

The amendment (No. 2865) was agreed to.

AMENDMENT NO. 2821

The PRESIDING OFFICER. The question now occurs on the Murray amendment.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the next vote in this series be limited to 10 minutes.

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

Mr. COVERDELL. Mr. President, have the yeas and nays been called for?

The PRESIDING OFFICER. They have not been ordered.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The Senator from Washington yields back her time. The question is on agreeing to amendment No. 2821. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Missouri (Mr. BOND) are necessarily absent.

The PRESIDING OFFICER (Mr. BENNETT). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 56, as follows:

[Rollcall Vote No. 21 Leg.]

YEAS—42

Akaka	Edwards	Leahy
Baucus	Feingold	Levin
Bayh	Feinstein	Lincoln
Biden	Graham	Mikulski
Bingaman	Harkin	Moynihan
Boxer	Hollings	Murray
Breaux	Inouye	Reed
Bryan	Johnson	Reid
Cleland	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Schumer
Dorgan	Landrieu	Wellstone
Durbin	Lautenberg	Wyden

NAYS—56

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Aschcroft	Gramm	Roberts
Bennett	Grams	Roth
Brownback	Grassley	Santorum
Bunning	Gregg	Sessions
Burns	Hagel	Shelby
Byrd	Hatch	Smith (NH)
Campbell	Helms	Smith (OR)
Chafee, L.	Hutchinson	Snowe
Cochran	Hutchison	Specter
Collins	Inhofe	Stevens
Coverdell	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lieberman	Thurmond
DeWine	Lott	Torricelli
Domenici	Lugar	Voinovich
Enzi	Mack	Warner
Fitzgerald	McConnell	

NOT VOTING—2

Bond	McCain
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The amendment (No. 2821) was rejected.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COVERDELL. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. 2860

Mr. COVERDELL. Mr. President, I believe the next order of business is the Hutchison amendment.

The PRESIDING OFFICER. The question is on agreeing to the Hutchison amendment.

The amendment (No. 2860) was agreed to.

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the Mack-Hatch amendment No. 2827 and that following the reporting by the clerk, the Senate proceed to a period for morning business with Members permitted to speak for up to 10 minutes each.

I further ask consent that the Senate resume the pending bill at 9:30 a.m. on Thursday and that there be 30 minutes equally divided in the usual form, to be followed by a vote in relation to the Mack-Hatch amendment. I ask that no second-degree amendments be in order prior to the vote.

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

Mr. COVERDELL. In light of this agreement, there will be no further votes this evening and the first vote tomorrow will occur at 10 a.m.

Mr. REID. Mr. President, for information purposes, it is my understanding in the morning we will do the Hatch amendment. It is my further understanding after that we will move to the Roth amendment.

Mr. COVERDELL. Yes, I have the consent request I will read.

Mr. REID. That is fine.

Mr. COVERDELL. I further ask consent that following the disposition of the Hatch amendment, Senator ROTH or his designee be recognized in order to call up the Roth amendment. I also ask consent that immediately upon reporting of the amendment, Senator GRAHAM of Florida be recognized in order to offer a second-degree amendment relating to offsets.

I ask unanimous consent that there be a total of 30 minutes equally divided in the usual form with respect to both amendments. Finally, I ask that following the use or yielding back of time, the Senate proceed to a vote on or in relation to the Graham amendment, to be followed by a vote on or in relation to the Roth amendment, as amended, if amended.

Mr. REID. Mr. President, reserving the right to object, I ask that there be a number assigned to the Roth amendment. Do we have a number on that? Is this the one that is going to be offered for the purpose of substituting original text? We want to make sure if, in fact, the Roth amendment is adopted the legislation remains amendable.

Mr. COVERDELL. There is no intent to alter that plan.

Mr. REID. My only other suggestion is that the time be 1 hour equally divided. We believe we can do it more quickly, but at this time, there is a request for more time.

Mr. COVERDELL. It says 30 minutes for each amendment. Does the Senator want to make it an hour for each one?

Mr. REID. I believe 30 minutes for each amendment will be adequate, but let's cover the phone call we just received.

Mr. COVERDELL. Mr. President, I modify the unanimous consent request to read according to the request of the Senator from Nevada.

Mr. REID. Also, Mr. President, we will have no objection, but for the information of Senators, especially those on my side, following the disposition of the Roth amendment, as amended by Graham, we are going to move to the Boxer amendment, the Feinstein-Sessions amendment, and thereafter, we will probably move to either the amendment of Senator DORGAN or Senator KENNEDY or Senator SCHUMER. We have their amendments lined up. The first two will be Boxer and Feinstein. We should be able to move through the next amendments in the next day or two.

Mr. COVERDELL. In conjunction with the Senator's question about the Roth amendment, I think this language will clarify it. And with respect to the Roth amendment, if agreed to, it will be considered as original text for the purpose of further amendment.

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

AMENDMENT NO. 2827

(Purpose: To eliminate the marriage penalty in the reduction in permitted contributions to education individual retirement accounts)

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Georgia [Mr. COVERDELL], for Mr. MACK, for himself and Mr. HATCH, proposes an amendment numbered 2827.

The amendment is as follows:

In subsection (a) of section 101, add at the end the following:

(4) ELIMINATION OF THE MARRIAGE PENALTY IN THE REDUCTION IN PERMITTED CONTRIBUTIONS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended—

(A) by striking "\$150,000" in subparagraph

(A)(ii) and inserting "\$190,000", and

(B) by striking "\$10,000" in subparagraph (B) and inserting "\$30,000".

BUELL ELEMENTARY SHOOTING

Mr. LEVIN. Mr. President, I am saddened to come to the floor this afternoon to speak about a tragedy that occurred yesterday in my home State of Michigan.

Yesterday morning, in room No. 6 at Buell Elementary School in Mount Morris Township near Flint, a first-grade student allegedly shot and killed his young classmate, Kayla Rolland.

We don't yet know all the facts about how the first-grader gained access to the handgun or whether the shooting was accidental or intentional. We do know, however, that one girl lost her young life in this tragedy and the children at Buell Elementary are scared

and confused and their parents deeply concerned.

Although grief counselors and social workers are at the elementary school now and will work their hardest to help these children understand and cope with the trauma, there is really no amount of counseling that can replace the innocence these children have lost.

The class of 22 students who witnessed the shooting is looking for answers and so are most of the rest of us. How can we make sense of this tragedy and the apparent relative ease with which a 6-year-old brought a 32-caliber semiautomatic handgun to school?

It is impossible to come to terms with this or any of the other shooting tragedies in this country that claim the lives of 12 children on the average each day. Yet always after a tragedy such as this one, we ask ourselves if it could have been prevented. The answer is a resounding yes. Congress can and must work to keep guns out of the hands of children.

It has now been almost 1 year since the deadly shooting at Columbine and still Congress has done nothing to help prevent these school shootings.

Lori Mizzi-Spillane, a Michigan coordinator of the Million Mom March, an organization advocating for stricter Federal firearms laws, asks in her words, "What is it going to take now for people to wake up?"

What will it take for us to "wake up" and pass legislation requiring firearms to be sold or transferred with storage or safety devices? What will it take for us to "wake up" and pass child access prevention legislation which would require that adults store firearms safely and securely in places that are reasonably inaccessible to children? Together, both Houses must enact these and other commonsense gun safety reforms that will keep our young people alive.

We should also note that the semi-automatic handgun that was reportedly used by the 6-year-old is a Saturday-night special, or junk gun, manufactured by one of the same companies that recently filed for bankruptcy protection to evade claims for damages caused by their product.

Earlier this year, I offered an amendment to the Bankruptcy Reform Act to prevent gun manufacturers from tactically using bankruptcy laws to evade accountability. That amendment would have held those companies responsible if they produced unsafe products and distributed those products negligently. The amendment did not pass, and the gun industry continues to be the only industry explicitly exempted from Federal health and safety regulations. As a result, many of the guns manufactured today lack even the most basic kind of safety devices. We should repeal this privileged position of gun manufacturers and also require that all firearms are personalized or child-proofed so they cannot be fired by unauthorized users.

I extend my thoughts and my prayers to Kayla's family, and I know I do on

behalf of every Member of the Senate. No family should have to suffer what this family has suffered in the last 2 days and what they will continue to suffer as long as they live. We will work ever harder to reduce the toll of gun violence for all the children of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

CONSERVATION AND REINVESTMENT ACT

Ms. LANDRIEU. Mr. President, most certainly I hope the cameras can get a great shot of this beautiful poster. It says: Parks and recreation: The benefits are endless. This is a picture of a Little League team. I do not exactly know from which State they hail, but it is from one of our great States. This is a team; and you can tell they are having a lot of fun.

To me and many of us who are working on a very important environmental bill, this poster represents something that is absolutely essential for our country today and is something that has been a joy to work on in this Congress and something on which we are making such progress.

Besides a great education for kids, we also have to give them a place to grow up and ball teams to belong to. It builds character and it teaches them how to work together and how to be productive.

Really, life is a lot about teamwork. We learn that in the Senate. We learn it in classrooms. We also learn it on ball fields all over this great country and around the world.

I want to take a moment, if I can, to say a couple words about a bill introduced last night by a group of us. I thank Senators TRENT LOTT, FRANK MURKOWSKI, JOHN BREAUX, and DIANNE FEINSTEIN for being cosponsors. Senator EVAN BAYH indicated to me a few minutes ago he is anxious to join with us; and also Senator CAMPBELL mentioned his interest. I am sure there will be many who support us as the word gets out about this particular bill. It is S. 2123 that was filed. It is the exact version of a bill that was worked out in a great compromise in the House about the ways we should reinvest our oil and gas revenues to provide for the expansion and full funding of our land, water, and conservation funds, which would fund thousands of opportunities such as this for the children I just mentioned.

It would fund significantly our wildlife conservation programs in this country, not necessarily dictated from Washington but actually decisions made at the State and local levels where, with regard to game and nongame species, special methods can be used; one size doesn't fit all.

Significant to my State of Louisiana as a producing State, this particular bill would provide some significant resources to address the great coastal

needs of Louisiana, Mississippi, Alabama, Texas, but also of New Jersey, California, Washington, and all of our coastal States, including our Great Lakes States. Whether we drill or not—and there are no incentives for drilling—it will be a great resource to help restore our coastlines, help stop the erosion, and help preserve wetlands in this Nation and our State of Louisiana, which represents over 60 percent of the coastal wetlands in the United States, and 40 percent of the commercial fisheries, the habitat of which rests in these wetlands. So it is a tremendous treasure.

This bill was introduced along with others we have before our Committee on Energy and Natural Resources. I thank the growing number of Senators who have stepped up to the plate to try to help us pass what is arguably the most important conservation and environmental bill in the last 100 years.

To my friends who are concerned about more acquisition of Federal land, I will share a few thoughts from DON YOUNG, who has been the leader on the House committee, who has been a champion of private property rights, a champion of the outdoors. They joked earlier today that he carries a knife. I guess it is OK in the House because he has one. If worse comes to worst, he may use it to help get this bill passed. I think that is probably going too far. But trust me, he is an outdoorsman from Alaska; he knows about private property rights.

He says the bill we are debating, S. 25, and also this new bill, S. 2123, which reflects the compromise he and Congressman MILLER from California worked out, would actually improve the position of Western States that are concerned that perhaps this bill gives even more money to purchase land because, in fact, any administration can do that, and right now some administrations have done it without much oversight from Congress.

This bill provides the proper partnership and balance between the administration and Congress. This bill gives the appropriators and the authorizing committee the authority and encourages them to actually make the decisions about what lands will be purchased. In addition, what I think is so right about what Chairman DON YOUNG says, is that our environmental efforts need to be about much more than just acquiring more land; we have to take care of the land we already own. I think the Chair would agree with that. That is what the bill does.

I reach out to my colleagues from Western States, many of whom have supported this effort, many of whom have other concerns and have hesitated so far with their endorsement, to ask them to really look at western values within the Conservation and Reinvestment Act piece that is being circulated and really look at what an improvement this bill offers over the current status quo.

My last point is actually a word to the White House and to the President,