

Over the years, we have shared a commitment to the working men and women of Wisconsin and our Nation. For example, Red joined the Teamsters at the tender age of 16, and became a union steward just a few short years later. In 1968, he joined the staff of Teamsters Local 200. Throughout the years, Red served as the local's president and secretary-treasurer. He was the principal officer of Joint Council No. 39 until 1990, when he joined the staff of the Central Conference and became director of the Food, Dairy and Warehouse Division and secretary-treasurer.

Red's desire to further serve the American worker manifested itself in his political activities. An ardent supporter of workers' rights, he has always backed candidates on the municipal, county, State, and national levels who shared his views. A true bipartisan, Red was appointed by Wisconsin's Governor to represent labor on the State's Jobs Council Committee.

In continuing his service to the citizens of the Milwaukee area, Red was on the board of directors of both the Milwaukee War Memorial and the Performing Arts Center.

I am pleased to add to the many tributes and commendations Red has received and will continue to receive throughout his retirement.

Congratulations on a job well done. Best wishes as you spend more time with your family and many friends.

#### CRIME LEGISLATION

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1995*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, March 1, 1995, into the CONGRESSIONAL RECORD.

#### CRIME LEGISLATION IN THE 104TH CONGRESS

Crime ranks as the biggest perceived problem in the country. Although overall crime rates have decreased, most Americans still believe crime should be a priority of the federal government. While law enforcement, courts, and prisons are dealt with primarily by state and local governments, Congress has taken a number of steps in recent months to assist in these efforts.

Last fall, Congress passed anticrime legislation that authorized \$30.2 billion in assistance over the next six years, with 75% of the funds for law enforcement and prisons, and 25% for local crime prevention efforts such as drug education programs or domestic violence shelters. The centerpiece of this law is the program to put thousands of new police officers on the streets. Ninth District sheriffs and police chiefs recently received some \$2.5 million for 44 additional police officers. More assistance will be available in coming months. Indiana is also eligible for funds to increase prison capacity and establish military-style youth boot camps.

The House recently considered a series of six additional crime-related bills, which were based on proposals in the House leadership's "Contract with America".

#### VICTIM RESTITUTION ACT

This bill would require those convicted of a federal crime to pay damages to their victims. Current law permits such restitution, but does not require it. Compliance with court-ordered payments would be a condition of probation, parole, or release. This bill passed with my support.

#### CRIMINAL ALIEN DEPORTATION ACT

This bill would reimburse state and local costs for incarcerating illegal immigrants who have committed crimes. It also would make it easier for the government to deport criminal aliens to their country of origin. With my support, the House passed this bill by a large margin.

#### EFFECTIVE DEATH PENALTY ACT

Many Hoosiers believe that excessive, drawn-out appeals have made the death penalty ineffective as a deterrent to crime. The reforms in this bill would place a one-year limit for death row inmates to file federal appeals of state sentences. However, the bill does not go far enough to ensure that competent lawyers are appointed to argue death penalty cases. A large percentage of appeals result from mistakes made by inexperienced lawyers. Serious death penalty reform must deal with this problem. I supported this bill, but hope the Senate will pass more comprehensive reforms.

#### EXCLUSIONARY RULE REFORM ACT

The Fourth Amendment to the Constitution protects citizens against "unreasonable searches and seizures". In general, evidence obtained in violation of these procedures is excluded from trial unless 1) police officers had a search warrant and 2) believed they were acting in "good faith" compliance with the Fourth Amendment. The bill would create a broad loophole in the Fourth Amendment by permitting virtually all evidence obtained without a search warrant. Constitutional safeguards are not always popular with a public fed up with criminals going free on technicalities, but there have been many recent cases in which law enforcement agencies have violated civil rights in unreasonable searches. I have serious concerns about the implications of this bill on individual liberty, and did not support the bill.

#### PRISON FUNDING

Like last year's legislation, this bill encourages states to adopt measures to increase the average time served in prison. Half of the grants would be reserved for states that enacted "truth-in-sentencing" laws. I support such laws. However, this bill would eliminate funding for drug courts and change the grant formula to reduce Indiana's share of federal money. It also runs counter to the spirit of the unfunded mandates bills passed earlier this year, by requiring states to rewrite their criminals laws before receiving federal support. This bill would reduce Indiana's funding, and I did not support it.

#### LAW ENFORCEMENT BLOCK GRANTS

This bill would eliminate the current community policing program and replace it with a \$10 billion block grant program for a variety of law enforcement purposes. Funds would be allocated on a formula based on the average number of violent crimes in a local jurisdiction.

I did not support this bill for two main reasons. First, law enforcement block grants have a long history of abuse. Under a similar program in the 1970s, local governments spent funds on yachts, airplanes, military tanks, and other frivolous uses. It was repealed in 1982. Such abuse is expensive to prevent. This bill includes \$300 million—about 3% of the total funds—for the Justice Department to police local governments for abuse. Second, the community policing program has been very successful, and one-half of the money is designated for small communities and rural areas. It should not be eliminated. The block grant formula in this bill would provide less funding for Indiana's counties and rural communities. I believe more police officers on the beat, along with keeping criminals in prison, is a most effective way to fight crime. The administrative

cost of the police grant program is just 0.08% of the total fund—which means less money in Washington and more money in local communities.

#### CONCLUSION

The House-passed proposal deserve a mixed review. The provisions for victim restitution, alien deportation, and death penalty reforms are long-needed, and they received my strong support. I am hopeful the Senate will take quick action. However, I am concerned about the exclusionary rule bill, which encroaches on important Constitutional protections against government intrusion. The funding provisions for prisons and block grants would hurt the Ninth District and Indiana, and block grants only increase the likelihood of fraud and abuse.

I have some doubts whether crime can be fought effectively with federal legislation. The primary responsibility for fighting crime belongs to state and local governments, and previous efforts from Washington have not generally been considered effective. But the public demand for action against crime is understandable, and Washington should do its part to help local and state officials reduce the threat of violent crime.

#### INTRODUCTION OF THE AMT DEPRECIATION RELIEF ACT OF 1995

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 1, 1995*

Mr. CARDIN. Mr. Speaker, today I am introducing legislation to provide much-needed relief to American companies who currently are being penalized for investing in new plant and equipment.

Under the 1986 Tax Reform Act, Congress established an alternative minimum tax system for corporations. The purpose of the AMT was to prevent profitable corporations from escaping Federal income tax liability by making excessive use of tax preferences.

Unfortunately, the AMT has turned out to have a very different impact than was intended. Instead of ensuring that profitable companies do not escape Federal taxation, the AMT has worked, in many cases, as a trap, especially for capital intensive manufacturing companies.

The problems with the AMT arise principally because of depreciation differences. Under the regular tax system, companies are permitted to depreciate investments in plant and equipment under an accelerated system designed to encourage investment.

Regular tax depreciation schedules are structured to encourage companies to invest in new equipment and to enhance productivity. The effect is to help keep U.S. companies competitive by providing accelerated recovery of costs.

Under the AMT, however, we turn around and take away the tax incentives we have offered to encourage investment under the regular tax. The effect is that through the regular tax, we tell U.S. companies that we want them to invest in productivity-enhancing plant and equipment. Then, under the AMT, we tell them that if they act according to those incentives, and according to the dictates of their own competitive position, we will punish them. It makes no sense, and we should change the law.