

The United States is beginning to look as if it isn't interested in arms control. The Senate last year rejected a good treaty that would have permanently banned nuclear tests. The lower house of Russia's parliament approved the same treaty on April 21. Now, the Senate is holding START II hostage to amendments to an anti-ballistic missile treaty that it probably would not ratify.

Meanwhile, U.S. negotiators keep telling their Russian counterparts that the limited missile defense would defend against rogue states, while hawkish senators hold out for a full-blown system whose principle object would be to defend against Russia.

To its credit, the administration is talking with Russia about a START III treaty, which would reduce the number of deployed warheads to no more than 2,500. But those talks are hampered by the stalemates over START II and missile defenses.

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NUCLEAR FAMILY VALUES

(By Mary McGrory)

The fate of mankind vs. the fate of one 6-year-old Cuban boy? It is not a contest in the U.S. Senate. Elian wins going away.

Russia's new president, Vladimir Putin, can't get anyone's attention on Capitol Hill, even though his first moves in office could have beneficial effects on the whole world and are at least as noteworthy as Janet Reno's pre-dawn raid on Elian Gonzalez's Miami home.

Putin passed two treaties through the Russian parliament with wide majorities, indicating at a minimum that he had a grip on the legislature and some idea of a new image for Russia: START II reduces the number of nuclear weapons, and the Comprehensive Test Ban Treaty, which the Senate rejected last year, bans all tests.

But is anyone hailing a new day in arms control? Is anyone rejoicing? No. Putin has done very well. But his name is not Gonzalez.

On the Senate floor, Jesse Helms, chairman of the Senate Foreign Relations Committee, who is just as much a dictator as Castro, from whom many Republicans want to save Elian, announced that there would be no hearings on this wicked nonsense from Putin. But there will be emergency hearings on Elian, beginning next week.

When Putin on April 15 put it to Bill Clinton that he could have a choice between fewer nuclear weapons and a national missile defense system, the reaction of Republican senators was outrage. Led by their majority leader, Trent Lott, they dashed off a letter to the president, warning him that it was all a plot to foil a version of Ronald Reagan's Star Wars.

The national missile defense system doesn't work and it costs \$60 billion going in. But hang the tests and hang the expense, the Republicans want to start pouring concrete. Not that they are talking about it, mind you. They are busing planning to air for the country all the recriminations and second-guessing since a petrified Elian was hauled out of a closet by a helmeted, goggled creature with bared teeth and an automatic weapon.

The Republicans love that picture almost as much as they love Star Wars, and they are not going to let it go. They quizzed Attorney General Reno for almost two hours Tuesday morning. In the afternoon, Leader Lott, fairly vibrating with anticipation, explained that the public had a right to know just what state the peace negotiations had been at the time of the dawn raid. Janet Reno's answers had not been satisfactory.

All day in the halls, Senate Elian-celebrities were giving interviews. There was Re-

publican Sen. Connie Mack of Florida, who had been stood up by Elian's great-uncle Lazaro Gonzalez, Lazaro's operatic daughter Marisleysis, and Donato Dalrymple, one of Elian's rescuers. There was Florida's other senator, Bob Graham (D), who also had a grievance. He kept telling anyone who would listen that the president of the United States, sitting in the Oval Office, had given his personal word that no snatch would be undertaken at night. You can almost hear Bill Clinton triumphantly responding, "It was 5 o'clock in the morning."

Perhaps the most put out was Republican Sen. Robert C. Smith of New Hampshire, who had taken Lazaro's troupe to the Capitol when they landed after their dramatic dash in hot pursuit of their little boarder. They have been turned away at the gate of Andrews Air Force Base, twice. "Wait until defense appropriations time," growled veteran Republican lobbyist Tom Korologos.

Republicans have been warned by their pollsters that the public, by a wide margin, has thought all along that Elian should be sent home to his father. The public hated the picture of the child at gunpoint but they loved pictures taken at Andrews—pictures that showed a beaming Elian leaning on his father's shoulder and playing with his baby stepbrother.

What legislation would come out of hearings is hard to imagine. There's little hope of wisdom, either. Maybe Marisleysis Gonzalez should be asked about her enviable health plan. She's been in and out of the hospital eight times in the past month, suffering from the vapors visited on a surrogate mom. And somebody might want to inquire of the attorney general if she had considered dispensing with the helmet and the goggles that made the Immigration and Naturalization gunman such a sinister figure. Wasn't a machine gun sufficiently intimidating? Did she make it clear to the crew that the child is not a drug lord? While all this melodrama was swirling around, the Senate in its chamber was tampering again with the Constitution—an amendment for victims' rights. The Constitution should not be messed with. Another document better left alone is the Anti-Ballistic Missile Treaty.

We need that handsome woman who threw the blanket over Elian on Saturday morning and rushed him off the scene. She should do the same for the Senate until it gets a grip on its priorities.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I ask unanimous consent that under the time reserved for Senator DURBIN I may speak for such time as I may consume.

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

THE JUVENILE JUSTICE BILL

Mr. REED. Mr. President, for the last several days, we have been debating a victims' rights amendment to the U.S. Constitution, and that is an interesting and thoughtful debate. But I think we can do something else, which is try to prevent victims in the first place. We can do that by passing the juvenile justice bill, which contains sensible controls on handguns in this society.

A few days ago we saw another incident involving a handgun at the National Zoo, a place we have recognized for decades as a source of solace and education and recreation in the Na-

tion's Capital. But, in a moment, it was turned into a place of violence and terror because a young man, apparently with a handgun, shot several young people.

The tragedy in this country is that each year 30,000 Americans die by gunfire. Every day, 12 children are killed by gunfire. We can stop that and we must stop that.

The most recent incident is another indication that we have to act not someday but immediately. These seven children have been harmed and their families have been forever changed. This is a tragedy that they will live with, but it is a tragedy that we don't have to live with as a nation indefinitely.

We took several appropriate and responsible steps after the Columbine shooting last year in which we passed legislation that would close the gun show loophole, require safety locks on handguns to prevent their use by children, and other measures. Yet these measures languish today in a conference committee that has met only once since last year, which is not seriously attempting to address the critical issues of violence in this country.

Each day we wait, another incident takes place. Again, last year on the floor of the Senate as we debated the juvenile justice bill, if any of us had stood up and said a 6-year-old child would walk into first grade in America and shoot another 6 year old, some would have said it was hysterical demagoguing.

That happened. If anybody said that on a Sunday or a weekday afternoon at the National Zoo random gunfire would break out and seven children would be shot down, we would be accused of hysterical demagoguery. It happened.

We can prevent this, and we should, by acting promptly to pass the juvenile justice bill with those provisions included. Many in the Congress call for stricter enforcement of handgun laws. I agree with that. We should enforce the laws. But the reality is that we have to prevent these incidents rather than, after the fact, arresting people.

It is against the law in the District of Columbia to possess a handgun, as it was possessed, apparently, by this young man. But the District of Columbia is not an island. It is a metropolitan area between other States that have much less strict gun control laws. Virginia, for example, is a State which is a shell-issue State. That means that practically any person who is not a felon can carry a concealed weapon with a license and without showing a special need to do so.

Private sales of handguns, including gun show sales, are common throughout Virginia, and there you can in fact buy a weapon without a background check if you are buying from an unlicensed gun dealer. There is no waiting period in Virginia to buy a handgun. Now there is a law that prevents the purchase of more than one handgun a month, and that is good because it prevents trafficking in firearms. But it

only takes one gun to do the kind of damage we saw a few days ago at the National Zoo.

We all agree that enforcement is important. We look forward to and applaud the local authorities who apprehended the young suspect. He will be tried and the law will be imposed and enforced. But, once again, prevention perhaps could have prevented this violence or other violence throughout the United States.

On this 1-year anniversary of Columbine, we should be doing something more than simply sitting and waiting for that conference report. We should be demanding, as we have in the past on this floor, that conferees meet, vote, and send us back this measure, including all those strict gun control provisions. This Senate went on record by a vote of 53-47 to take that very position. I hope that vote will energize and activate the conferees and that they will move immediately to send this provision to the President for signature.

Within that bill, there are resources for the types of prevention and enforcement that we need with respect to juveniles. Twenty-five percent of the \$250 million distributed annually on the juvenile accountability block grant program would be dedicated to prevention to the gun lobby. In addition, the conference report would include, I hope, child safety locks, an amendment to firmly close the gun show loophole, a ban on the importation of high-capacity ammunition clips, and a ban on the sale of semiautomatic weapons. It is time now to prevent, if we can, the violence that we have witnessed and, sadly, the violence that happens every day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, it is my understanding that the morning business allocation ends at 10:30. I ask unanimous consent I be allowed to speak until the conclusion of that morning business and then to continue speaking for such period of time as I may consume.

The PRESIDING OFFICER. Morning business does not conclude at 10:30. The time allotted to the Senator from Illinois concludes at 10:30.

The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I seek recognition until 10:30, and I ask unanimous consent that I may continue speaking beyond that in morning business.

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

Mr. DURBIN. I thank the Chair.

THE MARRIAGE TAX PENALTY

Mr. DURBIN. One of the issues pending is a Tax Code issue called the marriage tax penalty. What it boils down to is that a number of people in this country, when they go to get married, their combined incomes on a joint re-

turn puts them in a higher tax bracket, so they are, in fact, penalized by the Tax Code because of their decision to get married.

The debate on the floor of the Senate now is whether we will change the Tax Code to eliminate that penalty. It makes common sense, really. We want to encourage people to get married. The idea that we would penalize them under the Tax Code for getting married makes no sense at all. There is common agreement on that. Democrats and Republicans believe we should eliminate that penalty. The difference, of course, comes down to how you do it and what the bill says as part of the tax relief.

I have to say, parenthetically, that I don't know too many young couples who, when they are making plans to get engaged and to get married, say, well, before we finalize this and buy a wedding ring, we better stop off at the accountant's office to figure out the tax consequences. I am sure some do that, but my wife and I sure didn't, and most people don't do that.

Notwithstanding that observation, it is right for us to consider changing the Tax Code to eliminate this penalty. Interestingly enough, though, there are almost an equal number of couples who get married and get a tax bonus because their combined income lowers their joint tax rate to the point where they pay a lower tax rate married than they did as single, individual filers. So, in a way, there is a marriage tax penalty under the Tax Code that I described, but there is also a marriage bonus. So what we have said on the Democratic side is let's deal with the penalty and make sure nobody pays a price under the Tax Code for the decision to get married.

When you make these Tax Code decisions, they cost money, because it means fewer dollars are flowing from taxpayers and from the economy into the Treasury. Whenever you are going to propose a bill such as this to eliminate a Tax Code penalty to reduce a tax obligation, you have to come up with some money to pay for it and offset the loss of revenue to the Federal Government.

We are in a position to discuss that possibility because, frankly, we are enjoying the most prosperous economy in the history of the United States of America. We have seen the longest period of economic expansion ever. It has been I think close to 109 months—for over 9 years—that we have seen a continued expansion of the economy without a recession, which means more people are going to work and buying homes or cars; businesses are getting started; inflation is in check; people are making more money.

If you happen to have a retirement plan, if you take away the last few weeks, which have been a little rocky, you know that over the last several years you have done pretty well. There has been a growth in value in the stock market. When President Clinton was

sworn in as President, the Dow Jones average was around 3,000. Now it is in the 10,000 category.

A tripling in the value of this stock market means half the American families who own mutual funds or other investments have generally seen their pensions and savings growing over this period of time. This is a very good thing. But because of that strengthening economy, we have also seen people making more money and paying more in taxes. Considering the fact that folks are doing better, most of them have said: Keep it coming. We are willing to pay our fair share of taxes as long as we are getting more in income and we see our retirement plans growing.

This increase in tax receipts because of a prosperous economy has generated a surplus. Where the Senate just a few years ago was embroiled in a controversy about the deficit we faced year in and year out, we are now talking about how to spend the surplus. The marriage tax penalty bill takes a part of this surplus and says, let's cure this problem in the Tax Code. I don't think that is unreasonable. But I thought we ought to step back for a second and say what our long-term goals are.

The long-term goal enunciated by President Clinton—which I support and the Democratic side supports—is that we should take this surplus and invest it wisely, do things with it that make sense in the long term.

One thing that makes sense is to eliminate the national debt. The deficit each year piles up into an account called the national debt. The national debt is our mortgage as a nation. We have to raise taxes every year to pay interest on our Nation's mortgage—the national debt. In fact, we have to raise \$1 billion in taxes every single day from families, businesses, and individuals just to pay interest on old debt.

Those of us on the Democratic side think our surplus should first be dedicated to reducing this national debt so that the mortgage left to our children and grandchildren is smaller. We will leave them a great nation. Of course, we are proud of the role we played in helping that to happen. But we shouldn't leave them a great debt for the things we enjoyed during our lifetime.

We believe, on the Democratic side, that the fiscally sound thing to do is to reduce the national debt. I am afraid our friends on the Republican side of the aisle would rather spend this money on tax cuts that go way beyond the marriage tax penalty—the problem I discussed earlier.

The leader in tax cuts is the Republican candidate for President, Governor Bush. He has proposed a tax cut package larger even than the Republican package that is being brought to the floor.

We had a vote just a couple of weeks ago on an amendment I offered. By a vote of 99-0, the Senate rejected the