

THE POWER OF LEADERSHIP

Mr. DURBIN. Mr. President, I thank my colleague from New Jersey for raising this important issue of gun safety.

One of the most important powers of the leadership on Capitol Hill is the power to schedule a hearing, the power to bring a bill to the floor, the power to tell a committee to bring a bill forward so it can be considered.

Currently, the Republicans are in control of the Senate as well as the House of Representatives, and they have this awesome congressional power and responsibility. Over the last several days, there have been calls from the leadership, the Speaker of the House as well as the majority leader of the Senate, that this Senate and House basically drop what they are doing and start gathering information and documentation for an emergency hearing on the question of what occurred in Miami, FL, last Saturday morning. That is to the exclusion of a lot of other things that could be considered by the Congress of the United States.

The Hill newspaper and others have talked about this Republican fervor over investigating Attorney General Janet Reno and others about the Elian Gonzalez controversy. This is an important issue. It has certainly captured the imagination of many Americans and the attention of the press and a lot of politicians. I think it is worth looking into to consider the procedures that have been used and could be used. But would we step back and say, when we look at the state of America today, that this is the single most important thing that we should be doing right here on Capitol Hill? My guess is, in my home State of Illinois, the State of Ohio, as well as many other States, families might suggest: Before you get into that, could you take a look at education? Could you take a look at reducing violent crime in our country? Could you consider a Patients' Bill of Rights so if someone gets sick in my family, the doctor can make the medical decision instead of the insurance company? And while you are at it, my mother or grandmother is on Medicare and can't pay for her prescription drugs. Could you take a look at that incidentally? Is that something you could put on your priority list?

Quite honestly, those things will come out in polls across America as things about which people are concerned. They would like us to drop, perhaps, our focus on a 6-year-old boy from Cuba for just a few minutes and think about education, think about reducing gun violence in America, a Patients' Bill of Rights, a prescription drug benefit. Sadly, those items are not on the agenda. They don't capture the attention of the Republican leadership. Their attention is on this 6-year-old boy.

I hope we can focus the attention of Congress on some other issues. I hope we can earn our pay for a change and consider some bills and some laws that just might improve the quality of life

of families across America. I kind of thought that was part of our job. We were elected from 50 different States to come here to show some leadership and respond to the people back home to make America a better place to live.

Senator TORRICELLI of New Jersey talked about gun safety. We are just a few days away from the first anniversary, the sad anniversary of the tragedy at Columbine High School. That focused America's attention. It shocked us to believe that a high school in the suburbs of Denver could end up having this tragedy visited upon it and 12 children who got up and went to school never came home.

We saw that the two students who started this rampage got their guns from gun shows. We decided in Congress we had to do something. So we brought a bill forward, a gun safety bill, that had three basic provisions in it. The bill said, if you buy a gun at a gun show, we want to know whether you are legally disqualified from owning a gun. Of course, if you buy it from a gun dealer, we already make that inquiry. We want to know if you have a criminal record. We want to know if you happen to be a fugitive, a stalker, a wife beater, someone who is ineligible because they are too young, someone who has a history of violent mental illness. If we are going to preserve the second amendment right to own and bear arms, many of us believe we want to keep guns out of the hands of criminals and children.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. DURBIN. I ask unanimous consent for an additional 5 minutes.

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

Mr. DURBIN. The sportsmen and hunters in the State of Illinois and those I speak to around the country tend to agree. They want to use their guns legally and safely. They want to keep them away from criminals and children.

We put in the provision of this law a background check at gun shows. How frequent are gun shows? Come to downstate Illinois; they are pretty frequent. They have them at civic centers, all sorts of different places. We are not the leading State for gun shows. The leading State for gun shows is Texas. I will return to that in a moment.

Secondly, we said, let's have trigger locks sold with guns. As Senator TORRICELLI said earlier, 43 percent of guns are sitting around residences within easy access of children. How many times do you pick up the paper and read about a kid playing with a gun, shooting himself or a playmate? How many parents say, we don't have guns in our house because we think it is dangerous. But do you know whether your playmate's family has guns lying around. Who is so naive to believe that children never find Christmas gifts or guns? They go looking and they find them. Sometimes tragedy results.

We want trigger locks so the guns are secure, so a child who picks up that gun can't harm himself or others. Is this a radical idea? I think it is as sensible an idea as putting brakes on a car.

Finally, Senator FEINSTEIN added an amendment which said we don't want to import high-capacity ammo clips from overseas that can only be used for the semiautomatic and automatic weapons to sweep bullets in every direction. I have said that if you need a semiautomatic weapon or an assault weapon to shoot a deer, you ought to stick to fishing. Far too many people in this country think this is an invasion of second amendment rights. Too many people argue that we shouldn't even have these reasonable regulations in gun ownership.

We passed this bill that I am talking about on the floor of the Senate by one vote. Vice President Gore, as is his right under the Constitution, came to this Chair and voted. We passed the bill and sent it to the House. That was over 10 months ago. The bill, of course, was then subject to the National Rifle Association and all of the gun lobby beating up on it. They passed a terrible alternative to it. It has now been sitting in a conference committee month after weary month. We cannot summon the political will or courage to bring a gun safety bill out here to try to make the streets, the schools, and, yes, the zoos of America safe for families and children. No. We want to have an emergency hearing on a 6-year-old boy from Cuba. We want to drop everything. We want to subpoena all of the documents. This summons is more important. I think they are wrong.

When it comes to education, we have tried to focus on smaller class sizes so teachers can spend more time with kids who need help. We have tried to focus on afterschool programs so during that period of time when the school let's out before mom and dad get home kids have a chance to stay in a supervised situation at school so they can be tutored; if they are falling behind, enrichment classes if they are kids who are doing well; play a little sports but do something under supervision; summer school for the same reason—so that education starts reflecting the reality of family life.

We think we can focus as well on a Patients' Bill of Rights so we can say that doctors will make medical decisions and not insurance company clerks. Every medical group in America, nurses and doctors—all of them—support us. We would like to see the decisions on the future of each family's health made by health care professionals and not by people looking at the bottom line of an insurance company. We believe a prescription drug benefit is a high priority.

I had hearings across Illinois, and I have seen it across the Nation. There are people who are literally deciding between food and medicine. Elderly and disabled people can't afford the

medicine their doctors prescribe. So they do not fill the prescriptions. They cut the pills in half. They do things they shouldn't do, and they get sick. When they get sick, what happens? They end up in a hospital. If they end up in a hospital, guess what. Medicare will pay the bills now. We wouldn't pay for the pills to keep them out of the hospital but we will pay for the pills when they get sick and go to a hospital.

We think a prescription drug benefit makes sense. We think that is what we should be debating on the floor of the Senate. But we do not. Another week passes by. We consider a lot of other things, and families across America return to ask us: Where are your priorities? What are you thinking about?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. I will conclude. I thank you, Mr. President, for the time you have given me this morning and hope that the leadership on Capitol Hill will feel the same passion, the same intensity, and have the same commitment to issues that American families care about than they do about one family from Cuban.

The PRESIDING OFFICER. The Senator from Minnesota.

THANKING THE CHAIR

Mr. WELLSTONE. Mr. President, I thank the Chair. I want to start out by thanking the Chair for his courtesy. There are many who preside over the Senate who do not always listen to Members during debates while they are on the floor. You are one who does, and I have to thank you for your courtesy.

SENATE BUSINESS

Mr. WELLSTONE. Mr. President, I want to build on the comments of my colleague, Senator DURBIN—not in a shrill way but I guess in a determined way.

A good friend of mine has really become a dear friend. I love his work. Jonathan Kozol wrote a book called "Amazing Grace: The Lives of Children and the Conscience of a Nation." He has now written another book. I think people in the country, as is the case with all of Jonathan's work—and I wouldn't be surprised if the Chair in his commitment to children hasn't read some of his work—have read his work because it is very important. He sent to me yesterday in the mail—I didn't bring it with me to the floor because I didn't realize I had a chance to speak—some data about per pupil expenditures in New York City and surrounding suburbs.

The long and the short of it is that the suburbs surrounding the city, because of the wealth of the communities with strong reliance on property taxes, are able to spend about twice as much per pupil as the inner city. Not surprisingly, their teachers are certified and qualified, which is not the case nec-

essarily in the city in terms of having had the experience of certification or expertise in the subject matter. Not surprisingly, therefore, there is tremendous variation in terms of those children and their opportunities to succeed.

I raise this question because I hope that soon we will have the Elementary and Secondary Education Act out on the floor. When we do, I hope it will be the Senate at its best.

I am going to register the same, if you will, grievance or sharp dissent from the majority leader. I haven't done it behind his back. He knows what my position is about the way we have been operating.

I hope when this bill comes to the floor this will not be yet another case of the majority leader essentially saying: Look, only the following amendments will be in order. Any other amendments will not be. What happens is there is no agreement, and the majority leader files cloture. Then cloture is not invoked. Then the bill is pulled. I hope we don't see that.

Last week, or the week before our recess, we had this debate over the marriage penalty tax. There were a number of us who wanted to bring out amendments that we thought were terribly important dealing with prescription drug costs. Again, the majority leader said: This isn't relevant, and therefore I choose not to go forward. We had a debate about it and cloture was invoked. We will have that debate again. Or there was an effort to invoke cloture, cloture was not obtained, and the bill was pulled.

I think that is what happened, and, as a result, I think the Senate has lost its vitality.

I was elected in 1991. Honest to goodness, I think it is the truth. I don't think anybody can present evidence to the contrary. The way I remember it was that up until fairly recently, this was the pattern: A bill would come to the floor. Senators would come with amendments. We might have 60 or 90 amendments. Some would drop off and some of them wouldn't. We could go at it. We would start in the morning, go into the evening, and take a week, or 10 days, or 2 weeks. But we had debates. We had discussion. We had votes. We dealt with issues that were important to people's lives. We voted yes. We voted no. We had some vitality.

I say to the majority leader that I believe we have moved away from that to the detriment of this institution. I think we are sucking the vitality out of the Senate by the way we are conducting business. I strongly dissent from the majority leader in the way he has been proceeding. It is true that in this way people do not have to vote on amendments. But what representative democracy is all about is accountability. What the Senate is all about is it is an amendment body. It is a debate body. And individual Senators, whether you have a lot of seniority or whether you don't, can make a difference in the

Senate—or could make a difference in the Senate before—because you could bring amendments and have at it.

I started out focusing on children and education. I am real interested, as long as we are talking about high standards, in making sure every child has the same opportunity to meet those standards. I would like to talk about that.

You and I, Mr. President, talked some about early childhood development and how important it is pre-K. Why isn't the Federal Government more of a player? Why aren't we getting more resources? Your colleague from Ohio feels just as strongly about it. You and I talked about it. Why is it that people working with children ages 3 and 4 do such important work, and then all of their work is so devalued in terms of the pay they make? How can we provide the incentive for men and women to go into the field?

I am concerned, as is Senator DURBIN, coming from a State such as mine that only one-third of senior citizens in our State have prescription drug coverage at all. I see it all the time in terms of what this has done to people. It is not atypical to talk to a single elderly woman whose husband has passed away. She might be 75. Her monthly income might be \$600 and \$300 of it is for prescription drug costs.

I want to come out here to talk about a bill Senator DORGAN and I have worked on that would make a huge difference in terms of costs. But, no, we couldn't have that debate.

I am from an agricultural State. We have an economic convulsion in agriculture. Many people who I love and respect work so hard. No one can say they don't work hard. It doesn't matter; they can work 19 hours a day. They can be the greatest managers in the world. They are being spit out of the economy and they are losing their farms in this economy. I want to talk about how we can make some changes to the farm bill passed in 1996 called Freedom to Farm—some of us call it "freedom to fail"—so we can deal with the price crises. I would like to talk about whether we can reach an agreement on the antitrust action so producers can have a level playing field.

Mr. President, there are many issues that are important to people's lives, whether people live in metro, urban, rural, or suburban communities. There are many issues that are important to children to make sure that we as a nation at least come closer to reaching our national vow of equal opportunity for every child. There are issues that deal with reform and, God knows, I would think all of us would hate the mix of money in politics. I can't stand raising money. I can't bear it. I hate getting on the phone. I think, systematically, it creates tremendous problems in terms of undercutting representative democracy, where some people have too much access to both parties at an institutional level and too many people don't.

I would like to see us focus on reform. I have just mentioned some