

package now that can benefit seniors. We ought to pass it this year. Sure, we can phase it in, we can build it up, but we want it now. Not like the Budget Committee saying maybe sometime off in the future and giving us absolutely no assurance. That is a mistake. That is flawed policy. That is, I think, a completely inadequate response to the challenges our seniors face.

Next week, when we debate the budget, we will have the opportunity to address this issue. I hope the overwhelming majority of the Members will support an effort that will come from our side, from our leaders to commit this body to take action and take it now. We will have a chance to vote on that. It ought to be something to which every senior citizen in this country pays attention. We will make every effort to fashion a program to provide assistance to our seniors. We are committed to that. We will not be discouraged from that opportunity by these budget recommendations.

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#### PRESIDENT HOSNI MUBARAK

Mr. KENNEDY. Mr. President, I see my friend and colleague, the good Senator from Delaware; but behind him, I see someone for whom I have great admiration, who I join in welcoming back to the United States, a dear friend to me and one of the great world leaders of our time. He is a real voice for peace in the Middle East.

I know I will not trespass on the privileges of the Chair and the ranking minority by mentioning his name, but I want him to know what a pleasure it is to see him here.

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#### VISIT TO THE SENATE BY THE PRESIDENT OF EGYPT, HOSNI MUBARAK

Mr. HELMS. Mr. President, it is my honor to present to the Senate the longtime friend of most Senators, the Honorable President of Egypt, Hosni Mubarak.

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#### RECESS

Mr. HELMS. I ask unanimous consent we stand in recess for 7 minutes.

There being no objection, the Senate, at 11:52 a.m., recessed until 12 noon; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. BURNS).

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for as much time as I may consume.

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

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#### TRANSPORT OF VIOLENT OFFENDERS

Mr. DORGAN. Mr. President, I intend to introduce some legislation dealing with violent crime. Before I describe that legislation, I want to speak briefly about another piece of legislation that

I previously introduced called Jeanna's bill, named after an 11-year-old girl from Fargo, ND, who was brutally murdered some while ago. I will speak about that for a moment today because something has happened in the last couple of days of which we ought to be aware.

This is a picture of a man named Kyle Bell. He is a child killer. He molested children. He was sent to prison for 30 years. He was eventually convicted of killing Jeanna North from Fargo, ND, and sent off to prison.

As is too often the case in this country, Kyle Bell was remanded to the custody of a private company to transport him to a prison in some other part of America. That private transport company lost this child killer along the way. He escaped. He was not wearing red clothing or an orange jumpsuit that said: "I am a prisoner." He was in civilian clothes. He was in a van with other prisoners.

One of the guards of the company that was transporting him apparently went in to buy a hamburger or something at a gasoline stop, and the other was asleep in the van. Kyle Bell somehow got his shackles off, climbed up through the roof of the van, and was gone. Tragically, the guards did not notice they had lost a convicted child killer for 9 hours—9 hours.

It concerned me when I saw what had happened to this child killer. This newspaper piece describes what happened and the manhunt around the country for Kyle Bell, a very violent career criminal.

I put together a piece of legislation and was joined by Senator ASHCROFT, Senator LEAHY, and others, to say that if state and local authorities are going to contract with a private company to haul convicted killers and violent offenders, at least the company ought to have to meet some basic standards. That is just common sense to me. It is not now the case.

Any retired law enforcement officer and their brother-in-law and cousin can buy a van, show up at a prison someplace and say: We are hired to haul your prisoners. In fact, it has happened all too often. I will give an example.

A husband and wife team showed up at an Iowa State prison to transport six inmates, five of them convicted murderers. The warden looked at the husband and wife team and said: You have to be kidding me. But the prisoners were given to the husband and wife to transport, and, of course, they escaped. There is story after story of this same circumstance.

The reason I mention it today is earlier this week in Chula Vista, CA, convicted murderer James Prestridge was being transported. He is a person convicted of murder and sentenced to life without parole. He was apparently, according to the Los Angeles Times, being transported from Nevada to North Dakota where he was going to be incarcerated under some kind of prisoner exchange. This is a convicted kill-

er, to be incarcerated for the rest of his life.

Guess what. Mr. James Prestridge, a convicted killer, is no longer in custody. The private company called Extradition International lost him. He escaped. They stopped at a bathroom and he overpowered a guard. He went back to the van, overpowered the other guard, and this guy was gone. He and another violent offender who was with him are on the loose today.

Why is this happening? It does not happen when the U.S. Marshal Service transports violent offenders around the country. They are not losing violent offenders. But private companies have no standards to meet, none at all. Hire a couple of people, rent a van, get your brother-in-law, and you are in business. Some States will turn convicted murderers over to you to be transported to another part of the country.

This makes no sense to me at all. Convicted killers are being transported around our country without the precaution one would expect in the transport of violent offenders. Under these circumstances, the American people are not safe.

Again, the bill I have introduced will require any private company that transports a violent offender to meet basic standards established by the Department of Justice. That bill needs to be heard. We have asked for a hearing before the Judiciary Committee. It has bipartisan support. Congress needs to pass this legislation this year.

The escape in Chula Vista, CA, of a convicted murderer is just one more example of many escapes from private prisoner transport companies. I could stand here for 20 minutes and describe the escapes that have occurred with private companies having access to violent offenders. That is not in the public interest.

In my judgment, violent offenders probably ought to be transported only by law enforcement. But if some States decide they are going to contract with private companies to transport violent offenders around this country, then those companies ought to have to meet basic standards—standards on how you shackle a violent prisoner, standards on what that violent prisoner shall wear when being transported, standards on the experience and the training of the guards and the kind of equipment that is used.

But those standards do not exist now. There is none. That is why people, such as James Prestridge, a convicted murderer, are on the loose. Let's hope no one else loses their life because of this kind of incompetence.

(The remarks of Mr. DORGAN and Mr. DURBIN pertaining to the introduction of S. 2317 and S. 2318 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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#### BUDGET RESOLUTION

Mr. DURBIN. Mr. President, I came to the floor to address an issue which is

pending before the Senate today, and that is the decision to write a budget resolution for the next fiscal year, a blueprint for our spending.

Just a little over a week ago, Billy Crystal, the comedian, did the Oscars presentation show, the Academy Awards. He was referring to a movie called "The Sixth Sense," where there was a little boy who had some supernatural power to see dead people. Billy Crystal, in one of the best jokes of the evening, said: I see dead people all the time. I watch C-SPAN.

Of course, it was a joke at our expense, serving in the Congress. But it must be true for a lot of people that when they tune in and listen to our debates and, of course, watch the committee deliberations, they have to wonder: Isn't it more exciting? Don't these people do something that might be more entertaining?

It may not hit a high entertainment level, but I think the debate currently underway on the budget resolution is exciting in terms of spelling out America's priorities for its future because in a room just a block or two away from here, there will be a decision made on spending for America that can literally affect every family in the country. It is an important decision.

Part of that decision comes down to the major issue in the Presidential campaign. Governor George W. Bush, who appears to be the likely candidate on the Republican side, has made the cornerstone of his campaign a massive tax cut. In my estimation, it is a very risky tax cut. He believes the surplus we are generating now, because of a strong economy and a decision to cut back on the deficit, should go into a massive tax cut.

On the other side of the equation, President Clinton and Vice President GORE believe, as I do, that is foolish and reckless and it could endanger the economic growth we have seen over the last 7 years. Don't just take our word for it. Our colleague, Republican Senator JOHN MCCAIN, a candidate in that same Republican Presidential primary, said of George W. Bush's tax cut that it was not the thing to do; it was, in fact, bad policy. He said it more artfully, but that was his conclusion.

Chairman Alan Greenspan—no partisan, a man who has led the Federal Reserve and helped this economy to develop and prosper—has said it is the wrong thing to do.

The George W. Bush tax cut approach really overlooks the most important thing, which is debt reduction in America. Two-thirds of the American people agree with Mr. Greenspan, Senator MCCAIN, and the Democratic Party, that we should take our surplus and dedicate it to debt reduction, strengthening Social Security and Medicare, have targeted tax cuts—limited, but targeted where they are really needed—and then spend money on health care and education for the families across America.

Well, the Budget Committee is now debating this. In an hour or two, when

I return there as a member, I will allow my colleagues on the committee an opportunity to decide whether or not they want to vote for the George W. Bush tax cut or they believe there is a better way. Now it may put some of my Republican colleagues on the spot. But politics is about choices. We make choices every day in the well when we cast votes, when we announce whether we are for or against a bill or whether we will sponsor it or vote for it. My colleagues on the Budget Committee will have a choice.

I think, frankly, they ought to reflect for a moment on some realities. Take a look at what has happened in America since 1992. From the election of President Clinton up to the year 1999, in virtually every income category in America, we have seen rising incomes. This economy is moving forward. Take a look at unemployment. In 1992, it was 7.5 percent. In America today, it is 4.2 percent. The No. 1 complaint of businesses across Illinois is: We can't find skilled workers. I am sorry for that situation; we are trying to address it. But what a welcome change from the days when we had double-digit unemployment.

We have taken, under the Clinton-Gore administration, a step forward in putting Americans to work. Record home ownership: 64 percent of Americans owned homes at the end of 1992. The number is up to 67 percent now. I don't have the chart to show it, but business creation is hitting record levels as well. Inflation is down. The economy is moving forward.

Now the obvious question is: Shall we change things?

We believe the tax cuts that should be enacted are limited and targeted, not massive tax cuts that would go to wealthy people. If we are going to have tax cuts, let's help families with an elderly parent. The President proposed that. Let's expand education so if you have a child in college, you can deduct all your college education expenses up to \$10,000. That is going to help some families pay for the college education expenses the kids face. A bipartisan proposal to eliminate the marriage penalty—we need that. Let's help people prepare for retirement with new accounts for saving. Let's expand the earned-income tax credit. These things are consistent with bringing down the debt and strengthening Social Security and Medicare.

Look at what the other side proposes in the George W. Bush tax cut, which is the cornerstone of his campaign; it goes to the wealthiest people in America.

Fairness is an important question when it comes to Government policy. If you happen to be earning over \$300,000 a year—and you know who you are out there—George W. Bush thinks you need a \$50,000-a-year tax cut. I think you can get by without it if you are making more than \$300,000 a year. Frankly, it troubles me that the bottom 60 percent of wage earners in America, people

making less than \$39,300 a year, get a measly \$249 from the George W. Bush tax cut.

When you take a look at that, you have to ask yourself, why would we jeopardize our economic growth, forswear an opportunity to bring down our debt and reduce the burden of paying interest on that debt for our children, why would we jeopardize our economy—in the estimation of Chairman Greenspan—for a tax cut for the wealthiest people in this country?

This is a further illustration of people making incomes of \$31,000 a year—\$501 in tax cuts, and 60 percent of the people are going to see very little tax relief. Those with higher income figures will see dramatic increases.

When you look at the tax cut and what it means, the sad reality is that you cannot reach the tax cuts proposed by the Republicans without raiding the Social Security trust fund. Oh, they say, of course you can. All you have to do is freeze spending.

Does anyone really believe we will freeze spending on the military, that we won't give the men and women in uniform a pay raise? Does anybody believe we should deny to everyone who works for the Federal Government any kind of cost-of-living adjustment for the next 5 or 10 years in order to pay for a tax cut that gives \$30,000 or \$50,000 in tax breaks to wealthy Americans? That is not going to happen.

Even under Republican Congresses, we have increased spending in budgets by about 3 percent a year. It reflects inflation plus a little bit. But now they would have us believe that is no longer the case, that we can somehow, in the next 5 or 10 years, not provide any additional spending in a lot of key areas to pay for what I consider to be a very risky tax plan.

It will, in fact, raid Social Security. Take a look at this chart, for example. The Bush tax cut would raid Social Security trust funds to the tune over 5 years of \$483 billion; the Republican budget plan, \$150 billion. I thought we kind of reached an agreement around here, a bipartisan agreement, that the Social Security trust fund was off limits, that we weren't going to get into it, we were going to protect it for future generations, and we were going to keep Social Security strong. Sadly, that is not the case.

Mr. President, one last issue I want to raise, which I will offer as an amendment, is the question about violent crime and gun crime in this country. There is a breakdown in the debate. Some people believe, as I do, that we should close loopholes so criminals, convicts, and children cannot get their hands on guns through gun shows and other means; that we should have trigger locks to keep guns safe; that we should close the loopholes. Others argue we should have more enforcement; that we have plenty of laws, let's enforce them. I, frankly, believe we need both—close the loopholes and better enforcement.

Look at the Republican budget now being presented to the Senate. Hard as it may be to believe, this Republican budget is going to cut the 900 FBI agents proposed by President Clinton. It is going to reduce, as well, the number of personnel in the Drug Enforcement Agency. It is going to reduce by over 400 the proposal by the President to put more guards at the borders to stop drugs. It completely eliminates the President's proposal for 500 new ATF agents to keep an eye on gun dealers who are selling to criminals. The President proposes 1,000 new prosecutors for enforcement, the same enforcement you heard Charlton Heston, Wayne LaPierre, and other folks on that side talk about. We need more enforcement, and the Republican bill doesn't provide a penny for this Presidential initiative for more enforcement.

You can't have it both ways. Your rhetoric has to catch up with reality. The Budget Committee room is a dance studio where we have the Republican majority side-stepping the George W. Bush tax cut, saying, we are not sure we want to go with that—a Texas two-step if I have ever seen one—and waltzing away from a commitment for more enforcement to stop gun crime in America.

That isn't going to wash, folks. People across America will look at this and say that is not a recipe for America's future, it is a recipe for disaster—on the economic front and when it comes to bringing peace to our neighborhoods and schools.

So I certainly hope those who watch C-SPAN will not be lulled to sleep, as Billy Crystal suggested, but will, rather, see there are some pretty important issues being developed and debated. I hope before this all ends, we will stick with the economic plan that moves America forward, that provides opportunity for more and more Americans, for businesses and for home ownership, that we will dedicate ourselves to a sensible reduction in our debt rather than a risky, dangerous, and massive tax cut, as Governor Bush has proposed.

I hope we will follow Chairman Greenspan's advice and keep this economy moving in such a way that we create opportunity for everybody.

When it comes to gun safety, let's do both. Let's close the gun show loophole. Let's have trigger locks for the safety of guns. Let's not let the Sunday morning talk show rhetoric about enforcement die by Sunday evening. On Monday through Friday when we are in session, that rhetoric should be very much alive. I sincerely hope that during the course of this debate we can put together a bipartisan majority to achieve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. Under the previous order, there are 30 seconds remaining in morning business.

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#### EXTENSION OF MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that morning business be extended for another 15 minutes.

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

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#### FLAG DESECRATION AMENDMENT

Mr. DODD. Mr. President, I rise today in opposition to the resolution which will be before us later this afternoon dealing with the issue of flag burning. I will spend a few minutes to express to my colleagues and to others who may be interested at least my point of view on this. We have debated it in this Chamber a number of times over the past decade or more. We have it before us again today. I wish to take a few minutes to explain my views on this issue and how I intend to vote when the matter comes before us.

This is no ordinary resolution. It is no ordinary debate. When we speak of amending the Bill of Rights of our Constitution, we ought to do so with great care.

Our Bill of Rights has existed now for more than 200 years, and, despite literally thousands of proposals to amend it, our forebearers, and those who occupied this Chamber over the years, saw fit to not on a single occasion amend the Bill of Rights of the U.S. Constitution. It is a remarkable record when you consider the trials and tribulations this Nation has been through—a great depression, great world wars, a great civil war which ravaged this Nation. Despite more than 11,000 attempts to amend the Constitution—many of them to amend the Bill of Rights—none of our predecessors, and none of the Congresses that have preceded us, saw fit during all of those great trials and tribulations to amend the Bill of Rights of the United States.

Today, we are being asked to change that 209-year history and to amend the Bill of Rights to deal with the outrageous, indefensible behavior of those who would burn the symbol of our freedom, the symbol of our Constitution, the symbol of our democracy, the great flag of the United States. It goes without saying that every Member of this Chamber and the other body, and the overwhelming majority of Americans would find flag burning offensive and abhorrent. As many of our colleagues, I believe it ought to be a crime—whether it is criminal intent to incite violence or commit a theft. But to truly honor our Nation's history and the veterans, we must not only protect our flag but, in my view, we must also protect the Constitution and the freedoms promised by that flag.

Our former colleague, Senator John Glenn of Ohio, who served this Nation as a combat pilot in Korea, as an astro-

naut, and as Senator, well known to most Americans, well known by all of our colleagues, put it very well. I would like to quote it: "There is one way to weaken the fabric of your country, and it is not through a few misguided souls burning our flag. It is by retreating from the principles that the flag stands for. And that will do more damage to the fabric of our Nation than 1,000 torched flags could ever do. . . . History and future generations will judge us harshly, as they should, if we permit those who would defile our flag to hoodwink us into also defiling our Constitution. The Framers of the Constitution, in their boundless wisdom and notable humility, understood that succeeding generations may see fit to amend this cornerstone document. But those amendments should be limited, in James Madison's words, to "great and extraordinary occasions."

Regrettably, Madison's edict has not been heeded by many who have come after him. In this Congress alone, more than 50 proposed amendments to the Constitution have been introduced—including one to make it easier to amend the Constitution in the future.

But collectively our Nation has paid heed to the caution urged by Madison and others of his day. It is reassuring to know that, of the 11,000 amendments introduced since ratification of the Bill of Rights 209 years ago, only 17 have been adopted.

Clearly, there is no great and extraordinary occasion warranting ratification of the amendment proposed in the Senate today. Flag burning is rare, thank God. It is despicable. It is reprehensible. But it does not present a constitutional crisis for our Nation.

Indeed, in the entire history of our Nation, there have been only about 200 reported incidents of flag burning, an average of less than one a year for each of our Nation's history—one a year, 200 cases in a nation of 260 million people today. And we have less than roughly one case a year for the 200-year history of our Nation.

I would submit that the despicable acts of a few misguided miscreants do not cry out for this Congress to be the first in history to restrict the liberties of all Americans by narrowing the Bill of Rights.

Some argue that even one flag burned would be enough to warrant ratification of this proposed amendment. They say that, without such an amendment, we effectively sanction flag-burning. But toleration is not approval. We do not as a nation sanction everything which we do not punish. Indeed, I would submit that the heart of the greatness of our democracy is that we tolerate that which we disapprove of. We permit and protect that which we find most offensive and obnoxious. They will continue, and probably grow, unfortunately, in number in a disgraceful effort to attract attention to themselves. What will such a possibility portend for the respect we all have for our beloved Constitution?