totally irresponsible and a surrender of our fiduciary responsibility to the taxpayers.

Finally, there are some parties to this litigation who have no alternative but to have the Federal Government litigate on their behalf.

In this instance, I am speaking about Native Americans.

I ask unanimous consent that the full text of this letter be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit 2.)

Mr. GRAHAM. Mr. President, I ask unanimous consent that I be given 4 additional minutes to conclude my remarks.

The PRESIDING OFFICER. Under the previous order, the Senate must now return to the Gregg amendment.

Mr. GRAHAM. I ask unanimous consent for 4 minutes to complete my remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Florida.

Mr. GRAHAM. Mr. President, the letter from the National Congress of American Indians signed by its president, Mr. W. Ron Allen, states:

There are many Indian Nations, however, who do not possess the resources to bring individual suits and will, therefore, rely upon the DOJ to bring suit on their behalf.

I do not believe we should tolerate a situation in which a large number of our Native Americans are precluded from having their legal rights represented.

I urge my colleagues to vote to strike the offending report language. I urge my colleagues to allow the Justice Department to do its job, and to use its best professional judgment on how to proceed with its legal strategy against the tobacco industry.

Rather than giving the Marlboro Man and rather than giving Joe Camel another victim, let us vote to hold the tobacco companies accountable by the simple action of allowing the Department of Justice to do its responsible job as the Nation's investigator and litigator.

I ask unanimous consent that a letter from the Leadership Council of Aging Organizations, which represents organizations such as the AARP, the Historically Black Colleges and Universities, Families USA, National Senior Citizens Law Center, National Council on the Aging, the National Council of Senior Citizens, and many

other organizations representing older Americans which also support this language—support it particularly because they recognize the possibility of strengthening the Medicare program through funds derived from a successful prosecution of this litigation—be printed in the RECORD.

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

LEADERSHIP COUNCIL OF AGING  
ORGANIZATIONS

DEAR SENATOR: The undersigned members of the Leadership Council of Aging Organizations (LCAO) are writing because we are concerned about the Department of Justice (DOJ) appropriations bill (S. 1217) that will soon be taken up on the Senate floor. As you know, DOJ intends to sue the nation's tobacco companies to recover the billions of dollars Medicare, VA and other federal health care programs have spent on health care costs caused by tobacco use.

We have learned that the DOJ appropriations bill not only denies requested funding for this important, effort, but also includes language that may actually block the lawsuit. The states took action to hold the industry accountable for the related costs imposed on their state health programs. Given the success of the state suits, the federal government has an obligation to undertake similar action to protect Medicare and other federal health programs. We cannot understand why a successful course of action that was appropriate for 50 states and resulted in tobacco payments of over \$240 billion could be considered inappropriate for the federal government to pursue. In addition, blocking the lawsuit would violate an agreement reached in the Budget Resolution.

The costs to Medicare and other federal health programs due to tobacco are even greater than costs imposed on state programs. Tobacco-caused health care costs in the United States exceed \$70 billion each year and the federal government pays a large portion of those costs, including over \$14 billion per year on tobacco-caused Medicare expenditures. Given this drain on Medicare and other federal health programs, the Senate should support the DOJ's efforts to recover these funds.

We expect Senator BOB GRAHAM and others to offer an amendment when S. 1217 is considered on the floor to clarify that DOJ should be permitted to move forward with litigation against the tobacco industry. We urge you to support the Graham amendment.

At a time when Congress is wrestling with how to strengthen and preserve the future of Medicare and prepare it for the retirement of the baby boom generation, Congress should take every opportunity to protect this essential program. Defending Medicare is more important than defending tobacco companies.

EXHIBIT I,

A NEW KIND OF TOBACCO TAX

As it now stands, the Senate version of the Justice Department's appropriation would restrict the department's authority to file suit against the tobacco companies. Unless the matter is resolved in last-minute negotiations, an amendment to fix this problem will be put forward on the Senate floor by Sen. Bob Graham (D-Fla.) when the bill is taken up. Whether by amendment or negotiation, the current restriction has to go.

The department contends that the tobacco industry has engaged in intentional wrongdoing over the past 50 years in order to cover up the addictive qualities of its product. Industry misconduct, the argument goes, has

resulted in huge federal health care bills. Normally, when a company fraudulently exacts such a toll on the taxpayer, the Justice Department seeks to recover some of that money. And that is what the department plans. It has asked Congress for \$20 million for a planned suit. But the Senate appropriations subcommittee chairman, Judd Gregg (R-N.H.), seems to have other ideas. He inserted language into a committee report specifying that no money may be used for such a suit. The language would at least complicate the Justice Department's efforts, and it could be read to forbid a federal suit altogether.

The decision on whom to sue is a quintessentially executive branch power in which Congress has no legitimate role. If senators want to protect the tobacco industry's ill-gotten gains, they are free to change the laws under which Janet Reno is contemplating action. But it is the attorney general's job to decide whose violations of the law merit federal action. Moreover, when the attorney general plans a civil action against companies she claims have bilked the taxpayers of billions of dollars, it is not the place of any senator to seek to prevent the recovery of money that, in the judgment of the executive branch, lawfully belongs to the American people.

The amendment would not give the department the \$20 million it has requested, but it would clarify that other money can be used for the suit. There can be no misunderstanding a vote to reject such a change. It would be an amnesty for decades of misconduct and a retroactive taxpayer subsidy for that misconduct as well.

EXHIBIT 2

NATIONAL CONGRESS  
OF AMERICAN INDIANS,  
Washington, DC, July 22, 1999.

Hon. BOB GRAHAM,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR GRAHAM: The National Congress of American Indians (NCAI), the oldest and largest Indian advocacy organization is pleased to support your amendment to strike language in the Commerce, State, Justice appropriations bill (S. 1217) that would deny federal funds to be expended by the Department of Justice (DOJ) for Tobacco litigation, including expenses related to expert witnesses.

Indian Nations have been affected profoundly by the tobacco industry. To that end, NCAI acknowledges and respects the rights of Indian Nations to file individual suits against the tobacco industry to recover for tobacco related illnesses and believes that Indian Nations should be the beneficiaries of any funds recovered. There are many Indian Nations however, who do not possess the resources to bring individual suits and will therefore, rely upon the DOJ to bring suit on their behalf. NCAI would not want to foreclose that option to Indian Nations. Moreover, there are many unanswered questions regarding any suits that may be filed by the DOJ on behalf of Indian Nations. Until more questions have been answered, NCAI cannot support any language that would foreclose any options to Indian Nations.

Senator Graham, NCAI believes your floor amendment to strike said appropriation language will benefit a number of Indian Nations throughout Indian Country and we thank you for your efforts.

Sincerely,

W. RON ALLEN, *President.*

Please support the Graham amendment and deny the tobacco companies special legal protections.

AARP

AFSCME Retiree Program  
Alliance for Aging Research  
Alzheimer's Association  
American Association of Homes and Services for the Aging  
American Association for International Aging  
American Geriatrics Society  
American Society on Aging  
Association for Gerontology and Human Development in Historically Black Colleges and Universities  
Catholic Health Association  
Eldercare America  
Families USA  
Meals on Wheels Association of America  
National Academy of Elder Law Attorneys  
National Asian Pacific Center on Aging  
National Association of Area Agencies on Aging  
National Caucus and Center on Black Aged  
National Council on the Aging  
National Council of Senior Citizens  
National Osteoporosis Foundation  
National Senior Citizens Law Center

AMENDMENT NO. 1272

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, I understand we are back on the pending underlying GREGG amendment, and that the Senator from South Carolina has time.

The PRESIDING OFFICER (Mr. GORTON). The Senator is correct. The regular order now is the GREGG amendment with 10 minutes on each side.

Mr. GREGG. I ask unanimous consent that the time be reserved for the parties presently assigned to it, and I make a point of order that a quorum is not present.

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

The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

AMENDMENT NO. 1292, WITHDRAWN

Mr. GRAHAM. Mr. President, I ask that the amendment I had offered relative to prohibition on tobacco litigation be withdrawn.

The PRESIDING OFFICER. The Senator has that right. The amendment is withdrawn.

Mr. HARKIN. I would like to address a question to the chairman of the Subcommittee, the Senator from New Hampshire, regarding funding for the Civil Division of the Justice Department.

In his State of the Union Address, President Clinton announced that the Federal Government intended to sue the nation's tobacco companies to recover billions of dollars in smoking-related health care costs reimbursed by federal health care programs. The administration's FY 2000 budget requested \$15 million in new resources for the Civil Division of the Justice Department and \$5 million for the Fees and Expenses of Witnesses account support this litigation effort.

Unfortunately, we were unable to provide the additional resources requested by the administration for the



Civil Division to carry out this task. While I regret that the committee was unable to provide the new funds, it is my understanding that if the Justice Department deems this activity to be a high priority, base funding, including funds from the Fees and Expenses of Witnesses account, can be used for this purpose.

I ask the chairman and ranking member of the subcommittee if my understanding of the bill and the report language is correct?

Mr. GREGG. I agree with the Senator from Iowa. While the committee was unable to provide new funding as the administration requested, nothing in the bill or the report language prohibits the Department from using generally appropriated funds, including funds from the Fees and Expenses of Witnesses Account, to pursue this litigation if the Department concludes such litigation has merit under existing law.

Mr. HOLLINGS. I also agree with Senator HARKIN.

Mr. GRAHAM: I would like to address the chairman of the subcommittee. Does the chairman also agree to strike the language on page 15 and or page 25 of Senate Report 106-76 relating to funding for tobacco litigation.

Mr. GREGG. That is correct.

Mr. President, I yield to my colleague and cosponsor of the amendment, the Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Florida, and also Senator GREGG, Senator HOLLINGS, Senator HARKIN, and others who have been party to the establishment of this colloquy. I think the RECORD is eminently clear that the Department of Justice has the authority to move forward on tobacco litigation without any limitation whatsoever from this legislation.

I am glad we achieved that and did it in a bipartisan fashion. I thank Senator GRAHAM for his leadership. I was happy to join him on the amendment and to be part of this colloquy.

I yield the floor.

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

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed as in morning business.

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

Mr. GREGG. Will the Senator yield? Is there a time limit?

Mr. KERRY. Ten minutes.

Mr. GREGG. I thank the Senator.

Mr. KERRY. I thank the Chair.

(The remarks of Mr. KERRY pertaining to the introduction of S. 1420

are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KERRY. Mr. President, I suggest the absence of a quorum. I withhold that request.

The PRESIDING OFFICER. The majority leader.

#### UNANIMOUS CONSENT REQUEST— H.R. 1501

Mr. LOTT. Mr. President, I have a unanimous consent request with regard to the appointment of conferees on the juvenile justice bill.

I ask unanimous consent that the Senate proceed to the consideration of H.R. 1501, the House juvenile justice bill, and all after the enacting clause be stricken, the text of S. 254, as passed by the Senate, except for the Feinstein amendment No. 343, as modified, be inserted in lieu thereof, the bill be advanced to third reading and passage occur, without any intervening action or debate.

I further ask unanimous consent that the Senate insist on its amendment, request a conference with the House, the conferees be instructed to include the above described amendment No. 343 in the conference report, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of New Hampshire. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I regret the objection. I understand, though, the Senator's feeling on this. As a result of the objection, I have no other alternative than to move to proceed to H.R. 1501 and file a cloture motion on that motion to proceed. Having said that, this will be the first of many steps necessary to send this important juvenile justice bill to conference.

#### JUVENILE JUSTICE REFORM ACT OF 1999—MOTION TO PROCEED

Mr. LOTT. With that, I move to proceed to H.R. 1501 and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 165, H.R. 1501, the juvenile justice bill.

Trent Lott, Frank Murkowski, Chuck Hagel, Bill Frist, Jeff Sessions, Thad Cochran, Rick Santorum, Ben Nighthorse Campbell, Orrin Hatch, John Ashcroft, Robert F. Bennett, Pat Roberts, Jim Jeffords, Arlen Specter, Judd Gregg, and Christopher Bond.

#### CALL OF THE ROLL

Mr. LOTT. Mr. President, I remind Members that the vote will occur then

on Monday, and I now ask unanimous consent that the mandatory quorum under rule XXII be waived and the vote occur at 5 p.m. on Monday.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. LOTT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LOTT. Mr. President, I withhold on that. I see there are Senators ready to speak.

Ms. COLLINS addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Continued

#### AMENDMENT NO. 1296

(Purpose: Relating to telephone area codes)

Ms. COLLINS. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send to the desk a sense-of-the-Senate amendment on behalf of myself and Senators GREGG, HOLLINGS, TORRICELLI, FEINGOLD, SMITH of New Hampshire, and LIEBERMAN.

The PRESIDING OFFICER. Is there objection?

Without objection, the pending amendment is set aside, and the clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for herself, Mr. GREGG, Mr. HOLLINGS, Mr. TORRICELLI, Mr. FEINGOLD, Mr. SMITH of New Hampshire, and Mr. LIEBERMAN proposes an amendment numbered 1296.

Ms. COLLINS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 111, between lines 7 and 8, insert the following:

SEC. 620 (a) FINDINGS.—The Senate makes the following findings:

(1) When telephone area codes were first introduced in 1947, 86 area codes covered all of North America. There are now more than 215 area codes, and an additional 70 area codes may be required in the next 2 years.

(2) The current system for allocating numbers to telecommunications carriers is woefully inefficient, leading to the exhaustion of a telephone area code long before all the telephone numbers covered by the area code are actually in use.

(3) The proliferation of new telephone area codes causes economic dislocation for businesses and unnecessary cost, confusion, and inconvenience for households.

(4) Principles and approaches exist that would increase the efficiency with which telecommunications carriers use telephone numbering resources.

(5) The May 27, 1999, rulemaking proceeding of the Federal Communications Commission