

Within 1 year, all pistols will be designed so they can't be readily operated by a child under the age of 6. Handguns must pass a performance test. That gets to a bill I have about banning junk guns. They will drop these guns down. They will see if they go off. A lot of these handguns are so cheaply made, they fire when you don't want them to, and when you need them to, they jam up. They are not good products. They are junk guns. Smith & Wesson is going to put forward a test.

Every handgun will be designed with a second hidden serial number so they can be traced in a crime—another very important point. The company will sell only to authorized distributors and authorized dealers who adhere to a strict code of conduct. That means they will perform the background check. They will make sure the person coming in is not inebriated, is not high on drugs, doesn't have a criminal record, isn't under age. They will not sell any gun at any gun show unless every seller at the gun show conducts a background check. They will not sell their guns until that background check is completed, and they say it may well take 3 days.

They will not sell any high-capacity magazines or semiautomatic assault weapons. They will not sell products to anyone who has not taken a certified firearms safety course. And Smith & Wesson dealers will only allow purchasers to take one gun with them at a time.

They will have to wait a couple of weeks before they get their other gun. The company will devote 2 percent of its revenues to development of smart guns and within 3 years the smart gun technology, which allows only the authorized person to shoot it, will be in place. All new models will not be able to accept magazines with a capacity of over 10 rounds. There will be an oversight commission to enforce this, which will include representatives from the city and State governments, and one from the gun industry.

So what I have laid out in this presentation, first of all, is the facts on violence in America—irrefutable facts. I give these facts out and my colleagues come up and say: Could this be true? Could it be true that in 11 years more than 300,000 Americans have been killed by gun violence? Could it be true that every day 12 or 13 children are killed?

They can't believe it. And we send the facts to the Centers for Disease Control. We send them to the people who keep these terrible statistics, and they come back to me and say: Senator, you are right. We doubted you. We are sorry. We can't believe this is happening in America today. But it is.

So we have laid out the data, the facts on gun violence in America. We have laid out the five gun provisions languishing in the conference. Commonsense gun control that passed this Senate in a bipartisan way is suddenly being smothered over there in the con-

ference committee, and we can't get it to the floor of the Senate and the House.

Day after day we read about 6-year-olds shooting 6-year-olds, 10-year-olds shooting 10-year-olds, 12-year-olds shooting 12-year-olds.

We don't deserve to be here if we don't do this. We don't deserve to be here, let alone be reelected, if we don't do this. The Vietnam war brought the country to its knees. We lost 58,000 people-plus in that war. It was a most tragic period of time. I remember that time. But we now have 300,000 people-plus dying from guns in an 11-year period compared to 58,000, and we sit here dithering around doing nothing while law enforcement tells us to please act. "We are outgunned," they tell us. "We are losing people. We are losing this war." We have a war in our streets. I laid out the organizations that are backing these five sensible amendments.

Finally, I laid out the good news of the Smith & Wesson agreement. I call on every single gun company that wants to stay in business to go ahead and duplicate what Smith & Wesson has done. I thank them for acting. They are taking the heat for acting. I think Senator DASCHLE is right. Maybe they acted only because they had a lawsuit. Maybe they acted only because they thought they would go bankrupt if they didn't act and people would continue to sue them. The fact is, they acted; they acted on each and every point we have made on this Senate floor.

So, yes, we are going to see flag desecration brought up. We know over the last 200 years there has been one flag desecration a year on average, while every day 12 children are killed by guns; and over the past 11 years 300,000-plus Americans have been killed, and we do nothing. The juvenile justice bill is languishing—languishing—in the committee. I call on the Senators who are in charge of that conference—and they are my friends—to break the logjam and bring this legislation to the Senate floor. It passed with a bipartisan vote. Overwhelmingly, people want us to do it.

The Smith & Wesson agreement proves the point that the time is ripe for these measures. I say if we do it, we will be proud; we will have done something to protect our children, protect our people, protect our communities, and turn around a blight on our country at a time of great prosperity and great hope.

I see the Senator who has done such an amazing job in the Presidential race. I welcome him back. I thought the issues he raised were vital. I am glad to see him back, and as a result of his appearance on this floor, I am happy to yield at this time.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I thank my colleague from California for her kind remarks. I appreciate, obviously,

the time that I was able to spend in her great State. I hope she appreciates the economic input that our campaign made, and I hope I can get some rebate from the numerous campaign commercials we purchased in her State. I thank her for the hospitality shown to me by all of the citizens of the State of California.

KOSOVO

Mr. MCCAIN. Mr. President, this Friday marks the first anniversary of NATO's air campaign to drive Serbian forces out of Kosovo. I want to speak briefly this morning about the current situation that, regrettably, remains, in the words of the respected newsmagazine, *The Economist*, "a mess."

Reports over the weekend that General Reinhardt, the KFOR commander, believes that peacekeeping troops will likely need to remain in Kosovo for ten years or more have, I am sure, given my colleagues more than just cause to worry over the wisdom of our continued involvement there. That is more than understandable, given the divisions among NATO peacekeepers, and our allies' frustrating reluctance to meet their commitments to the international police force in Kosovo; considering the U.N.'s predictable difficulty in rebuilding something approaching normal civilian life where ethnic hatreds are as deep-seated as ever; and considering that the malevolent Mr. Milosevic continues to make trouble whenever and wherever he can.

Surely, the United States needs to be much more forceful with some of our allies who assume that the United States will always compensate for the deficiencies of their resolve and accept a greatly disproportionate share of the burden of stabilizing the Balkans. Most importantly, we must insist, and I emphasize that verb, that we have the full support of our peacekeeping partners in opposing Serbian efforts to foment further violence in Mitrovica and elsewhere. One of our allies sometimes appears to act, in defiance of the facts on the ground and the dictates of conscience, as a protector of Serb aggressors. Our other allies in KFOR should help us persuade our badly mistaken friend that such an attitude is a terrible impediment to KFOR's success.

This does not mean that the United States must end or threaten to end in the near term our participation in KFOR. Despite the unacceptable circumstances of the weak and endangered peace in Kosovo, it is infinitely preferable to the widespread atrocities committed during the course of Serbian aggression, atrocities that would surely reoccur were NATO to fail in our current mission. But our partners in peace can be persuaded by strong American leadership that the American people will not tolerate indefinitely Europe's inadequate commitment to peace and stability in their own backyard.

Mr. President, I do not mean to overlook or minimize in my discussion the

challenges to peace created by ethnic Albanian extremists. We must be resolute in opposition to any threats wherever they occur. But it is a grave mistake to forget that nearly all the violence and instability afflicting the Balkans over the last decade originated in the unspeakable inhumanity of Belgrade's aggressors.

The problems in the Balkans are, for the most part, attributable to the Serbian regime, led by an indicted war criminal who continues to hold onto power despite overwhelming public sentiment against him. At any time, he can be expected to foment conflict in Kosovo, Montenegro, or in Bosnia. That the domestic opposition to him has been divided and anemic does not detract from the legitimacy of those who seek his removal from power. In every respect, his is the rogue regime that constitutes the greatest threat to regional peace, just as Saddam Hussein does in the Persian Gulf and Kim Jong Il does in the Korean Peninsula.

The Senate's passage last November by unanimous consent of the Serbian Democratization Act was an illustration of the extent of Congress' commitment to democratic change in Serbia as the necessary condition to lasting stability in the region. We should never forget that, for all the long and sad history of conflict in the Balkans, it was only when dictatorial regimes sought to exploit ethnic divisions did conflict overwhelm peace. The recent election of a liberal government in Croatia has greatly benefited the situation in Bosnia. Only through similar change in Serbia will a lasting peace begin in Yugoslavia. United States policy in the Balkans, and in Yugoslavia in particular, must be focused on affecting the democratic transformation of Serbia that the Serbian people themselves desire.

Final passage of the Serbian Democratization Act will be an important step in the right direction. In the meantime, there must be no lifting of the sanctions on Serbia, and no repetition in Montenegro of what occurred in Kosovo—vague and unbelievably threats to prevent the kind of ethnic cleansing we are now spending billions of dollars to reverse.

In the days ahead, Mr. President, I hope to work again with my colleagues and with the administration to help focus United States policy on achieving the goals in the Balkans that are important to protecting both America's interests and values in Europe.

Finally, on a personal note, if I may, Mr. President, as has probably been noted occasionally, I have been absent from the Senate for some time. I will not burden my colleagues with a full discussion of how I spent my time away and what I learned from the experience. Nor do I think the floor of the U.S. Senate is the proper place to discuss in detail my personal feelings or political plans. However, Mr. President, I would like to say a few words about the great privilege we all share,

the privilege of serving the greatest nation in history.

I have enjoyed that privilege since I was 17 years old, and I consider myself fortunate beyond measure to have done so. This country and her causes are a blessing to mankind, and they honor all of us who work to make America an even better place, and America's example a greater influence on human history. I felt that way before I ran for President, and I feel that way today. And although I have lost my bid to be President, I will never lose my appreciation for the honor of serving America in any capacity, and for the good will and confidence of the people of Arizona who allow me to serve in the U.S. Senate, a body that has seen the honorable service of so many more distinguished Americans than the flawed man who addresses you now.

I have nothing but gratitude to the American people for the privilege of serving them and for their consideration of my candidacy for President. I have incurred a debt to them that I doubt I can ever fully repay. But I intend to do what I can, working with my congressional colleagues, Republicans and Democrats, to help bring about the changes to the practices and institutions of our democracy that they want and deserve.

These reforms, Mr. President, are not ends in themselves. They are means to a much more important end. They are intended to sustain America's pride in the way we govern ourselves, and in the end to remind us all, those of us lucky enough to serve and those who elect us, what a special thing it is to be an American. I was reminded of that every single day of this campaign by Americans, those who supported me and those who did not, who wanted little for themselves individually, but simply for our country to remain, what she's always been, "the last, best hope of earth." I will never forget it.

Mr. REID. 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. BROWNBACK. 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. BROWNBACK. Mr. President, what is the parliamentary situation? Are we in morning business?

The PRESIDING OFFICER. Under the previous order, the Senator from Kansas has up to 30 minutes.

THE MARRIAGE PENALTY TAX

Mr. BROWNBACK. Mr. President, what I want to spend some time on this morning is a very important matter that is coming up before the Senate shortly—a taxation issue the House has already passed. It is a tax a number of us have been working to get rid of for years. We are within sight of getting

that done now, but we do have to get it done. People in this body could still block it from happening. I want to make sure we get it through, and that is the elimination of the marriage penalty tax.

I have spoken about it on the floor a lot of times, perhaps too many. But we are so close to finally getting this done for the 21 million American couples who pay this tax that we really just have to see it through. What I am most fearful of is, once we get the bill out of the Finance Committee—they are working on it now, to eliminate this marriage penalty tax—it will come through the Finance Committee, it will be a good bill, it will do much to eliminate the marriage penalty tax—not all of it but much of it—but we will get it up on the floor and someone will say, "No, I don't want to get it through," or, "Yes, I agree with you, but it has to have this rider dealing with pharmaceuticals for Medicare patients," or dealing with minimum wage or dealing with some other issue that is extraneous to this important signal we send to America.

I want us to get this bill through this Congress. It has cleared the House. The House has done its job. It is now in the Finance Committee in the Senate. We will soon have it here on the floor. Let's take it up, let's pass it, let's give it to the President, and do it before April 15 so the President can have that, so we can give some notion of relief to working couples across this country.

Senator ASHCROFT and I and Senator HUTCHISON of Texas have been working on this issue for some time. This past week, while we were not in session, Senator ASHCROFT and I held a press conference in Kansas City. We had four couples from Kansas who are currently paying the marriage penalty tax. They think it is ridiculous. They think it is a bad signal we send. One gentleman there, one husband, stated he and his wife did not get married for 2 years because of the marriage penalty tax. They were in college at the time. They knew they wanted to get married, but they thought, they could not afford to do this because they would have to pay roughly, in their case, about \$600 more a year in taxes if they got married. They were in college and they said: We can't afford it; \$600 is important; we cannot afford to do this. So they didn't. But they were not happy they were forced by their Tax Code not to get married.

You would think, actually, we would be giving them \$600 to get married. This is a positive institution. It is something that is important for the country. It is a clear signal of support for family values, which we all say we are for. We ought to at least send that positive signal, but we don't. Those are four families, each of them who could use the average of \$1,400 a year that most couples pay in a marriage penalty.

Those are only four, though, in Kansas. I want to show with this chart, we