

economy, more and more farmers are taking jobs off the farm just to help pay the bills. But as I see it, the medium-sized producer, the producers with 500 to 1,000 acres, are almost entirely dependent upon the profitability of their crops. If they don't receive much-needed assistance, they are probably going to have a hard time staying on the farm, and the administration's proposal does almost nothing to help these individuals.

Now, as I indicated earlier, this is by no means a complete list of all the problems with the administration's approach, but these are a few of the issues that I expect Congress will have to consider. The fact is that if the administration really wants to help farmers, it will immediately announce it will block any efforts to waive the Clean Air Act's oxygenated requirements by the Environmental Protection Agency. If the President would do just this, ethanol can replace MTBE, which is poisoning the ground water now, and it would increase farm income by \$1 billion per year—it would do it from the marketplace, not from the Federal Treasury—and create 13,000 new jobs in America in the process.

The Senate may not be able to unilaterally agree upon exactly what should be done to assist family farmers this year, but I think we can probably agree that the administration's proposal is off base and, most frankly, out of touch with real America. It does not accomplish the goals that they want to accomplish of saving the small and medium-sized farmers and not helping the well-off farmer.

So I look forward to working with my constituents, various agricultural groups, commodity groups, and my colleagues in Congress to give family farmers the economic security that they deserve.

I yield the floor.

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. WELLSTONE. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. WELLSTONE. Mr. President, I thank my colleague from Wyoming for his graciousness. I will take 3 minutes at the most. I appreciate him giving me some Republican time for this.

The PRESIDING OFFICER. Without objection, the Senator is recognized for 3 minutes.

#### THE CAPITOL HILL POLICE

Mr. WELLSTONE. Mr. President, I have made a commitment that I would come to the floor every day to speak about the Capitol Hill police but also about the public. Again, I want to repeat what I have said the last couple of days. As did many of my colleagues, I

went to the service for officers Chestnut and Gibson. It was an unbelievably horrible and painful time—first of all, for their families. I do believe, at that time and since then, we made a commitment for our police officers, and for that matter for the public, that we would do everything we possibly could—albeit nothing is 100-percent effective—to make sure such a tragedy would never happen again.

I have come to the floor several times to point out that at too many posts, or at least at some times at some of our posts, we only have one officer. When you have lots of people coming in and you have one officer, if, God forbid, you have somebody who is deranged, that officer is in real peril and so is the public.

I know we have made the commitment over and over again to have two officers at every post. I am not pretending to be the expert as to all the budgets, where the money has been spent, but I know this: We can do better by the Capitol Hill police officers, and we should. We can do better by the public. Whatever it takes, we need to honor our commitment and we need to make sure we have the necessary resources so we have two officers at these posts.

There are many other issues. I am not going to get involved in these other issues because I am not the expert. I know what I have observed. I know the police officers with whom I have talked. I know the commitment we made to these police officers. So I am going to continue to speak about this a couple of minutes every day. I am hoping the appropriators and others will come through.

I thank my colleague from Wyoming. I think all of us are in agreement on this; I believe this is not a Democrat or Republican debate at all.

So I thank my colleague from Wyoming and yield the floor.

The PRESIDING OFFICER (Mr. KYL). The Senator from Wyoming.

Mr. THOMAS. Mr. President, I believe this next hour is allocated to the majority party, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. THOMAS. Mr. President, we are pleased to have a little time to talk about some of the issues that will come up, some of the issues that are on the agenda and some that are not. I appreciate the comments of my friend from Minnesota. Certainly that is an issue we are all interested in, and I appreciate the effort he is making on that.

Mr. WELLSTONE. I thank my colleague.

#### THIS YEAR'S AGENDA

Mr. THOMAS. Mr. President, in this coming session—which is going to be relatively short, as it always is on election years, but particularly this year—we have to focus if we intend to accomplish things. I hope we do. As is often the case in election years, there are

times when people are more interested in creating the issue than they are in resolving the issue. I think we will see a considerable amount of that, of course, going out towards the Presidential election and trying to find the issues the party will be for—which is all part of the system. But I am hopeful we can concentrate and focus on the issues that we think are most important.

We have had some experience, unfortunately in the last several weeks, and certainly even last year, that quite often the minority chose to bring up issues they knew would not be resolved but brought them up continuously to diffuse the issues on which we have been working. In this body, that is easy. One person very readily can hold up things, unless we can get 60 votes to do something different.

In any event, I am hopeful that will not be the case. We are going to focus on some things that we have decided upon. This will be more refined as time goes on, but certainly education will be one. The issue of education, of course, is not whether we try to improve it, but how we fund those improvements. I do not believe that we should have one-size-fits-all regulations that come from some bureaucracy in Washington. We should distribute our education funding in a manner that allows the States and local school boards to make those decisions.

Certainly the needs in Pinedale, WY, are going to be different than in Philadelphia. That is as it should be. We need to allow for this type of flexibility.

Another area that we will be focusing on is health care. We did some work last year on strengthening Medicare, doing something particularly in rural areas so outpatient care can be better financed. We intend to continue to do that, at the same time doing whatever is necessary to ensure Medicare continues to provide the benefits it is designed to provide.

Certainly one of the issues that will be difficult and controversial, yet I think most people want to do something about, is providing the opportunity for everyone to have pharmaceuticals available if they cannot afford them; hopefully to protect the programs we have now, to encourage and in fact assist people who now get their own supplementals, but be able to help those people who are not able to do that.

Social Security will continue to be an area of great concern. We have made some progress in not spending Social Security money in the operational budget. However, that is not all that is necessary. If the young people who will start making Social Security payments at their first job can expect some benefits 30, 40, 50 years from now, then things will have to be done differently. Obviously, we have alternatives. We can increase taxes—but not many people are for that. Social Security payments are one of the highest taxes

many people pay in the United States. We could reduce benefits—again, there is not much support for that. Or we could, indeed, increase the return on the money that is in a trust. We think that is an excellent idea, to provide individual accounts so at least a portion of the money that is in the fund would belong to you and belong to me. I suspect people over 50 or so would not see any difference, but younger people would have an account that would be theirs and, indeed, could be invested in equities for a much better return.

So, along with reducing the debt, those are some of the things, with which we will be involved.

#### GUN CONTROL

Mr. THOMAS. Mr. President, unfortunately, one of the issues that continues to show up and seems to have nine lives—or more than nine, is the matter of gun control. We have seen it every session a number of times. I am sure we will see it again. I think it is something about which we ought to talk. I believe most people have come to the conclusion that the passage of additional laws is not going to make a great deal of difference in the behavior of criminals. Sadly, law abiding citizens who are exercising their constitutional rights are the ones who will be impacted by additional gun control laws. But it would not affect those who do not intend to abide by the law. Therefore, the idea of additional laws certainly is questionable.

In my mind, it is not the direction we ought to take. Fortunately, I think the majority of people in this country also believed the passage of new laws is not the solution. We need to enforce the numerous gun laws that are on the books.

Thankfully for our country, the President has not been able to carry out his continuing agenda of wanting more and more gun laws. But, regrettably, he has not been able to make enforcement more effective. More laws are not going to keep those who are willing to break the law from doing things illegally. Stronger enforcement of existing laws is the answer. The administration, however, has not presented such a program. Certainly, we need to move in that direction.

When tragedies occur, as they did in Colorado and a number of other places, of course all of us wonder what we can do to ensure that these tragedies do not happen again. The first impulse in a legislative body is to pass more laws.

Unfortunately, that is often the most political thing to do. But the fact of the matter is, in almost every instance numerous gun laws were broken when these terrible acts were committed. One might say, what advantage is there in passing more? Indeed, what we ought to be doing is talking about enforcement.

As many of you know, the administration has been busy developing new gun control initiatives and additional

laws—everything from threatening gun manufacturers with Federal lawsuits to mandatory licensing of new handgun purchases. Currently, there are 26 municipalities that have filed lawsuits against the gun industry, and they are shown on this chart. These lawsuits seek to make gun manufacturers liable for the criminal misuse of firearms. Interestingly enough, three cases have been thrown out by judges in Cincinnati, OH, Bridgeport, CT, and Miami-Dade County, FL.

These cases are interesting. For instance these judges noted:

... the City's complaint is an improper attempt to have this Court substitute its judgment for that of the legislature[.] Only the legislature has the power to engage in the type of regulation. . . .

The city of Cincinnati.

The plaintiffs have no statutory or common law basis to recoup their expenditures. . . .

The city of Bridgeport.

... the Plaintiffs have not directed this Court to any statute or case that would allow a city or county to proceed against a group of manufacturers. . . .

Miami-Dade County, FL.

The courts have pointed out municipal lawsuits are not the answer. Interestingly enough, the President has announced the Justice Department will pursue a similar lawsuit against the gun manufacturers on behalf of HUD. Basically, the Federal Government is trying to pressure gun manufacturers into settling their current cases.

Once again, the action highlights the President's failure to pass gun control legislation. Instead of bringing forth legislation, he is seeking to go through the judiciary to do what he has been unable to accomplish in Congress.

This next graph shows the results of a poll taken recently by CNN and USA Today. It was conducted between December 9 and 12 of last year. Let me read it:

As you may know, the U.S. Justice Department is considering filing a lawsuit against the gun manufacture industry seeking to recover the costs associated with gun-related crimes. The companies that manufacture guns in the U.S. have stated the charges have no merit. Which side do you agree with more in this dispute: the Justice Department (or) the gun manufacturers?

The result was, those who agreed with the lawsuit by Justice were 28 percent, and those who agreed the lawsuit had little merit were 67 percent. I really believe this poll reflects how American's feel about a government lawsuit against the gun industry.

In the President's State of the Union address he spoke about the idea of having individual states regulate the sale of handguns by requiring a photo ID and documentation of the successful completion of a safety course—just to purchase a handgun. This is clearly another attempt by the President to tighten gun laws on law-abiding citizens. Of course, criminals do not register their guns. Enforcement, however, is how we get guns out of the hands of the criminals. Republicans

have continued to support law enforcement efforts.

Project Exile, for example, which has been put into place around the country, has dropped the murder rate in Richmond, Virginia by 30 percent each year that it has been in place.

Unfortunately, President Clinton cannot say the same for his gun control efforts. This is a graph of ATF gun referrals, prosecutions, and convictions in 1992 and 1998. Between 1992 and 1998 ATF referrals for prosecution went down by 5,500 or 44 percent; prosecutions have dropped 40 percent; and, finally, convictions have dropped 31 percent.

This graph shows just how tough the administration has been since 1992 regarding the enforcement of existing federal gun laws.

Last year, I asked the General Accounting Office (GAO) to conduct an audit of the National Instant Check System (NICS). The system was put in place in November 1998 as phase 2 of the Brady Act. I asked the GAO for an audit to see if, indeed, it is operating as Congress intended it to. I am confident when the report is released—and it has not yet been released but will be very soon—we will have results that show the NICS has not been as effective as we hoped it would be.

Lastly, since last November, there have been numerous news articles from around the country that highlight the public's disfavor with attempts by the President to add more gun control laws. I want to take a minute to highlight a couple of these. One is titled, it is the "Wrong Approach," by the *Cheyenne Tribune Eagle*, which suggests:

Since the President has been unable to ban individuals from owning guns, Mr. Clinton has decided to do an end run around the Constitution.

That is the point of view of that particular paper.

Another is titled, "Gun Deaths, Injuries on Decline." This article speaks about a government study which shows that gun deaths have declined since the late 1960's.

Mr. President, I ask unanimous consent to print these articles in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the *Cheyenne Tribune Eagle*, Dec. 16, 1999]

#### WRONG APPROACH—FEDERAL LAWSUIT IGNORES RIGHTS OF GUN MAKERS

Once again, President Bill Clinton, our national embarrassment, is showing utter contempt for our Constitution as well as for the basic rights of the individual and the concept of freedom.

Since he has been unable to ban individuals from owning guns, Mr. Clinton has decided to do an end-run around the Constitution by threatening to sue gun manufacturers. Mr. Clinton is exactly the type of despotic leader the Framers had in mind when they wrote the Second Amendment.

As Thomas Jefferson said, "The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to