

As she made history, Senator Smith became a role model for many women. One of them was my wife, Elizabeth, who has told me of the time in 1960, when, as a young college graduate interning on Capitol Hill, she called upon Senator Smith.

Not many Senators would share an hour with a total stranger seeking advice, but that is just what Senator Smith did. And she advised Elizabeth to bolster her education with a law degree—advice she eventually followed.

When President Bush presented the Presidential Medal of Freedom to Senator Smith in 1989, he said that she “looked beyond the politics of the time to see the future of America, and she made us all better for it.”

President Bush was right. Both this Chamber and America are for the better because of Margaret Chase Smith. I know the Senate joins with me in sending our condolences to the people of Maine.

Mrs. FEINSTEIN. Mr. President, I wish to join my colleagues today in commemorating Margaret Chase Smith, the Republican Senator who made history as the first woman to win election to both Houses of Congress, and the first woman ever to be elected to the Senate.

It is a privilege to be a U.S. Senator. And I am grateful to Margaret Chase Smith for paving the way for me, and the women before me, to serve in this great Chamber. And more importantly, I salute her for being an inspiration, setting an example by being tough yet compassionate.

Senator Smith's accomplishments were great. Among them, a long list of firsts, including being the first woman to sit on the Naval Affairs Committee and to have her name advanced for the Presidency at a national convention. But it is here legislative record and her long history of independence—always voting her conscience, that has left a last impression on me.

She was a political independent, voting with her party when she saw fit and standing alone when she felt strongly about an issue. Indeed, in her first major address to the Senate on June 1, 1950, the freshman Senator denounced Joseph McCarthy. She accused the Wisconsin Senator of reducing the Senate to a “forum of hate and character assassination.” In 1954 she voted for his censure.

McCarthy exacted his political payback—expelling Senator Smith from a key committee and, in her next election, leading a vicious campaign against her. Still, it was that speech that was the beginning of the end of his career and which cemented her place in history.

In 1970, during the Vietnam war, she addressed the Senate again in a speech that was later expanded into a book called “A Declaration of Conscience.” In that speech, the Maine Senator warned Americans that “excessiveness and overreactions on both sides is a clear and present danger to American

democracy.” Senator Smith knew that if we did not elevate the level of political discourse beyond mean-spiritedness, that we risked chipping away at the democratic process itself.

Her standing up for what she believed earned her the moniker “the conscience of the Senate.” But she stood her ground without resorting to personal invective or shrill tactics. It is this sort of reasoned debate and moderation—the very principles that this Chamber has always stood for—that should continue to guide those of us who sit here today.

Margaret Chase Smith was born in Skowhegan, ME. Her father was the town barber and her mother was a part-time waitress. She herself earned only a high-school education. She taught grade school, was a telephone operator and the circulation manager for a weekly newspaper where she met her husband, Clyde Harold Smith. When, in 1940, her husband died of a heart attack, she successfully ran for his seat in the House of Representatives. She served four terms in the House. Later, in the Senate, she served on the Appropriations, Aeronautical and Space committees and was the ranking Republican on the Senate Armed Services Committee. She also was the chairwoman of the Conference of Republican Senators. Senator Smith served under six presidents—from Franklin Roosevelt to Richard Nixon.

Although she advanced considerably in what was considered a man's world, Senator Smith did not consider herself a champion of women's rights. Yet she wrote legislation that paved the way for women to serve in the military and later voted for the equal rights amendment. By her example, Senator Smith pioneered the way for many women, including myself, to enter the political arena.

Late in her career, Senator Smith said: “I have no family, no time-consuming hobbies. I have only myself and my job as United States Senator.”

It is in her job as a U.S. Senator that Margaret Chase Smith distinguished herself, and that she will always be remembered and honored.

Ms. SNOWE. I thank my colleagues once again for their participation in this tribute to a remarkable woman who led a remarkable life, and all the causes she espoused in her political career would serve us well today. It certainly serves as an important reminder of the standards we should establish as public servants, and hopefully that will carry through the years to come.

With that, Mr. President, I conclude this tribute to Senator Margaret Chase Smith.

#### WAS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Mr. President, before contemplating today's bad news about the Federal debt, let us do that little pop quiz once more. Remember—one question, one answer:

Question: How many million dollars are in \$1 trillion? While you are arriving at an answer, bear in mind that it was the U.S. Congress that ran up the Federal debt that now exceeds \$4.9 trillion.

To be exact, as of the close of business Monday, June 5, the exact Federal debt—down to the penny—stood at \$4,903,927,957,327.07. This means that every man, woman, and child in America now owes \$18,615.39 computed on a per capita basis.

Mr. President, back to the pop quiz: How many million in a trillion? There are one million million in a trillion.

#### COMPREHENSIVE TERRORISM PREVENTION ACT

The PRESIDING OFFICER. Under the previous order, the hour of 9:45 having arrived and passed, the Senate will now resume consideration of S. 735, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 735) to prevent and punish acts of terrorism, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Hatch/Dole amendment No. 1199, in the nature of a substitute.

Hatch (for Smith) amendment No. 1203 (to amendment No. 1199), to make technical changes.

Hatch (for Pressler) amendment No. 1205 (to amendment No. 1199), to establish Federal penalties for the production and distribution of false identification documents.

Hatch (for Specter) amendment No. 1206 (to amendment No. 1199), to authorize assistance to foreign nations to procure explosives detection equipment.

Mrs. HUTCHISON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CAMPBELL). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Mr. President, I want to make a brief statement so all my colleagues understand the situation. We were supposed to start this amendment at 9:45. I have been prepared since last night. I was here on the floor at 9:30 this morning and have been here straight through, but I do feel it crucial that the chairman of the committee be here because he and I are trying to work out this amendment.

I think it very important that he hears my arguments. It is a very straightforward amendment that deals with extending the statute of limitations to give our law enforcement people more of a chance to go after and arrest and convict those who would violate some very serious laws that are on our books.

I have brought this amendment to the Senate floor because of Oklahoma City, and I feel it is so important that I have sent a message through the Republican leadership that I will be ready

to go the moment that Senator HATCH returns to the floor. He is in a hearing. One of the problems around here is that we have to be in so many places at once.

But I do think it is the right thing for this bill, for the American people that the chairman of the committee be here when I offer this amendment. I do not think it should be contentious, but it may be contentious, and I want to make sure we have a fair debate. That is the reason for the delay.

I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Mr. President, just a few moments ago, I explained to the Senate that I was awaiting the arrival of the chairman of the committee, the Senator from Utah, who is at a hearing at this time. The reason I was waiting for him is because he expressed some concern with my amendment and at the same time he expressed an interest in working the amendment out. Therefore, I thought it would save some time if he were present when I went through these arguments. But he has sent a message through the leadership that he would prefer if I lay this amendment down. So with the indulgence of the Senate, I will send the amendment to the desk.

AMENDMENT NO. 1214 TO AMENDMENT NO. 1199  
(Purpose: To increase the periods of limitation for violations of the National Firearms Act)

Mrs. BOXER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 1214 to amendment No. 1199.

Mrs. BOXER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 17, between lines 2 and 3, insert the following new section:

**SEC. 108. INCREASED PERIODS OF LIMITATION FOR NATIONAL FIREARMS ACT VIOLATIONS.**

Section 6531 of the Internal Revenue Code of 1986 is amended—

(1) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively; and

(2) by amending the matter immediately preceding subparagraph (A), as redesignated, to read as follows: "No person shall be prosecuted, tried, or punished for any criminal offense under the internal revenue laws unless the indictment is found or the information instituted not later than 3 years after the commission of the offense, except that the period of limitation shall be—

"(1) 5 years for offenses described in section 5861 (relating to firearms and other devices); and

"(2) 6 years—."

Mrs. BOXER. Mr. President, what I plan to do is make the case for my amendment. I believe it is one that should receive the unanimous agreement of the Senate, both Democrats and Republicans alike. I hope that it will, and if there is still a problem when the chairman of the full committee arrives, I will indulge the Senate once again to repeat for him the reasons why I think this amendment is compelling.

Mr. President, this amendment comes as a direct result of the Oklahoma experience. That is why my amendment is supported by the chief of police of Oklahoma City and 44 other chiefs of police around the Nation.

The amendment I sent to the desk would extend the statute of limitations for violations of the National Firearms Act from 3 years to 5 years. In other words, it would add 2 years that law enforcement has to complete its case and put the villains away.

This change would equalize the period of limitations for the National Firearms Act with the vast majority of other Federal laws. I think that is the most important point I can make. This is really a conforming amendment. If you look at all the gun laws in the criminal law, they have a 5-year statute. This is an anomaly. We have a 3-year statute here.

So the amendment is fair. It would give prosecutors a badly needed tool. What is this tool? It is more time. It is more time to build their case against violent criminals and terrorists. I want to make a point here. We are not talking about a little game of cops and robbers. We are talking about terrorists and violent criminals who make bombs, who make sawed-off shotguns, who make silencers. That is what the National Firearms Act addresses, and that is why we need this 5-year statute of limitations.

I want to point out that this provision has been requested by the Justice Department. It was included in the administration's bill, and although the pending bill incorporates many of the administration's antiterrorism provisions, for whatever reason, this section was dropped out of the new bill. I think it is important to put it back in.

Again, I want to make it clear that this amendment is directly related to preventing terrorism generally and to the Oklahoma City case in particular.

It is likely that when the investigation into the Oklahoma City bombing is completed, the suspects will be charged with illegally manufacturing a bomb. That crime is a violation of the National Firearms Act, and only the National Firearms Act.

We need to give law enforcement more time. There may be one person involved in the Oklahoma City tragedy, or there may be two. There may be 10 or 100. It is complicated to put

the case together. We need to give law enforcement time.

The National Firearms Act, the act I am amending, governs some of the most important firearms offenses on the books. The NFA makes it a crime to make a fully automatic machine gun. That is a crime. It makes it a crime to possess a sawed-off shotgun, or to make a homemade silencer.

Now, surely those offenses are serious and complex enough to merit a 5-year statute. In addition, it covers the making of a destructive device, or a bomb. So we have the fully automatic machine gun, a sawed-off shotgun, a homemade silencer, and an incendiary device, or a bomb.

Surely, law enforcement should have 5 years to complete their case, just as they do for all other gun laws.

The NFA, the National Firearms Act which I am amending, is the act which deals with homemade fertilizer bombs, Molotov cocktails. It is the only statute that deals with them. It has a 3-year statute of limitations instead of the 5-year. That means that any charges brought for violations of the NFA must be filed within 3 years of the crime.

To show how important this difference is, I urge my colleagues to consider this: If a terrorist builds a bomb in 1995, but Federal prosecutors are unable to gather enough evidence until 1999, they cannot file those charges. The statute of limitations begins running from the time the bomb is made. I think this is important. For the crime of illegal making a bomb, the statutes of limitations runs from the time the bomb is made—not the date the bomb was used.

Theoretically, we could have a terrorist group make a bomb, store it for 2 or 3 years, use it, but by then the statute would have expired. So we could not get the perpetrators. That is why this amendment is so important. It is not just a technical change. It is a very substantive change. It needs to be included in this bill.

These investigations are complicated. Yesterday, we were all moved to see the families from Oklahoma City asking Members to make this bill the law of the land in the name of the people who died. I want to see that happen. I want to see that happen. I also want to make sure that the people who perpetrated the crime are caught—each and every one of them.

This investigation may lead in 3,000 different directions. We have heard there are thousands of leads. We should get every last individual who participated in this vicious crime.

Mr. President, this is not an academic debate about periods of limitation. This change is badly needed. It has been requested by those who investigate and prosecute criminals.

I have put on Senators' desks the names of 45 police chiefs who urge support for the Boxer amendment. These police chiefs are from all over the country, from Oklahoma City to the

east coast, the West, the South, the North. They are unanimous in this. They need this time. They need this tool.

It could take years to unravel complex criminal conspiracies. Law enforcement should not be faced with an unwise artificial deadline to file charges. I want to say again, this is not an academic debate. I have been told by Federal investigators that the 3-year statute of limitations for the National Firearms Act has stopped actual criminal investigations. Indictments that would have been issued in actual explosive cases were not issued because of the NFA's short statute of limitations. Criminals could go free because the statute of limitations is only 3 instead of the usual 5.

The short statute of limitations is truly an anomaly in Federal law. For example, possessing or manufacturing an assault weapon in violation of the ban passed last year has a 5-year statute of limitations, not a 3-year statute of limitations. Manufacturing cop killer bullets has a 5-year statute of limitations, not a 3-year statute. Manufacturing an undetectable firearm has a 5-year statute of limitations. However, in the National Firearms Act, unless we pass the Boxer amendment, we have a 3-year statute of limitations for crimes like making bombs, silencers, sawed-off shotguns.

No one can explain to me why it makes sense to have a 5-year statute on carrying an assault weapon or manufacturing an assault weapon and only a 3-year statute for a sawed-off shotgun or a bomb. It makes no sense. There is no reason for it.

The Boxer amendment addresses the problem simply. I hope and hope that we can all reach agreement on this and not have to argue about it. It is common sense to match the statutes of limitations for the vast majority of Federal criminal laws. We need a level playing field so Federal law enforcement can prosecute violent criminals more effectively.

Again, I want to stress that this change was requested by the Justice Department and the Treasury Department, and the administration supports this. This is a bill where we see bipartisan support. We have Senator DOLE, Senator DASCHLE, and the President of the United States speaking in one voice that we must pass this bill.

Now, this is one bipartisan amendment we should be able to pass. We have Federal prosecutors supporting this change. Local police chiefs who want to keep guns and bombs out of the hands of violent criminal—45 of them in the time we could organize.

These law enforcement officers know that extending the statute of limitations for National Firearms Act offenses will make it easier to put violent criminals behind bars.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter signed by the 45 police chiefs.

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

JUNE 6, 1995.

Hon. BARBARA BOXER,  
U.S. Senate, Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR BOXER: In the wake of the Oklahoma City bombing and the recent shootings of police officers around the country, we, as police chiefs who are sworn to protect the public and our officers, strongly urge your support for the following four amendments to the upcoming anti-terrorism bill:

Cop-killer bullets.—This amendment, to be offered by Senator Bradley, will prohibit "cop-killer" bullets based on a performance standard rather than the physical composition of the bullet, as current law requires.

Multiple handgun sale forms.—This amendment, to be offered by Senator Kennedy, will allow local law enforcement to keep a record of multiple handgun sales rather than destroy the forms, as current law requires.

Guns for felons.—This amendment, to be offered by Senators Lautenberg and Simon, will permanently close the current loophole that allows some violent felons to regain their right to possess firearms.

National firearms act.—This amendment, to be offered by Senator Boxer, will increase the statute of limitations for violations of the National Firearms Act from three to five years.

These amendments are designed to close current loopholes in federal law. They will provide law enforcement with additional tools to apprehend violent offenders, vigorously prosecute them and combat crime on our streets.

We strongly urge you to demonstrate your unwavering commitment to the protection of law enforcement and the safety of all Americans by supporting these public safety measures.

Sincerely,

Chief Jerry Sanders, San Diego, CA.  
Colonel Clarence Harmon, St. Louis, MO.  
Chief Louis Cobarruviaz, San Jose, CA.  
Chief Anthony D. Ribera, San Francisco, CA.  
Deputy Chief Roy L. Meisner, Berkeley, CA.  
Chief Noel K. Cunningham, Los Angeles Port, CA.  
Chief Dan Nelson, Salinas, CA.  
Chief Robert H. Mabinnis, San Leandro, CA.  
Chief James D. Toler, Indianapolis, IN.  
Chief Sam Gonzales, Oklahoma City, OK.  
Director Steven G. Hanes, Roanoke, VA.  
Chief Robert M. Zidek, Bladensburg, MD.  
Chief Charles R. McDonald, Edwardsville, IL.  
Chief Lawrence Nowery, Rock Hill, SC.  
Chief Edmund Mosca, Old Saybrook, CT.  
Chief William Nolan, North Little Rock, AR.  
Chief David C. Milchan.  
Chief Lockheed Reader, Puyallup, WA.  
Chief Peter L. Cranes, W. Yarmouth, MA.  
Chief Daniel Colucci, Kinnelton, NJ.  
Chief Gertrude Bogan, Bel Ridge, St. Louis, MO.  
Chief Reuben M. Greenberg, Charleston, SC.  
Chief Robert L. Johnson, Jackson, MS.  
Chief Robert M. St. Pierre, Salem, MA.  
Chief Douglas L. Bartosh, Scottsdale, AZ.  
Chief Perry Anderson, Cambridge, MA.  
Chief Leonard R. Barone, Haverhill, MA.  
Chief Ronald J. Panyko, Millvale, Pittsburgh, PA.  
Chief William Corvello, Newport News, VA.  
Asst. Chief James T. Miller, Dekalb Co. Police, Decatur, GA.

Chief Larry J. Callier, Opelousas, LA.  
Chief Leonard G. Cooke, Eugene, OR.  
Chief Harold L. Johnson, Mobile, AL.  
Chief Charles A. Moose, Portland, OR.  
Chief Frank Alcalá, East Chicago, IN.  
Chief E. Douglas Hamilton, Louisville, KY.  
Chief Charles E. Samarra, Alexandria, VA.  
Chief Allan L. Wallis, Renton, WA.  
Chief Scott Burtleson, Waukegan, IL.  
Chief C.L. Reynolds, Port St. Lucie, FL.  
Chief Sylvester Daughtry, Greensboro, NC.  
Chief Jimmie L. Brown, Miami, FL.  
Commissioner Gil Kerlikowske, Buffalo, NY.

Chief Harold L. Hurtt, Oxnard, CA.  
Chief Norm Stamper, Seattle, WA.

Mrs. BOXER, Mr. President, this amendment should be adopted. It is fair. It levels the playing field for firearms crimes. It is needed. It is not this Senator who says it is needed; it is the people who do the work, the difficult law enforcement work, tracking down these leads, these thousands of leads, have asked for this additional tool, these additional 2 years.

Mr. President, Congress talks a lot about getting tough on crime. There is not one of us I have not heard make a speech about, "Let's crack down." There is a difference between talking about getting tough on crime and being tough on crime by giving law enforcement the tools that they need. This does not cost us any money. They are not asking for more equipment. They are not asking for bigger office space or another computer system. They are asking for time to track down these leads.

We are in a new phase now, unfortunately, in our country. Who ever dreamed that we would have people within America who would build a device, a bomb, and kill innocent people and innocent children; turn on the Government of, by, and for the people, and somehow twist it around as if it was not America?

It is complicated and it is new and it is different and it is frightening, and law enforcement needs this additional time.

I have no other comments at this time. I have not organized a team of speakers because, frankly, I think this amendment is eloquent in its simplicity and very clear in its common sense. I hope we will have bipartisan support for the Boxer amendment, and at this time I yield the floor and reserve my right to regain the floor when the chairman of the Judiciary Committee makes it here to the floor. I understand he is tied up in a committee. We expect him here I think at the top of the hour, and I look forward to debating with him on this amendment if in fact he feels it is not appropriate.

But I hope against hope that he will in fact embrace this amendment and we can once again show the Nation we are united across party lines in our desire to go after those terrorists and give law enforcement the tools they need to make sure justice reigns in this great Nation of ours.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mrs. BOXER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SANTORUM). Without objection, it is so ordered.

#### FIGHTING CRIME THROUGH TECHNOLOGY

Mr. DEWINE. Mr. President, as we proceed on this antiterrorism bill, I would like to discuss for a moment one provision of the bill which I believe is very noncontroversial but I think is very significant, and that is the provision of the bill that concerns the increased help, the increased assistance that we are going to give to local law enforcement in regard to giving them the tools they need to fight back, and that is the area of technology. This is one of the essential tools as we fight against terrorism.

The bill we are discussing today strengthens the ability of local law enforcement officers to use high technology to combat terrorism and, frankly, to combat all sorts of crime. It provides for the expenditure of \$500 million over the next 3 years to develop and upgrade some very important information systems. These systems provide ready access to criminal histories, fingerprints, DNA, and ballistic information.

The terrorism bill will also help local law enforcement agencies connect into these data bases. A data base in Washington, DC, will not do much good if the local communities, the tens of thousands of local law enforcement agencies that are spread throughout this country, cannot access that information. Let us make no mistake about it, this is a very important component of this legislation, just as it has always been a very important component of our fight against crime.

Last Saturday's Washington Post provided a case in point. It contains a detailed description of how the Oklahoma City bombing suspects were tracked down. Every step of the way, the suspects left a physical trail of evidence that could be fed into the FBI's computer database. The FBI, according to this story, has set up a very sophisticated computer system to put all kinds of information in, some relevant and some not relevant—you never know until it is put in. You try to make the match and pull it back up and use it. But according to this story, there are now at least 38 million bytes of information just in this database on just this one crime alone, the Oklahoma City bombing.

There were 12,800 pieces of evidence collected in Oklahoma City, almost 13,000 pieces of evidence. The FBI computers are being used to analyze all this evidence. I have already told my colleagues the story of how the apprehension of the key Oklahoma suspect

came about. It is truly a compelling story. An Oklahoma City detective found a piece of tattered metal at the crime scene. On this piece of metal, he found a vehicle identification number, or a VIN number—one little piece of evidence. He fed this VIN number into the National Insurance Crime Bureau. In a matter of seconds, the bombing truck was identified.

Meanwhile, an Oklahoma State trooper had pulled over the fleeing suspect for driving without a license plate. The trooper had no idea at that time the person he pulled over was a suspect in a major crime, but he called the National Crime Information Center to ask for some data on the suspicious motorist, and when he tapped into the system, that left a fingerprint into the system. In a moment, we will see the importance of that.

Later on, the FBI, based on the information they had obtained from that VIN number—we will jump forward now, a lot of work, a lot of tracking—they were able to get the name of Timothy McVeigh.

Later, when the FBI fed the name Timothy McVeigh into their computers, the computer informed them, because of this fingerprint that had been placed into the system, of his arrest on these unrelated charges. Thanks to this technological edge, the FBI was able to find out an obscure arrestee was in fact America's most wanted criminal suspect.

The McVeigh arrest demonstrates how our technological edge can work and how in fact it can help solve crime, how in fact it can and does save lives.

Another story which was in last Friday's paper shows again the importance of technology. On May 28, a North Carolina State trooper arrested a motorist for speeding. Using established procedure, the trooper ran the motorist's name in the North Carolina State computer databank. The trooper did not run the motorist's name in the national database. That was apparently the procedure in the State at that time—just to run it in the State database, but not the national base. The motorist's name did not show up in the State databank. If the trooper had run the motorist's name in the national databank, he would have discovered the driver was wanted for the shooting of two Washington, DC, police officers and the attempted murder of his girlfriend. Eleven hours after he was arrested for speeding in North Carolina and released, the suspect killed an FBI agent in a shootout in the Washington, DC, metropolitan area.

My purpose in telling the story is not to put blame on anyone, not to be judgmental, but again to point out how very, very important it is that these databases be used and how they can in fact not only solve crime but how they can save lives.

Mr. President, as a result of this incident, North Carolina has taken, to use the phrase, the "worthy step" of en-

couraging its troopers to run the names of all out-of-State suspects in the national computer. You never know. It certainly does not hurt to ask.

Last month I introduced a comprehensive crime bill, and one of the key elements of my proposed legislation was a renewed focus on crimefighting technology on making sure that the local crimefighters are in fact plugged into a truly all-inspiring national database. Technology is already a proven tool in the fight against terrorism. One of the suspects in the World Trade Center bombing was tracked down—listen to this—because he left a DNA sample in the saliva he left when he sealed an envelope containing a letter to the New York Times. In that letter he claimed responsibility on behalf of his terrorist group. But unknown to him, he left indelible proof of his own identity in the DNA. Mr. President, we have the tools to win this fight. Let us use them.

I want to thank Senator DOLE and Senator HATCH, two individuals who have worked on this bill, for the job that they have done, and for including my provision that I wrote and put in the crime bill—taking that section and putting it in this antiterrorism bill because it has a lot to do with solving the problem of terrorism in this country and has a lot to do with this technology in solving all crimes.

It would be a crime—if I could use the term—if we did not make sure that every law enforcement agency in this country was able to tap into this national database. It would be wrong if for a relatively small amount of money we did not make sure that not only did we tap into the information and pull it back out but that we could get information from every law enforcement agency in the country.

Mr. President, I ask unanimous consent that the two articles which I just referred to be printed in the RECORD.

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

[From the Washington Post, June 3, 1995]  
HOW DETECTIVES CRACKED OKLAHOMA BOMB CASE

(By Pierre Thomas)

OKLAHOMA CITY.—Three weeks ago, a 40-foot-long tractor-trailer secretly left here loaded with cargo that holds clues to the deadliest terrorist bombing in U.S. history.

Riding shotgun on the truck were armed federal agents guarding more than 7,000 pounds of evidence. The truck carried parts of a rental truck used to store the massive bomb that blasted the federal building here April 19 and a yellow Mercury Marquis, the car of prime suspect Timothy James McVeigh. Final destination of the truck was a laboratory at 10th Street and Pennsylvania Avenue NW in Washington, the FBI's headquarters.

In coming days, forensics experts plan to reconstruct as much of the truck as possible and dust every part of McVeigh's car for fingerprints, using lasers and the latest in latent fingerprint technology. They also will swab and vacuum the car to capture tiny particles and chemically analyze every bit of soil, hair, fiber and residue in an effort to

link McVeigh and others to the bombing of the Alfred P. Murrah Federal Building.

While the overall probe has been conducted in the glare of publicity, much of the crucial investigative work has involved behind-the-scenes forensics technology and use of computers to a degree never before seen in a criminal inquiry. In much the same way authorities are trying to use DNA analysis in the O.J. Simpson murder trial. FBI officials want to be able to provide a jury with reams of precise and detailed evidence tying suspects to the case. "This case is juxtaposition of 21st century technology and tried police work," a senior enforcement official said.

The chase for clues began two hours after the bombing. Oklahoma City detective Mike McPherson, surveying what looked like a war scene, noticed a piece of tattered metal that at first glance appeared to be just another mangled reminder of the explosion that left 168 dead. Looking closer, he could see the metal was an axle, charred and twisted at both ends, suggesting it might have been at the explosion's epicenter. Methodically cleaning it, he found a partial vehicle identification number (VIN). Law enforcement had its first big break in the case and immediately turned to computers for help.

McPherson called the identification number to the National Insurance Crime Bureau, which keeps a database that stores 300 million automobile VINs and other records. In seconds, the computer determined the axle came from a 1993 Ford truck eventually sold to Ryder Rentals of Miami. At the FBI's request, Ryder found the truck had been sent to Elliott's Body Shop in Junction City, Kan.

The night of the bombing, agents from the FBI's Salinas, Kan., office contacted Elliott's and, by morning, had descriptions of two suspects, John Doe No. 1 and John Doe No. 2. Composite drawings were developed, using computers to make them appear more lifelike. The FBI also took all the documents John Doe No. 1 signed to look for fingerprints that might match McVeigh's.

"It hit me later that the VIN number was a special number, that this was a very big deal," McPherson said, noting the computers had saved time, doing in seconds work that earlier might have taken hours.

"From that rental shop, we started to expand the investigation out in concentric circles," one senior law enforcement official said. "We planned to go to every restaurant, gas station, hotel between there and Oklahoma City."

More than 1,000 FBI and Bureau of Alcohol, Tobacco and Firearms agents were flown in from around the country, including heads of the FBI's Phoenix, Dallas, Houston and New Orleans field offices. At sites near the blast, agents requested store video surveillance tapes and used computers to enhance the images, hoping McVeigh or others with him could have stopped at a convenience store in days preceding the bombing.

On Thursday, April 20, FBI agents reached the Dreamland Hotel in Junction City. The manager recognized the composite of John Doe No. 1, a young clean-shaven man with a military haircut. The man, hotel officials said, had stayed in Room 25 and had been driving a large Ryder truck. He also had registered as Timothy McVeigh.

Around that time, a former co-worker of McVeigh's saw the composite sketch on television and called the FBI, telling agents McVeigh expressed anger at the federal government and agitation over the federal-Branch Davidian standoff near Waco, Tex., court records said.

A day earlier, about 90 minutes after the bombing, Oklahoma state trooper Charles D. Hangar had seen a yellow Mercury Marquis without a license plate driving up Interstate

35 near Perry. The driver was McVeigh, who also was carrying a concealed semiautomatic pistol.

Curious, Hangar later queried the FBI's National Crime Information Center (NCIC), a national law enforcement database that includes details on outstanding warrants and fugitives. Hangar had no idea he had just arrested the bombing's prime suspect, but his data request left a fingerprint in the system.

At 7 a.m. Friday, April 21, NCIC officials plugged McVeigh's name into the database and saw information flash on their computer terminals. It showed he had been arrested and offered the name of the arresting law enforcement agency. What they did not know was where and if McVeigh was still being held.

Two agents—one FBI, the other ATF—were assigned to track down McVeigh and began calling jails near the location of his arrest. They learned McVeigh was being held at the Noble County Jail and soon would be released.

McVeigh then became the investigation's focal point. Even before bringing McVeigh into custody, agents began to dissect his life history and associates. The plan was simple: find out who McVeigh spent time with, and other suspects would pop up, hopefully even John Doe No. 2, who had not been found. The plan seemed simple but its execution was complex since McVeigh, after serving in the Army, had drifted from Michigan to Arizona.

Agents obtained a Michigan driver's license from McVeigh, and a computer check of the state's motor vehicle records listed a Decker, Mich., address. Authorities learned two brothers, James and Terry Lynn Nichols, at some time had resided there. McVeigh had been stationed in Fort Riley, Kan.; had recently lived in Kingman, Ariz.; and had family in Pendleton, N.Y. Terry Nichols, the second suspect arrested in the case, lived in Herington, Kan.

As the investigation broadened, command posts were set up in any area offering promising leads—Kingman, Chicago, Los Angeles and Kansas. A national hotline was established to take tips, and tens of thousands of calls came in. "We were chasing everything that made sense, credit records, telephone records," one senior law enforcement source said.

A Justice Department team flew in computer terminals to link into the department's Eagle system, which allows federal prosecutors around the nation to communicate electronically. At the same site, a Southwestern Bell Co. warehouse downtown here, the FBI installed 20 to 30 computer terminals and flew in a team to set up Rapid Start, a three-year-old automated case filing system used in investigating the World Trade Center bombing.

As leads came in, they were typed onto a standardized form and then encoded into Rapid Start. There are now at least 38 million bytes of information on the Oklahoma bombing stored in the database.

The FBI has subpoenaed records from telephone companies around the country, which establish more than 66,000 calls made by McVeigh, Nichols and other associates. Those calls were punched into the database, allowing investigators to sort for patterns.

The 12,800 pieces of evidence collected in Oklahoma City, including some of the rubble and shrapnel taken from the many victims, now are being analyzed. Much of the work is tedious as experts will try to match the chemical composition of explosive residue found at the scene to that allegedly found on McVeigh's clothes and in his vehicle. Similar work is being done on items recovered from Terry Nichols's home.

But the technology has not eliminated the need for a critical component in most inves-

tigations—simple luck. If detective McPherson had not stumbled upon the axle quickly, it could have taken months to track down McVeigh, one law enforcement official noted. Computers or nothing else would have mattered, he said.

[From the Washington Post, June 2, 1995]  
N. C. OFFICER ARRESTED AGENT'S KILLER  
HOURS EARLIER

(By Brian Moorar and Bill Miller)

A North Carolina state trooper arrested Ralph McLean for speeding 11 hours before the Landover man fatally shot an FBI agent in Greenbelt, but the trooper failed to check his name against a national database of wanted criminals, officials said yesterday.

A check of the FBI's National Crime Information Center computer would have turned up an outstanding warrant for McLean, who was wanted in the shootings of two D.C. police officers and in the attempted murder of his girlfriend, authorities said.

Washington area law enforcement officials privately expressed frustration over the missed opportunity to catch McLean before he killed FBI agent William H. Christian Jr. and then shot himself to death in a wild gun battle early Monday. North Carolina state police said the trooper followed the department's policy discouraging federal checks on stopped motorists who do not behave in a suspicious manner.

But after considering what happened with McLean, North Carolina on Wednesday adopted a new policy to run checks on out-of-state motorists pulled over by troopers.

Trooper J. Harold Lee stopped McLean about 2 p.m. Sunday after clocking the man's blue 1992 Oldsmobile at 82 mph in a 65-mph zone on northbound Interstate 95 in Johnston County near the hamlet of Smithfield. McLean, who has been described as having a pathological hatred toward law enforcement officers, sat next to Lee in his cruiser and made small talk while the 21-year veteran trooper wrote his speeding citation.

"He was polite [and] cooperative," Lee said. "No indication of anything being out of the ordinary. He was in a little bit of a hurry. That's all that was indicated \* \* \* . He just wanted to know how long it would take."

But as McLean followed Lee to the local magistrate's office, where McLean posted a \$200 bond for the speeding violation, the trooper saw him make a call on a cellular telephone and became suspicious.

Although the North Carolina Highway Patrol's procedures did not require a name check on McLean, Lee ran McLean's driver's license number through a state computer system and found nothing. If he had entered McLean's name in the FBI computer, officials said yesterday, he would have learned of a warrant charging McLean with assault with intent to kill a D.C. police officer in January.

"There's nothing I could have done any different," Lee said. "It was a routine stop that we make daily on the interstate, and there's no other way to do it."

Capt. Raymond W. Isley, commander of the North Carolina Highway Patrol's interstate division, said the department has ordered national checks on all out-of-state motorists pulled over by its troopers.

"We reviewed this case because . . . it's a tragedy," Isley said. Isley said his department has not routinely conducted federal checks because they tie up dispatchers, and "we don't want to get implicated with unduly delaying people. We generally don't do it unless there is a need to do it. Ninety-nine and nine-tenths of the people are not criminals. . . ."

"If we get suspicious of you, we do [checks]," Isley said. "But in this case, the man was very polite, very cordial. This was a seasoned officer, and he was looking for something out of the ordinary. But [McLean] controlled himself very well in his presence."

Hours later, about 1 a.m. Monday, McLean crept up to an unmarked cruiser in the parking lot of Greenbelt Middle School and fatally shot Christian, one of 27 investigators waiting to surprise him. McLean was hit by seven bullets and then took his own life, the Maryland state medical examiner's office said.

McLean was carrying the semiautomatic assault pistol used to kill Prince George's County police Cpl. John J. Novabilski in an April 26 shooting, and he died of a bullet from Novabilski's stolen Beretta 9mm service pistol.

The National Crime Information Center is an FBI office that maintains a database for state and local law enforcement agencies that receives 1.3 million inquiries a day, the FBI said. The computer tracks nearly 400,000 people wanted for crimes, as well as data concerning crime-related categories. Authorities can learn whether a person has significant outstanding warrants or a criminal history.

McLean's name was listed on the computer Saturday when D.C. police obtained a warrant for his arrest in the shooting of city police Sgt. Eric L. Hayes.

Law enforcement specialists said the service was designed to protect not only the public but also the nation's police officers by alerting them to dangerous suspects.

Policies on routine federal checks vary among Washington area departments. Virginia State Police do not require checks on traffic violators. Maryland state troopers are urged to check the driver and the car through the federal system.

"We check for any warrants or wanted [alerts] for the people or the vehicle," said Mike McKelvin, a Maryland State Police spokesman.

Lee, who retires in 11 days, said the traffic stop was indistinguishable from tens of thousands he had made until Monday afternoon, when a Maryland homicide detective called him after finding the speeding citation among McLean's belongings.

Lee said he is convinced that he did everything right during his 45-minute encounter with McLean—and that he was lucky things didn't turn out differently after McLean opened the trunk of his car and rooted through luggage to find his driver's license.

"I was just very fortunate the stop ended like it did for myself," Lee said. "Maybe the Lord was looking after me."

Mr. DEWINE. Mr. President, I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, let me say to my friend from Ohio that I applaud his efforts. As he knows, in the crime bill that we passed we provided \$100 million for just these purposes. As a matter of fact, it has been over a decade ago that I initiated an effort in the first crime bill introduced to get the NCIC up to speed to actually make it work. We received some considerable resistance then interestingly enough from the very left and the very right, the right because, as the Presiding Officer notes, the right is always concerned about anyone when anything has to do with Government having

power, and the left because they are concerned about the Government having power. So it was stalled for a while in the so-called Biden crime bill which passed out of here.

I wanted that number to be higher out of the trust fund. The most we could get any agreement on was \$100 million. I do not quibble with the notion that we could effectively spend more money.

The Senator may recall, because he was in the House at the time, that the local authorities thought they could get by with the \$100 million as long as the FBI was essentially going to be the purchasing agent for them. What we do not want to have happen is a little police department in central Ohio or southern Delaware—they may be the very people who pick up the McVeigh's of the world—and we do not want them to be in the position where in order for them to purchase this equipment and some of the more automated fingerprinting capability, the NCIC, the blood and saliva DNA capability, we do not want them to be out there since they are purchasing a very small quantity of whatever it is that is being purchased having to pay considerably more than the police department in Columbus, or New York, or Wilmington, DE, or Philadelphia has to pay. But as it turns out they have concluded that they need more help.

Again, I look forward to working with my friend from Ohio on this issue as the continuation of an effort that he supported when he was in the House as well. He is not new to this. He knows this area as well as anyone does.

One of the things at some point—I will not take the time now because the distinguished Senator from California who has been waiting since 9:30 to go with her amendment is ready to go now that the chairman of the committee is here. We will have a long day today. Maybe the Senator and I, as we say, can repair to the cloakroom. I would like to talk about his formula which he has built in here which is the distribution based strictly on population which seems at odds with the notion that we acknowledge that these little police departments, and smaller areas in population, also in a strange way need the help more than even the large police departments.

So I acknowledge at the front end the parochial interest in that Delaware is a small State and under the formula would be in a disadvantageous position for this additional funding. I do not expect the Senator to change his formula. I would like to make my case to him since this is esoteric.

Mr. DEWINE. If the Senator will yield for a moment, let me congratulate the Senator from Delaware because he really has been a leader in this area. I had the opportunity about 2 months ago to go to the FBI and look to see exactly where all of these systems were. It is amazing the progress that they have made. In the last several crime bills there has been systems

in there, and I know particularly that the Senator from Delaware has been a prime leader in this area. Frankly, what the FBI tells me is that they are moving along very, very well. The background for my writing this section was frankly what the FBI told me, and also what local law enforcement told me. That was, look, I say we are moving along very, very well, quite frankly thanks to what the Congress has done. A significant amount of money Congress has put in.

But they said, "Senator, let us tell you the one concern we have; that is, our database is only as good as the information we get. Our concern is that some of these small departments—which the Senator from Delaware is referring to—will not have the resources. They will not have the ability to tap in."

So I look forward to working with the Senator from Delaware in regard to the formula. Our idea, frankly, is to make sure that every police officer in the country—some way, either through his or her own department or through a consortium or through the departments going together—has the ability to put that information into the computer and to get it back out. Frankly, my only interest is making it work. So, if we can come up with a formula that works better to do that, I am more than happy to work with the Senator to do that.

Mr. BIDEN. Mr. President, that is why I rose to speak to this to divert slightly from the amendment process. I am not being so solicitous. I know of the Senator's interest, knowledge, and genuine concern about this. One thing that he did not mention that he has in the past, but I think it is worth noting here, is this information also has the ancillary benefit of saving police officers' lives. The Presiding Officer knows that in his State of Pennsylvania he has had a rough year already with loss of police officers' lives. It has not been a good year. The start has not been a good one.

It is very, very, very practical information when that trooper pulls up behind an automobile. If he has the system and equipment in his automobile and the database is real, he literally can, before he gets out of the car, punch in and find out if that automobile is not only stolen but where and when and how.

He also has the capability, if we give him the capability and if the States step up to the ball, of using this portable, automatic fingerprinting operation where they can literally have a driver come up into their automobile—what the average citizen would think is a portable fingerprinting machine—to actually have that person get out of the car, walk up, stick their thumb or forefinger in this machine in the automobile, and instantly get a readout as to whether or not the license that they are carrying comports with their identity.

This not only makes a lot of sense in terms of tracking and using it as a device to solve crimes, but it also has the immediate benefit of literally saving lives of police officers. As a former prosecutor, the Senator from Ohio knows this. In my discussion with police—and, as you know, the head of the FOP and a number of leading members of the FOP are from the home State of the Senator from Ohio—they know of his work and his interest in this area.

So I compliment him on his initiative and thank him for his willingness to speak with me about the formula. With that, unless the Senator from Ohio wishes to say anything else, I see the distinguished Senator from California is on her feet and is ready to go with her amendment, I think, or is she?

Mrs. BOXER. I am absolutely ready to go with the amendment. My friend, the good Senator from Ohio, has been with me here since 9:30 this morning. I was ready to go at that time. I did lay down my amendment. As my friend from Delaware knows, there is some concern on the other side, although I think it is not all that widely based, that we should narrow the scope of my amendment. It is not my intention to do that.

I am ready to vote on my amendment right now. I say to my friend from Delaware, I would greatly appreciate his views on my amendment because I have expressed mine. If I can have some time at this point, I can summarize in 5 minutes and then I would love to have my friend from Delaware react to the amendment and perhaps express his view as to whether it is a common-sense amendment.

Mr. BIDEN. Mr. President, if the Senator will yield for a moment, I am anxious to do that. I sincerely hope she does not amend her amendment. I will, in time, at an appropriate time, explain why I hope that is not the case. I am of the view that if Senators listen to this debate or this discussion, I think it is very, very difficult to make a case why the exception being sought should be granted. I will yield the floor back to the Senator, have her make her case, and I am prepared and anxious to speak to her amendment.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 1214

Mrs. BOXER. Thank you very much, Mr. President. About one-half hour ago, I laid down my amendment which would really, I think, add a lot of common sense to our gun laws, because we seem to have two sets of statutes of limitations.

Generally, gun laws and criminal laws have a 5-year statute of limitations, except for the National Firearms Act, which has a 3-year statute, which means that the police have to complete their work on sometimes very complicated cases, in 3 years.

Now, what are these cases? And this is where I think Senators ought to listen. There are only three cases: The

making of a bomb, such as the bomb that was made in Oklahoma City, is only covered in the National Firearms Act. So we have to go after these terrorists. This is the place. Law enforcement is asking us for 5 years, not the 3 that they have. That is one case.

The other case is the making of a sawed-off shotgun. The only place where that crime is covered is in this law, and we think there ought to be a 5-year statute.

And the third, the making of a silencer, is covered in this particular statute, which I would like to amend to 5 years.

So what we are suggesting is that those three areas—silencers, sawed-off shotguns, and bombs—ought to be covered by the same statute of limitations as exists in, for example, the assault weapon ban, cop-killer bullets, and all criminal laws, which basically have a 5-year statute.

I see that the distinguished majority leader is on the floor. I was hopeful that maybe that indicated we could move this along by simply accepting it because it is, in fact, an amendment that really comes to this floor via law enforcement.

On Senators' desks I have the names of 45 police chiefs who urge support for the Boxer amendment. These police chiefs are from California; Oregon; Washington State; Florida; New Jersey; Arizona; Pennsylvania; Roanoke, VA; Connecticut; Indiana; Illinois; New York; Massachusetts; Maryland; Arkansas; Kentucky; South Carolina; Georgia; Missouri; Alabama, and I do not know whether I mentioned Oklahoma City. The Oklahoma City chief of police wants us to adopt the Boxer amendment.

Just now, I was handed a letter from the Fraternal Order of Police. The Fraternal Order of Police, Dewey Stokes, has sent us a letter that says:

Senator Boxer will offer an amendment that will assist prosecutions under the National Firearms Act. The NFA prohibits the manufacture, sale and possession of machine guns, sawed-off shotguns and bombs. The statute of limitations for NFA violations, however, is only 3 years, in contrast to a 5-year statute of limitation for all other gun control laws and most criminal laws. The Boxer amendment will increase the statute of limitations for NFA violations to 5 years.

The Fraternal Order of Police firmly supports . . . this amendment. And it goes on to write:

You have supported law enforcement in the past and we hope you will stand with us again by voting to approve these vital propolice amendments.

So, Mr. President, the Boxer amendment is a propolice amendment described that way by the Fraternal Order of Police and 45 police chiefs in this country who are saying to the U.S. Senate: "Please pass this antiterrorism bill, but give us the tools we need."

And here is one tool that does not cost any money, Mr. President. What we are giving the law enforcement authorities is time, time to follow the thousands of leads, time to put to-

gether the pieces of the puzzle. I really hope we can have bipartisan support for this amendment in its entirety. The police chiefs are not just supporting part of the Boxer amendment, they are supporting the entire Boxer amendment, and I hope we can come together and move on, because as I watched the families of the victims of Oklahoma yesterday begging us to move forward a bill that would help bring these evildoers to justice, it certainly occurred to me that it would be tragic if the statute of limitations ran out.

One thing we have to remember, the statute starts running when the bomb is completed. So if a terrorist builds a bomb and stores that bomb for a year or 2 before using it, we may be down to a year for the police to put together all the leads.

So at this time, Mr. President, I ask unanimous consent to print in the RECORD the names of the 45 police chiefs who have endorsed the Boxer amendment and the letter from the Fraternal Order of Police that we just received.

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

FRATERNAL ORDER OF POLICE,

Washington, DC, June 5, 1995.

DEAR SENATOR: As the Senate prepares to debate the anti-terrorism bill, on behalf of the 270,000 police officers who are members of the Fraternal Order of Police, I want to strongly urge that you support three pro-law enforcement amendments that will be offered to the bill. The three amendments concern cop-killer bullets, re-arming felons, and the National Firearms Act. Specifically, the Fraternal Order of Police urges your support for the following:

Senator Bradley will offer an amendment to strengthen the current cop-killer bullet law. In 1986, Congress passed and President Reagan signed legislation prohibiting the manufacture, importation and sale of handgun ammunition capable of piercing the body armor worn by most police officers. Earlier this year, the "Black Rhino" bullet received a lot of publicity for its supposed armor-piercing qualities. While the claims turned out to be exaggerated, manufacture of such a bullet would have been allowed under current law. Because the 1986 law prohibits bullets based on their physical composition, manufacturers currently working to develop ammunition like the "Black Rhino" would be able to manufacture and market them to the public. The Bradley Amendment will close this loophole by prohibiting the manufacture and sale of armor-piercing ammunition based on reasonable performance standards rather than composition.

Senators Lautenberg and Simon will offer an amendment that will prevent all persons convicted of a violent felony or serious drug offense from ever possessing firearms. Even though federal law generally prohibits a convicted felon from possessing a firearm, ATF can grant a waiver to this prohibition, following an extensive background investigation. Although recent appropriations acts have temporarily halted the use of ATF funds to restore firearm rights to convicted felons, the Lautenberg/Simon Amendment will permanently close this loophole by eliminating the waiver procedure. This amendment will also permanently prohibit any individual convicted of a violent felony or serious drug offense from possessing a

firearm, even if the state might have restored other civil rights to the individual. The effect of this amendment, in addition to keeping guns out of the hands of felons, will be to permanently free ATF personnel to take guns out of the hands of criminals, rather than to put them there.

Senator Boxer will offer an amendment that will assist prosecutions under the National Firearms Act (NFA). The NFA prohibits the manufacture, sale and possession of machine guns, sawed-off shotguns and bombs. The statute of limitations for NFA violations, however, is only three years, in contrast to a five year statute of limitation for all other gun control laws and most other criminal laws. The Boxer Amendment will increase the statute of limitations for NFA violations to five years.

The Fraternal Order of Police firmly supports these three amendments. You have supported law enforcement in the past and we hope you will stand with us again by voting to approve these vital pro-police amendments.

Sincerely,

DEWEY R. STOKES  
*National President.*

FORTY-FIVE POLICE CHIEFS URGE YOUR  
SUPPORT OF THE BOXER AMENDMENT  
EXTEND THE STATUTE OF LIMITATIONS FOR NFA  
OFFENSES

Chief Anthony D. Ribera, San Francisco, CA; Chief Charles A. Moose, Portland, OR; Chief Allan L. Wallis, Renton, WA; Chief Jimmie L. Brown, Miami, FL; Chief Daniel Colucci, Kinnelton, NJ; Chief Douglas L. Bartosh, Scottsdale, AZ; Chief Ronald J. Panyko, Millvale, PA; Deputy Chief Roy L. Meisner, Berkeley, CA; Chief Dan Nelson, Salinas, CA; Director Steven G. Hanes, Roanoke, VA; Chief Edmund Mosca, Old Saybrook, CT; Chief Louis Cobarruviaz, San Jose, CA; Chief Frank Alcala, East Chicago, IN; Chief Scott Bursleson, Waukegan, IL; Commission Gil Kerlikowski, Buffalo, NY; Chief Robert M. St. Pierre, Salem, MA; Chief Perry Anderson, Cambridge, MA; Chief William Corvello, Newport News, VA; Chief Noel K. Cunningham, Los Angeles Port, CA; Chief Robert H. Mabinnis, San Leandro, CA; Chief Robert M. Zidek, Bladensburg, MD; Chief William Nolan, North Little Rock, AR; Chief Leonard G. Cooke, Eugene, OR; Chief E. Douglas Hamilton, Louisville, KY; Chief C.L. Reynolds, Port St. Lucie, FL; Chief Harold L. Hurr, Oxnard, CA; Chief Reuben M. Greenberg, Charleston, SC; Chief Leonard R. Barone, Haverhill, MA; Asst. Chief James T. Miller, DeKalb Co. Police, Decatur, GA; Colonel Clarence Harmon, St. Louis, MO; Chief James D. Toler, Indianapolis, IN; Chief Charles R. McDonald, Edwardsville, IL; Chief Lockheed Reader, Puyallup, WA; Chief Harold L. Johnson, Mobile, AL; Chief Charles E. Samarra, Alexandria, VA; Chief Sylvester Daughtry, Greensboro, NC; Chief Peter L. Cranes, W. Yarmouth, MA; Chief Robert L. Johnson, Jackson, MS; Chief Gertrude Bogan, Bel Ridge, MO; Chief Larry J. Callier, Opelousas, LA; Chief Norm Stamper, Seattle, WA; Chief Lawrence Nowery, Rock Hill, SC; Chief Sam Gonzales, Oklahoma City, OK; Chief Jerry Sanders, San Diego, CA; Chief David C. Milchan, Pinellas Park, FL.

Mrs. BOXER. Mr. President, I ask my friend from Delaware at this time if he would be willing to speak to this amendment? I thank the President and yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I make an inquiry, are we making progress this morning?

Mr. BIDEN. Mr. President, oh, we are doing great, I say to the leader. Things are moving along swimmingly. At this rate, we will be done.

Mr. DOLE. I understand the Senator from California was available earlier. Others were not available. She was here. I do not think the amendment has been offered.

Mrs. BOXER. Yes.

Mr. DOLE. It has been offered.

Mrs. BOXER. I am ready to vote on it.

Mr. DOLE. Hopefully, we can dispose of that and move on quickly to the other amendments. It is our intention to finish this bill today. We will be discussing in our conference trying to further limit the number of amendments on this side.

Mr. BIDEN. If the Senator will yield, Mr. President, we will make the same effort in our conference.

Mr. DOLE. I think what we are doing is awaiting the return of Senator HATCH right now, as I understand it.

HABEAS CORPUS

Mr. DOLE. Mr. President, as part of the ongoing debate, not on the amendment, I wanted to make a brief statement on habeas corpus because on May 25, President Clinton wrote me urging habeas corpus reform be excluded, that means excluded from the antiterrorism bill pending before the Senate.

The President wrote, and I quote:

While I do not believe that habeas corpus reform should be addressed in the context of the counterterrorism bill, I look forward to working with the Senate in the future on a bill that would accomplish this objective.

The President apparently had a change of heart. Last night on the Larry King Show, the President reversed his position, endorsing the inclusion of habeas reform in the antiterrorism bill. The President said:

We need to cut the time delay on appeals dramatically, and . . . it ought to be done in the context of this terrorism legislation so that it would apply to any prosecutions brought against anyone indicted in Oklahoma. And I think it ought to be done.

I welcome the President's remarks. And I am delighted that he has finally come around to our position that, of all the antiterrorism initiatives now before the Senate, the one that bears most directly on the Oklahoma City tragedy is habeas corpus reform.

Yesterday, the families of some of the victims of the Oklahoma City bombing traveled all the way to Washington to tell their elected representatives that habeas reform is an essential ingredient of any serious antiterrorism plan. The families understand, as we do, that if we really want justice that is "swift, certain and severe," then we must put an end to the endless appeals and delays that have done so much to weaken public confidence in our criminal justice system. We must have habeas corpus reform now.

It is great news that President has switched his position and now supports the inclusion of habeas reform in the antiterrorism bill. Hopefully, the

President's support will help speed up the process here in the Senate and enable us to pass this legislation later tonight.

I ask unanimous consent that the President's quote on the Larry King Show and his letter of a couple of weeks ago—and they state different positions—be printed in the RECORD.

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

EXCERPTS FROM THE LARRY KING SHOW

President CLINTON. In death penalty cases, it normally takes eight years to exhaust the appeals. It's ridiculous. And if you have multiple convictions, it could take even longer. So there is a strong sense in the Congress, I think among members of both parties, that we need to get down to sort of one clear appeal. We need to cut the time delay on the appeals dramatically, and that it ought to be done in the context of this terrorism legislation so that it would apply to any prosecutions brought against anyone indicted in Oklahoma. And I think it ought to be done.

You know, we have some differences about exactly what the details are and what the best and fairest way to do to apply to all criminal cases, but I think it definitely ought to be done.

For 15 years I have been trying to get Congress to clarify this, and I have strongly believed it for a very long time, since I was an attorney general and a governor and I'd been on the receiving end of these interminable appeals.

Mr. KING. Are there those in Congress who think you're against this?

Vice President GORE. There are some in both parties who, in good conscience, think it would cause problems for criminal procedure.

Mr. KING. Constitutional.

Vice President GORE. Well, they're worried about it. But the president's for it. And if they want to put the right version of it on this bill, fine.

Mr. KING. Are we—

President CLINTON. You know, there are some good and bad. We don't have time to get into all the details of it. There are things that I like better in some versions than others.

Mr. KING. But you're in essence for it.

President CLINTON. But we—I'm not only for it; we need to do it. You can't justify this lengthy appeal process.

THE WHITE HOUSE,  
Washington, May 25, 1995.

Hon. ROBERT DOLE,  
Republican Leader, U.S. Senate, Washington,  
DC.

DEAR MR. LEADER: I write to renew my call for a tough, effective, and comprehensive antiterrorism bill, and I urge the Congress to pass it as quickly as possible. The Executive and Legislative Branches share the responsibility of ensuring that adequate legal tools and resources are available to protect our Nation and its people against threats to their safety and well-being. The tragic bombing of the Murrah Federal Building in Oklahoma City on April 19th, the latest in a disturbing trend of terrorist attacks, makes clear the need to enhance the Federal government's ability to investigate, prosecute, and punish terrorist activity.

To that end, I have transmitted to the Congress two comprehensive legislative proposals: The "Omnibus Counterterrorism Act of 1995" and the "Antiterrorism Amendments

Act of 1995." In addition, the Senate has under consideration your bill, S. 735, the "Comprehensive Terrorism Prevention Act of 1995." I understand that a substitute to S. 735, incorporating many of the features of the two Administration proposals, will be offered in the near future. I also understand that the substitute contains some provisions that raise significant concerns. We must make every effort to ensure that this measure responds forcefully to the challenge of domestic and international terrorism. I look forward to working with the Senate on the substitute and to supporting its enactment, provided that the final product addresses major concerns of the Administration in an effective, fair, and constitutional manner. The bill should include the following provisions:

Provide clear Federal criminal jurisdiction for any international terrorist attack that might occur in the United States, as well as provide Federal criminal jurisdiction over terrorists who use the United States as the place from which to plan terrorist attacks overseas.

Provide a workable mechanism to deport alien terrorists expeditiously, without risking the disclosure of national security information or techniques and with adequate assurance of fairness.

Provide an assured source of funding for the Administration's digital telephony initiative.

Provide a means of preventing fundraising in the United States that supports international terrorist activity overseas.

Provide access to financial and credit reports in antiterrorism cases, in the same manner as banking records can be obtained under current law through appropriate legal procedures.

Make available the national security letter process, which is currently used for obtaining certain categories of information in terrorism investigations, to obtain records critical to such investigations from hotels, motels, common carriers, and storage and vehicle rental facilities.

Approve the implementing legislation for the Plastic Explosives Convention, which requires a chemical in plastic explosives for identification purposes, and require the inclusion of taggants—microscopic particles—in standard explosive device raw materials which will permit tracing of the materials post-explosion.

Expand the authority of law enforcement to fight terrorism through electronic surveillance, by expanding the list of felonies that could be used as the basis for a surveillance order; applying the same legal standard in national security cases that is currently used in routine criminal cases for obtaining permission to track telephone traffic with "pen registers" and "trap and trace" devices; and authorizing "roving" wiretaps where it is impractical to specify the number of the phone to be tapped (such as when a suspect uses a series of cellular phones).

Criminalize the unauthorized use of chemical weapons in solid and liquid form (as they are currently criminalized for use in gaseous form), and permit the military to provide technical assistance when chemical or biological weapons are concerned, similar to previously authorized efforts involving nuclear weapons.

Make it illegal to possess explosives knowing that they are stolen; increase the penalty for anyone who transfers a firearm or explosive materials, knowing that they will be used to commit a crime of violence; and provide enhanced penalties for terrorist attacks against all current and former Federal employees, and their families, when the crime is committed because of the official duties of the federal employee.

In addition, the substitute bill contains a section on habeas corpus reform. This Administration is committed to any reform that would assure dramatically swifter and more efficient resolution of criminal cases while at the same time preserving the historic right to meaningful Federal review. While I do not believe that habeas corpus should be addressed in the context of the counterterrorism bill, I look forward to working with the Senate in the near future on a bill that would accomplish this important objective.

I want to reiterate this Administration's commitment to fashioning a strong and effective response to terrorist activity that preserves our civil liberties. In combatting terrorism, we must not sacrifice the guarantees of the Bill of Rights, and we will not do so. I look forward to working with the Congress toward the enactment of this critical legislation as soon as possible.

Sincerely,

BILL CLINTON.

Mr. DOLE. I suggest that we hope to finish this bill tonight. I urge my colleagues on the Republican side of the aisle that there are a number of Republican amendments pending, and they are not rushing to the floor to discuss those amendments with the manager and the chairman of the committee, Senator HATCH.

Now, if we are going to suggest that the Democrats ought to cooperate, then we will suggest that Republicans ought to cooperate, too. So I ask my colleagues on this side of the aisle, or anybody who may be listening in their offices, if you have amendments, please let us know before noon. We would like to find out by noon on this side of the aisle how many amendments we have, serious amendments, and how many are going to be called up. Then we can go to the distinguished Senator from Delaware and say we have  $x$  number of amendments that will take  $x$  amount of hours. We hope to get time agreements so we can complete action on the bill later today.

I yield the floor.

AMENDMENT NO. 1214

Mr. BIDEN. Mr. President, let me respond to the question posed to me by the Senator from California, Senator BOXER. There are a couple of things I have observed in the years of working with Senator BOXER, and that is when she thinks she is right, there is nothing that slows her up. I mean nothing. Almost without exception, in my dealings with her and the matters we have worked on, she has a commonsense approach to these things that is, quite frankly, sometimes around this place is not factored in. If she had stood up today on the floor of the Senate and said, you know, my colleagues in the Senate, the statute of limitations for rape is 3 years. Yet, the statute of limitations for robbery is 5 years, and what I want to do is I want to increase the statute of limitations for rape from 3 to 5 years, I imagine there would be a chorus of Members in the Senate on both side standing up and saying, bravo, right.

My goodness, why would we have a serious crime like rape be a statute

that was only 3 years and yet a less serious crime like assault be a 5-year statute of limitations. Because I want to make it clear—and I know all my colleagues and everybody on the floor here who has dealt in this area or are accomplished lawyers in their own right know that—let us keep in mind what the rationale for the statute of limitations is. The rationale is, the more serious the crime, the more we are committed to finding the perpetrator, and oftentimes that means we need more time.

A second factor that goes into this is that some crimes are more difficult to solve than others because the evidence that is needed to solve the crime sometimes takes a long time to track down.

Third, we have generally tried—in terms of title 18, the criminal code in effect for the Federal Government—to standardize the amount of time we give prosecutors and the Government to find perpetrators of crime.

Now, the fact of the matter is that I do not think this has anything to do with gun control. It happens to be that we are talking about a Firearms Act that affects guns, but it really does not matter. It has everything to do with equity, and it has everything to do with giving the victim and the Government a chance to find the person who did the thing that we think is a very bad thing.

For example, if someone is out there violating the Firearms Act with a machine gun, then we have as a policy, as a nation, for the past several decades said that is a very bad thing. Yet, there is a 3-year statute of limitations for that. Or if we go out and say we do not want people using chemical weapons or making explosives that can do great damage, we said in the first instance that is a bad thing to do. It is unhealthy for Americans, for people to be making these devices or putting silencers on their guns. Why do people put a silencer on a gun? Is it because they are target practicing in their basement and they do not want to disturb the folks on the second floor? Or is it because they do not want the deer to hear the bullet coming? Why do you use silencers? You use a silencer to avoid detection. And so if someone is out there violating the Firearms Act with a silencer or machinegun or building a bomb, it seems to me, just on the face of it, that we should give the Government and the victims enough time out there as we give somebody if they are assaulted. My Lord, if someone is assaulted, the case stays open for 5 years. Yet, if someone violates what we all say is a serious problem, we are saying 3 years.

Now, look, I know that some of my friends on both sides of the aisle are a little concerned about this because I know that it says "guns and firearms," and when you say that around here, that sets off bells and whistles and so on. But I respectfully suggest that this is totally consistent—although I have not spoken to the national NRA, I have

spoken with the NRA in my State and the leadership in my State. I keep in contact with them. As I said yesterday, in my State, the NRA are upstanding citizens. The leader in my State is a member of the ACLU and the NRA and is a practicing lawyer in town. The No. 2 guy in my State in the NRA is a former captain in a police department in Dover, DE. These guys are not wackos or nuts; they are serious citizens.

Now, I have not spoken to them about this, but I have spoken to them and the national NRA about how we should be dealing with guns and gun offenses. What do they always say to us? They say, look, do not outlaw the gun, increase the penalty. So Senator GRAMM comes to the floor all the time and makes a logical, coherent argument. He says, hey, do not do away with assault weapons, but if you have anybody using one, violating the law in its use, nail them. Minimum mandatory sentences, minimum mandatory imprisonment.

And so the philosophy that the NRA has adopted—and to their credit it is consistent—is that people kill people, guns do not kill people. And only when they take that inert instrument, that thing called a gun, and do something bad with it, do you engage the Government.

We have decided as a matter of law under the Firearms Act that it is a bad thing to go around putting silencers on the end of revolvers, or rifles for that matter. We decided that it is a bad thing to tote around a machinegun. We decided that I do not hear any gun organization saying, by the way, legalize the sale of machineguns again. I do not hear anybody saying silencers are something we should be using. So I am a little surprised that there is any opposition to the initiative of my friend from California. The one thing she is probably—I will speak only of the Democratic side, so I do not implicate any of my Republican friends. She is among the four or five most successful legislators. She knows how to get things done. I assume that it comes from her 10 years of experience in the House. I think she is as surprised as I am that this may be resisted, because I cannot figure out why it would be. It is consistent with what—I do not want to put a negative spin on it—the gun proponents say is the way we should handle the issue of firearms in America. It is consistent. It relates to penalties, not outlawing them. And it is totally consistent with the way in which we decide under title 18 to deal with the vast majority of crimes.

Now, look, this increases from 3 to 5 years the statute of limitations for the most serious weapons offenses, specifically those under the National Firearms Act. In doing so, this amendment brings the statute of limitations into line with the vast majority of Federal offenses which have to do with guns and do not have to do with guns. Generally, the statute of limitations is a

period which the Government has followed the crime to bring an indictment under Federal law. All noncapital crimes are subject to a limitation. The National Firearms Act covers the most dangerous weapons: machineguns, sawed-off shotguns, silencers, and destructive devices which include any explosive or incendiary or poison gas, A, bomb, B, grenade, C, rocket having a propellant of more than four ounces, D, missiles having explosive or incendiary charges of more than one-quarter of an ounce, and E, a mine.

You know, these are not playthings we are talking about. These are serious offenses. Again, I do not know anybody, whether they are the NRA—and I stand to be corrected by anybody else—who says, by the way, you should not outlaw sawed-off shotguns, machineguns, and rockets having a propellant and the charges, grenades, bombs, incendiary charges of more than one-quarter ounce, and missiles.

So all the Senator is asking for is what the police are asking for. It defies logic to give offenders a break by limiting the statute of limitations to only 3 years. The statute of limitations in other Federal crimes is that, as has been pointed out by the Senator from California, a vast majority of those crimes already are 5 years. Let me give you a few examples. Crimes with a 5-year statute of limitations include assault, 18 United States Code section 111; kidnapping, 18 United States Code section 1201; bank robbery, 18 United States Code section 2113; car robbery, 18 United States Code section 2119; embezzlement, 18 United States Code section 641.

I also point out that the statute of limitations is also 5 years for illegally importing lottery tickets, impersonating a Federal employee, unlawfully shipping, transporting, receiving, possessing, selling, distributing, or purchasing contraband cigarettes, counterfeiting, forging, or using any counterfeited or forged postal or revenue stamp of any foreign government, unauthorized use of the character Smokey the Bear. It is a misdemeanor, but it is a 5-year statute of limitations. Unauthorized use of the character Woody Owl. That is a 5-year statute of limitations.

Now, look, if we are going to give the Government 5 years to track down the guy who impersonates or uses Woody the Owl, why in the devil would we not give 5 years to the Federal Bureau of Investigation to track down somebody who has violated the most serious weapons offenses that nobody I know of is suggesting we do away with?

Mrs. BOXER. If the Senator will yield, I think this is such a crucial point because if people were unhappy with the 5-year statute of limitations, I would assume there could be an amendment to roll it back to 3. All we are saying is that it is an anomaly here that three or four firearms laws do not match up with the vast majority. I think my friend has gotten it exactly right, as usual.

If I might just say to my friend, I do not know whether he was aware of this, but there was an article in the New York Times on another matter that relates to my friend's work here. And that is that under the Violence Against Women Act, the first arrest was made, and this is a man who crossed State lines to beat his wife. It is a matter of the work of my friend, Senator BIDEN, who, for—I do not know how long—6 years, fought to get the Violence Against Women Act into law. Proudly, I was the House author when I was there in the House and lived to see the day when it became law here in the Senate.

The reason I bring that up is my friend is a pragmatist. He sees a problem and he solves it. He sticks with it. But my friend from Delaware, the ranking member on the Judiciary Committee, is also somebody who works beautifully with the other side. Senator HATCH worked with him on the Violence Against Women Act, and, in the end, we had everybody together. When my friend, Senator BIDEN, stands on this floor and says he does not understand why there is a problem with this on the other side, I think that carries a lot of weight.

Frankly, I say to my friend, I wish we could just have a vote up or down on this amendment. I think it is common sense. We have 45 police chiefs from 24 States who have endorsed this. We have the Fraternal Order of Police.

It may be that the chairman of the Judiciary Committee, my friend from Utah, may wish to lay this aside. We will take a look at it. I certainly hope that the remarks of the Senator from Delaware will be heard by both sides of the aisle, because this is a common-sense amendment. We should not be wasting a lot of time. We should do this in a bipartisan way.

Frankly, it directly relates to Oklahoma City. It directly relates. If we find out that those terrorists made that bomb a year earlier, it would bring the statute down to 2 years, I say to my friend. It is a very serious amendment. It is directly related to Oklahoma City. I want to thank my friend so much. I yield back.

Mr. BIDEN. Let me conclude, Mr. President, because again, it is a little bit like when we first raised the issue of taggants. There was initially—because a lot of people did not understand it—a lot of resistance.

Yesterday, we overwhelmingly passed it because we talked about it. I am sincerely hopeful that as the staff of Senators who were otherwise occupied now in committee hearings and may not be able to hear this themselves will understand that this does not have to do with guns. It has to do with equity.

A person convicted, as I indicated earlier, of impersonating a Federal employee can get up to a 3-year sentence, while a person convicted under the National Firearms Act can receive up to 10 years in prison.

One has to wonder why a statute of limitations is shorter for the great offense and longer for the shorter offense. It does not seem to make sense.

Again, although I cannot and do not speak for the NRA, it seems to me on its face this is totally consistent with the philosophy that the NRA has adopted relative to gun offenses.

That is, when the law is violated relating to guns and/or explosives, that person should be punished severely. One of the things that we all know, in tracking these cases, is the police need time.

It is totally consistent with the way we have dealt with other crimes and totally consistent with the philosophy on the left and the right, it seems to me, to just merely standardize the statute of limitations for these very serious offenses.

I hope, if we are prepared to vote on this, or whatever decision the Senator from California makes, I hope the Senator sticks to her guns here. I am convinced if people understand what the Senator is attempting to do and depoliticize it here and just look at the facts, the facts are it makes no sense not to give the police what they want, the additional 2 years to be able to track and apprehend people who violate only the most serious of the laws relating to firearms and explosives.

I yield the floor.

Mr. HATCH. Mr. President, the distinguished Senator from Tennessee has been waiting to speak. I need to take just 1 minute. I think I have worked this out with the distinguished Senator from California.

I ask unanimous consent that the Boxer amendment numbered 1214 be laid aside until 2:15 in order for the Senate to consider other amendments, and that no amendments dealing with the same issue as the Boxer amendment be in order prior to 2:15 today.

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

Mr. HATCH. Mr. President, let me just say, with regard to the Senator's amendment, that there is a lot of concern because 40 percent of the people in this country are afraid of their Government.

If we extend a statute of limitations from 3 to 5 years, there is an awful lot of worry that official prosecutors will dangle and dangle the accused for the full 5 years until they indict them, the day before the 5 years expires. We have seen it happen before.

Extending the statute of limitations is not a simple little gesture. It is important. I understand the sincerity of the distinguished Senator from California, and there are a number of other issues, too.

For instance, I think it is important to answer questions. How many cases in the past decade have failed to be prosecuted because of the statute of limitations for violation of the firearms provisions? What were the reasons for the failure to prosecute the alleged NFA firearms violations within

the 3-year statute of limitations? How many NFA firearms violators have been prosecuted in the last decade? How many NFA firearms charges were dropped or reduced by plea bargaining? Has the BATF stated in congressional testimony, or anywhere, that the 3-year statute of limitations for firearms violations has been a significant problem? Out of all the cases prosecuted for NFA firearms violations in the last 5 years, what is the percentage of the convictions obtained?

Now, I ask unanimous consent that the rest of these questions be printed in the RECORD at this point. It may be important for the distinguished Senator from California to answer some of these questions, and I will give her a copy of this so she and her staff can look it over.

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

NATIONAL FIREARMS ACT VIOLATIONS—STATUTE OF LIMITATIONS—PROPOSED INCREASE

1. How many cases in the last decade have failed to be prosecuted because of the three year statute of limitations of violations of the firearms provisions NFA?

2. What were the reasons for the failure to prosecute the alleged NFA firearm violations within the three year statute of limitations?

3. How many NFA firearms violators have been prosecuted in the last decade?

4. How many NFA firearms charges were dropped or were reduced by a plea bargain?

5. Has the BATF stated in Congressional testimony, or anywhere, that the three year statute of limitations for firearms violations has been a significant problem for them?

6. Out of all the cases prosecuted for NFA firearms violations in the last five years, what is the percentage of convictions obtained?

7. In the last five years, what percentage of convicted felon for NFA firearm violations are currently serving their sentences in a federal penal institution?

8. Isn't it a fact that under Title I of the Gun Control Act, which is often the subject of indictments also alleging NFA offenses, there is a five year statute of limitations? And isn't also a fact that the three year statute of limitations is overlooked at times by counsel and others? Isn't it true that is the real reason for any cases lost under the NFA statute of limitations is because of human error?

9. If a potential case is brought to the BATF or other relevant federal officials attention, why would a three year statute of limitations not be sufficient time to bring an indictment against the alleged violator? Shouldn't the punishment for such a crime be swift and effective?

10. After the passage of over three years, evidence becomes stale and witnesses are lost; a defendant is at a great disadvantage to defend himself against charges, what, in terms of fairness, would mandate an extension of that time for prosecutions of NFA firearms violations for another two years?

AMENDMENT NO. 1228

(Purpose: To clarify the procedures for deporting aliens)

Mr. HATCH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] for Mr. ABRAHAM, proposes an amendment numbered 1228.

Mr. HATCH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On p. 36, line 16, strike from "to prepare a defense" through the word "imminent" on p. 37, line 12, and insert in its place the following: "substantially the same ability to make his defense as would disclosure of the classified information.

"(C) The Attorney General shall cause to be delivered to the alien a copy of the unclassified summary approved under subparagraph (B).

"(D) If the written unclassified summary is not approved by the court, the Department of Justice shall be afforded reasonable opportunity to correct the deficiencies identified by the court and submit a revised unclassified summary.

"(E) If the revised unclassified summary is not approved by the court, the special removal hearing shall be terminated unless the court, after reviewing the classified information in camera and ex parte issues findings that—

"(i) the alien's continued presence in the U.S. poses as reasonable likelihood of causing

"(I) serious and irreparable harm to the national security; or

"(II) death or serious bodily injury to any person; and

"(ii) provision of either the classified information or an unclassified summary that meets the standard set out in (B) poses a reasonable likelihood of causing

"(I) serious and irreparable harm to the national security; or

"(II) death or serious bodily injury to any person; and

"(iii) the unclassified summary prepared by the Department of Justice is adequate to allow the alien to prepare a defense.

"(F) If the Court makes these findings, the special removal hearing shall continue, and the Attorney General shall cause to be delivered to the alien a copy of the unclassified summary together with a statement that it meets the standard set forth in paragraph (E) rather than the one set forth in paragraph (C).

"(G) If the Court concludes that the unclassified summary does not meet the standard set forth in paragraph (E), the special removal hearing shall be terminated unless the court, after reviewing the classified information in camera and ex parte finds, by clear and convincing evidence, that—

"(i) the alien's continued presence in the United States—

"(I) would cause serious and irreparable harm to the national security; or

"(II) would likely cause "

Mr. HATCH. Mr. President, I ask unanimous consent that the amendment be set aside. I understand Senator LEAHY is coming to the floor with an amendment to take up immediately following, hopefully, Senator THOMPSON's remarks.

Mr. BIDEN. Mr. President, I know the Senator from Tennessee is waiting, if he allows me 60 seconds.

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

AMENDMENT NO. 1214

Mr. BIDEN. Mr. President, I listened to my friend raise questions about the

amendment. My response is that all the questions he raised are totally irrelevant.

Whether or not 40 percent of the American people are afraid of their Government, the idea is that who they should be afraid of is anybody walking around with a bomb, grenade, rocket launcher, or a silencer on their gun, or a machine gun. That is who they should be afraid of. Whether there have been prosecutions or not is totally unrelated to whether or not the statute of limitations should be 3 or 5 years. And the notion of dangling over their head the prospect of prosecution—I have zero sympathy for anyone, whether they are a Mafia don, whether they are a rapist, or whether they are someone walking around with a rocket-propelled device, I could give a darn about their concern, if they violate the law. The question is did they violate it or did they not? They will have a chance to prove it in court. The police should have a chance to bring them to court.

With all due respect, I think his questions raised are irrelevant. I hope my friend from California will not bother to answer them, but that is the right of the Senator from California.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that immediately following my remarks here the distinguished Senator from Tennessee be permitted to deliver his remarks.

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

Mr. HATCH. Mr. President, I do not disagree with Senator BIDEN. When you have terrorists and bomb throwers and rocket launchers and things like that—I do not have any sympathy for them either. But both he and I have been in court before as practicing attorneys where the Federal Government has brought unjust actions against people and dangled them for the full extent of the statute of limitations. We won those cases, but it was not easy and it ruined lives in the process. I have seen that happen. That is what I am concerned about and that is what I think many people are concerned about.

I am not against extending statutes of limitations when they are justified. Maybe in this case they are. I may very well consider voting for this amendment or accepting it. But I want to make sure everybody understands it is not quite as simple as we sometimes paint it on the floor, when 40 percent of the people in this country are afraid of their Government. One reason is because they have seen some unjust prosecutions, criminal prosecutions, that is. That is a matter of concern to me and I think it is to everybody who is worried about what people think in this country.

AMENDMENT NO. 1229

(Purpose: To express the sense of the Congress concerning officials of organizations that refuse to renounce the use of violence)

Mr. HATCH. Mr. President, I send an amendment to the desk for and on be-

half of Mr. BROWN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. HATCH] for Mr. BROWN proposes an amendment numbered 1229.

Mr. HATCH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the bill, add the following new section—

**“SEC. . TERRORISM AND THE PEACE PROCESS IN NORTHERN IRELAND.**

(a) SENSE OF CONGRESS.—It is the Sense of the Congress that—

(1) All parties involved in the peace process should renounce the use of violence and refrain from employing terrorist tactics, including punishment beatings;

(2) The United States should take no action that supports those who use international terrorism as a means of furthering their ends in the peace process in northern Ireland;

(3) United States policy should not discourage any agreement reached in northern Ireland that is ratified by a democratic referendum.

(b) REPORT.—Section 620 of the Foreign Assistance Act of 1961 is amended by adding the following—

**“SEC. 620G. REPORT ON NORTHERN IRELAND.**

The President shall provide a biannual report beginning 60 days after the date of enactment of this Act to the appropriate committees of Congress on—

(1) The renunciation of violence and steps taken toward disarmament by all parties in the northern Ireland peace process;

(2) Any terrorist incidents in northern Ireland in the intervening six months, their perpetrators, actions taken by the United States to denounce the acts of violence, United States efforts to assist in the detention and arrest of these terrorists and U.S. efforts to arrest or detain any elements that have provided them direct or indirect support;

(3) Fundraising in the United States by the Irish Republican Army, Sinn Fein or any associated organization and whether any of these funds have been used to support international terrorist activities.”

Mr. HATCH. I also unanimous consent this amendment be set aside so we can have another amendment called up, presumably by Senator LEAHY, who I understand is coming to the floor.

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

Under the previous order the Senator from Tennessee is recognized.

Mr. BIDEN. Mr. President, I ask unanimous consent that he yield me 30 seconds.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. The logic of the argument of my friend from Utah would be to reduce the statute of limitations for embezzlement from 5 to 3 years, reduce the statute of limitations for assault from 5 to 3 years, to reduce the statute of limitations for most crimes from 5 to 3 years. I would stand ready to debate him if he wishes to do that.

I yield the floor and thank my friend from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Mr. President, we all appreciate the FBI's fine job in investigating the Oklahoma City bombing and tracking down the perpetrators. But all the resources that we vote for the FBI, and all the work that the Marshals Services performs to protect people in Federal buildings, are meaningless if the courts will not put terrorists and other criminals in jail for a long time. And those resources also will be wasted if the Justice Department fails to punish those who are guilty.

The bill before us will strengthen Federal efforts against terrorism. However, the American people should know that we are acting thoughtfully, and are not overreacting. For instance, the bill before us reflects a conscious decision not to pass the administration's proposals to permit roving telephone wiretaps and to significantly increase the role of the military in domestic law enforcement. Before this administration asks for increased authority that could infringe the civil liberties of innocent citizens, it should exercise its already significant authority to punish terrorists.

President Clinton has stated that those who bomb Federal buildings are evil cowards. And he has said that it is wrong for terrorists to try to kill those who lawfully arrest them. Yet, the record of the use of the current authority of the President's Justice Department to fight terrorism fails to match the President's rhetoric.

Rodney Hamrick is a terrorist. He has been convicted of threatening the life of the President, manufacturing an incendiary device while in prison, and making bomb threats against Federal courthouses in Washington and in Elkins, WV. While facing prosecution for threatening to kill the judge who sentenced him, Hamrick built a bomb from materials available at the jail: A 9-volt battery, steel wires, and cigarette lighters. He wrapped the bomb in aluminum and put it in an envelope between a pad and a piece of cardboard. The bomb was designed to detonate when the pad was removed from the envelope. If fully effective, the bomb would have produced a 1000-degree fireball up to 3 feet in diameter.

Hamrick mailed the bomb to the Federal building where the U.S. attorney responsible for prosecuting him worked. When the U.S. attorney opened the envelope, the bomb fortunately did not explode. The U.S. attorney, recognizing the homemade bomb, fled his office. The Marshals Service, FBI, and ATF were called and an Army bomb disposal expert was flow to the scene. He ordered the evacuation of the entire wing of the Federal building. While wearing a full-body kevlar bomb suit, he dismantled the bomb at a distance of 30 feet and a flight of stairs away. Hamrick was convicted of a number of

charges related to using a deadly or dangerous weapon and destructive device in perpetrating his attempted murder of a Federal official.

On appeal, a three-judge panel of the fourth circuit held that a dysfunctional bomb was neither a "dangerous or deadly weapon" nor a "destructive device." The court made this ruling despite a unanimous 1986 Supreme Court decision in a bank robbery case that an unloaded gun is a "dangerous or deadly weapon." While the Supreme Court had held that a gun is an article that is typically and characteristically dangerous and instills fear in the average citizen, the panel rules that a dysfunctional bomb is not characteristically dangerous and a combination of wires and a lighter cannot instill fear. It overturned Hamrick's convictions on these counts.

When the Government loses a court case, the Solicitor General determines whether to appeal the decision. Here was a case where an evil coward had tried to bomb a Federal building and kill an important Federal official who had sought to prosecute a terrorist. The facts are extremely similar to the way the President described the Oklahoma City bombing. Additionally, a controlling Supreme Court decision suggested that the fourth circuit panel had decided the case incorrectly.

What did the Clinton Justice Department do? Nothing. As the fourth circuit later wrote:

The United States, at the direction of the Solicitor General, did not petition either for rehearing or rehearing en banc of the panel's reversal of Hamrick's convictions and sentences on these courts.

Nor did the Justice Department file a petition with the Supreme Court to hear the case. Instead, in an unusual move, the full fourth circuit decided on its own to rehear the case. The full court found that the bomb was a "dangerous or deadly weapon" and affirmed Hamrick's convictions.

Mr. President, a letter bomb mailed to a Federal building is a dangerous or deadly weapon and a destructive device. That is just common sense. But where was the administration when the decision was made to accept the overturning of the criminal charges against this terrorist? Where was the Justice Department, and the Attorney General? They need to be held accountable for a decision that shows insufficient regard for public safety.

And what message does the Justice Department's acquiescence send to Federal law enforcement officials on the line every day, or to Federal prosecutors? Before this administration starts talking tough on terrorism, and about how tough it will act in imposing burdens such as infiltration, roving wiretaps, and searches on law-abiding citizens, it should explain why it has failed to take steps to raise the heat on terrorists.

Consider how the ruling the Justice Department accepted would affect law enforcement. If the original panel deci-

sion were the law, bombs that could not operate would not be dangerous or deadly weapons or destructive devices. Now consider how this approach would have applied to the shockingly similar bombing of the Federal building in Oklahoma City. Suppose that the bomber had been arrested for speeding while driving the Ryder truck on the way into Oklahoma City instead of driving the car on the way out. The police would have seen tons of fertilizer and fuel oil in the truck. But the bomber could not have been prosecuted for transporting a destructive device or possessing a deadly or dangerous weapon because the bomb was not yet rigged to explode.

That the Justice Department was willing to accept a ruling that would yield such an astounding result is absolutely unacceptable.

Mr. President, even the defendant in the Hamrick case did not argue that the bomb was not a deadly or dangerous weapon in light of the Supreme Court decision. The Clinton administration was willing to accept a judicial decision that was softer on terrorism than the terrorist himself. The American people are owed an explanation, an apology, and proof that steps have been taken to ensure that the serious mistakes the Justice Department made in Mr. Hamrick's case will not be permitted to happen again. Otherwise, the Clinton administration will have a difficult time credibly fighting terrorism.

I support this legislation, which will strike a proper balance in habeas corpus and will restore the FBI to its pre-Clinton administration hiring levels. But another reason to support the bill is language in section 626, which, in light of the argument that the administration accepted in Hamrick, will clarify that a "deadly or dangerous weapon" includes "a weapon intended to cause death or danger but that fails to do so by reason of a defective or missing component." This language is truly a clarification. Section 111(b) of the Federal Criminal Code always covered assaults on Federal officers with deadly or dangerous weapons, even if by happenstance those weapons misfired, notwithstanding the Clinton administration's position in the Hamrick case. No defendant who has committed an assault on a Federal officer with a defective weapon may use this language to argue that such conduct was legal prior to the date of the passage of this bill. We merely want to prevent other courts from following the fourth circuit's original decision, and we want to prevent the administration from continuing to argue in future cases that a defective bomb is not a deadly or dangerous weapon. I commend Senators DOLE and HATCH for including this language in their substitute amendment. And I hope that the bill sends a message to the administration to apply common sense to prosecute terrorists like Rodney Hamrick to the fullest extent of existing law.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHCROFT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senator from Vermont has a right to offer an amendment.

AMENDMENT NO. 1238 TO AMENDMENT NO. 1199

(Purpose: To provide assistance and compensation for U.S. victims of terrorist acts, and for other purposes)

Mr. LEAHY. I thank the Chair, and, in a moment, I will offer my amendment.

Let me just mention, Mr. President, we need to look at what happens when we go after terrorists. As a former prosecutor, I feel that if somebody commits a crime, especially serious crimes like this, we ought to be able to have every possible way of going after that person. They ought to be prosecuted. They ought to be brought to justice. They ought to pay for their crime.

But also as a former prosecutor, I have seen so often the person who is neglected is the victim. We can spend sometimes millions of dollars going after somebody who has perpetrated a crime, especially a heinous crime, but nothing is done to help the victim.

We saw in the continuing tragedy of the downing of Pan Am Flight 103 over Lockerbie, Scotland, the United States Government had no authority to provide assistance or compensation to the victims of that heinous crime. It was the same thing with the victims of the *Achille Lauro* incident. There has been no authority in the law for the Department of Justice to respond to these victims through our crime victims programs. I think it is wrong, and it can be remedied. The amendment I am about to offer would do that.

We had a report to the Congress last summer from the Office for Victims of Crime at the U.S. Department of Justice that identified a related problem. Both the ABA and the State Department have commented on their concern. They said that crime victims' compensation benefits should be provided to U.S. citizens who have been victimized in another country.

If you are a U.S. citizen and you get hit during a terrorist attack in another country, because you are a U.S. citizen, you ought to at least have the benefit of programs that are already in place in this country. Our citizens are deserving of the same protection whether they are hit by terrorists in Washington, DC, or hit by terrorists in Beirut, Lebanon.

The Victims of Terrorism Act, which I am about to offer as an amendment,

provides authority to respond to the consequences of violent extremism abroad and also here at home.

We have been shielded from much of the terrorism perpetrated abroad. We see buildings blown up, cars bombed, people shot, leaders assassinated in other parts of the world. Now we are witnessing similar incidents here at home. We see what happened at the World Trade Center in New York, we see assaults on the White House, the Oklahoma City situation.

The Victims of Terrorism Act would add to the Victims of Crime Act provisions for supplemental grants to States to provide emergency relief in the wake of a violent incident that might otherwise overwhelm a State. I look at the tremendous job the people of Oklahoma and the local and State authorities did, but they were overwhelmed. This is the time when they need help from all of us as citizens. Certainly, if something this terrible happened in my own State of Vermont, the sympathy would be there, and I know Vermonters well enough to know all Vermonters would rally, but there would be no way we could handle all the problems.

I want to commend the National Organization for Victims Assistance and all the volunteers and others who have been so critical in providing timely assistance to the Oklahoma City bombing victims. We should acknowledge their heroic activities. My amendment would allow them to do more.

Mr. President, I send to the desk the Victims of Terrorism Act, an amendment I propose to the amendment proposed by Mr. DOLE.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY] proposes an amendment numbered 1238 to amendment No. 1199.

Mr. LEAHY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 160, after line 19, insert the following:

**TITLE X—VICTIMS OF TERRORISM ACT**  
**SEC. 1001. TITLE.**

This title may be cited as the "Victims of Terrorism Act of 1995".

**SEC. 1002. AUTHORITY TO PROVIDE ASSISTANCE AND COMPENSATION TO VICTIMS OF TERRORISM.**

The Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) is amended by inserting after section 1404A the following new section:

**"SEC. 1404B. COMPENSATION AND ASSISTANCE TO VICTIMS OF TERRORISM OR MASS VIOLENCE.**

**"(a) VICTIMS OF ACTS OF TERRORISM OUTSIDE THE UNITED STATES.**—The Director may make supplemental grants to States to provide compensation and assistance to the residents of such States who, while outside the territorial boundaries of the United States, are victims of a terrorist act or mass violence and are not persons eligible for compensation under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

**"(b) VICTIMS OF DOMESTIC TERRORISM.**—The Director may make supplemental grants to States for eligible crime victim compensa-

tion and assistance programs to provide emergency relief, including crisis response efforts, assistance, training, and technical assistance, for the benefit of victims of terrorist acts or mass violence occurring within the United States and may provide funding to United States Attorneys' Offices for use in coordination with State victims compensation and assistance efforts in providing emergency relief."

**SEC. 1003. FUNDING OF COMPENSATION AND ASSISTANCE TO VICTIMS OF TERRORISM, MASS VIOLENCE, AND CRIME.**

Section 1402(d)(4) of the Victims of Crime Act of 1984 (42 U.S.C. 10601(d)(4)) is amended to read as follows:

**"(4)(A)** If the sums available in the Fund are sufficient to fully provide grants to the States pursuant to section 1403(a)(1), the Director may retain any portion of the Fund that was deposited during a fiscal year that was in excess of 110 percent of the total amount deposited in the Fund during the preceding fiscal year as an emergency reserve. Such reserve shall not exceed \$50,000,000.

**"(B)** The emergency reserve may be used for supplemental grants under section 1404B and to supplement the funds available to provide grants to States for compensation and assistance in accordance with section 1403 and 1404 in years in which supplemental grants are needed."

**SEC. 1004. CRIME VICTIMS FUND AMENDMENTS.**

**"(a) UNOBLIGATED FUNDS.**—Section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) is amended—

(1) in subsection (c), by striking "subsection" and inserting "chapter"; and

(2) by amending subsection (e) to read as follows:

**"(e) AMOUNTS AWARDED AND UNSPENT.**—Any amount awarded as part of a grant under this chapter that remains unspent at the end of a fiscal year in which the grant is made may be expended for the purpose for which the grant is made at any time during the 2 succeeding fiscal years, at the end of which period, any remaining unobligated sums shall be returned to the Fund."

**(b) BASE AMOUNT.**—Section 1404(a)(5) of such Act (42 U.S.C. 10603(a)(5)) is amended to read as follows:

**"(5)** As used in this subsection, the term 'base amount' means—

**"(A)** except as provided in subparagraph (B), \$500,000; and

**"(B)** for the territories of the Northern Mariana Islands, Guam, American Samoa, and Palau, \$200,000."

Mr. LEAHY. Mr. President, when the bomb exploded outside the Murrah Federal Building in Oklahoma City last month, my thoughts and prayers and I suspect that those of all Americans turned immediately to the victims of this horrendous act. The terrorism legislation that has been introduced for our consideration, however, is silent with respect to victims of terrorism.

This amendment is intended to fill that void left in this bill and include attention to those who suffer immediately and directly from violent extremism. It is my desire that this amendment, to include attention to victims of terrorism in the bill, will provide a series of changes in our growing body of law recognizing the rights and needs of victims of crime on which we can quickly reach agreement.

No one will deny that a comprehensive approach to terrorism demands attention to the victims of terrorism. That is what this amendment will provide.

The amendment helps correct a gap in the law for residents of the United States who are victims of terrorism that occurs outside the borders of the United States and who are not in the military, civil service or civilians in the service of the United States and, therefore, not eligible for benefits in accordance with the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

Thus, this amendment, the Victims of Terrorism Act, adds to the Victims of Crime Act provisions that authorize supplemental grants to the States to provide compensation and assistance for residents of such States who are victims of terrorism or mass violence while overseas.

One of the continuing tragedies of the downing of Pan Am flight 103 over Lockerbie, Scotland, is that the United States Government had no authority to provide assistance or compensation to the victims of that heinous crime. Likewise, the U.S. victims of the *Achille Lauro* incident could not be given aid. There has simply been no authority in our law for the Department of Justice to respond to these victims through our crime victims' programs. This is wrong and will be remedied by this amendment.

In its report to Congress last summer, the Office for Victims of Crime at the U.S. Department of Justice identified a related problem. Both the ABA and the State Department have commented on their concern and their desire that crime victims compensation benefits be provided to U.S. citizens victimized in other countries. This is an important step in that direction.

Certainly U.S. victims of terrorism overseas are deserving of our support and assistance.

In addition, this Victims of Terrorism Act provides authority to respond to the consequences of violent extremism here at home. We in this country have been shielded from much of the terrorism perpetrated abroad. That sense of security has been shaken by the bombing in Oklahoma City, the destruction at the World Trade Center in New York, and the assaults upon the White House.

The Victims of Terrorism Act adds to the Victims of Crime Act provisions for supplemental grants to States to provide emergency relief in the wake of an act of terrorism or mass violence that might otherwise overwhelm the resources of a State's crime victims compensation program and crime victims assistance services.

We all applaud the efforts of our Office for Victims of Crime in the wake of the Oklahoma City bombing. It helped to organize a crisis response team of specially trained professionals who were dispatched within hours to the disaster. I know that the National Organization for Victims Assistance was critical in providing timely assistance to Oklahoma City victims and

thank and acknowledge their heroic efforts.

This amendment will allow them to do more. I want to thank the dedicated officials at the Department of Justice Office for Victims of Crime, John Stein of the National Organization for Victims Assistance, Dan Eddy of the National Association of Crime Victims Compensation Boards, and David Beatty of the National Victim Center for their help, counsel, and suggestions in connection with this amendment.

The amendment builds on the crime victims assistance programs of the States and Federal victims assistance provided through our U.S. attorney's offices to furnish emergency assistance in times that demand it. I propose that we allow the Attorney General and the Office for Victims of Crime, additional flexibility in its targeting of resources to victims of terrorism, mass violence, and the trauma and devastation that they cause.

The Victims of Terrorism Act's supplemental grants to provide compensation and assistance to victims of terrorism and mass violence are funded through an emergency reserve established as part of the crime victims fund. I do not intend for this emergency reserve to be established at the expense of our States' ongoing compensation and assistance programs. Indeed, funds are not available for the reserve until the full annual compensation grants are funded and the crime victims fund has received in excess of 110 percent of the amount deposited in the previous year so that assistance programs will be adequately funded, as well.

The emergency reserve will also serve as a rainy day fund to supplement compensation and assistance grants to the States for years in which deposits to the crime victims fund are inadequate. There have been deep swings in the amount of funding deposited annually and, therefore, available for distribution. This emergency reserve will provide the Director with the means to even out what would otherwise be wide variations in annual grants and allow those providing these critical services some additional confidence that funding will be available even following a year of poor deposits.

The emergency reserve's ceiling of \$50 million is intended to allow confidence and the vital resources needed to take action to supplement grants in down years. In order to serve its intended purposes, the emergency reserve and, for that matter, the entire crime victims fund must be accorded respect and security. This is a trust fund that is dedicated to critical needs.

I hope through the provisions of this act to provide some greater certainty to our State and local victim's assistance programs so that they can know that our commitment to victims programming will not wax and wane with events. Accordingly, the amendment would allow grants to be made for a 3-year cycle of programming, rather

than the year of award plus one, which is the limit contained in current law. This change reflects the recommendation of the Office for Victims of Crime contained in its June 1994 report to Congress.

Our State and local communities and community-based nonprofits cannot be kept on a string like a yoyo if they are to plan and implement victims' assistance and compensation programs. They need to be able to program and hire and have a sense of stability if these measures are to achieve their fullest potential.

I know, for instance, that, in Vermont, Lori Hayes and Pat Hayes at the Vermont Center for Crime Victims Services; Judy Rex and the Vermont Network Against Domestic Violence and Sexual Abuse; Karen Bradley from the Vermont Center for Prevention and Treatment of Sexual Abuse; and others, provide tremendous service under difficult conditions. Such dedicated individuals and organizations will be greatly aided by increasing their programming cycle by even 1 year. Three years has been a standard that has worked well in other settings.

Unfortunately, even with the recently announced decreases in violent crime, it is certain that we will have too many crime victims who need assistance in the years ahead. While we have made progress over the last 15 years in recognizing crime victims' rights and providing much-needed assistance, we still have more to do. It is in recognition of these needs and the additional authorities and scope being added to the Victims of Crime Act by this Victims of Terrorism Act that I include a provision to raise the base amount for small States from \$200,000 to \$500,000 for their assistance programs. This is funding that will be put to good use.

I am proud to have played a role in passage of the Victims and Witness Protection Act of 1982, the Victims of Crime Act of 1984, the Victims' Rights and Restitution Act of 1990 and the victims provisions included in such measures as the Federal Courts Administration Act of 1992 and the Violent Crime Control and Law Enforcement Act of 1994.

My greatest hope would be that the Victims of Terrorism Act, while improving our responsiveness to national tragedies, need never be invoked. My concern is that we have not seen the end to terrorism or mass violence and that its provisions will be important in our future.

A number of our colleagues have great interest in crime victims legislation, including Senators HATCH, BIDEN, FORD, DEWINE, KYL, and McCAIN and I look forward to working with them on these important matters. In connection with this amendment I want to thank, in particular, Senators HATCH, BIDEN, and McCAIN for working with me on it.

We can do more to see that victims of crime, including terrorism, are treated with dignity and assisted and compensated with Government help.

I ask unanimous consent to have printed in the RECORD a letter of support for this amendment from the National Organization for Victims Assistance, which outlines many of the its benefits.

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

NATIONAL ORGANIZATION  
for Victim Assistance,  
Washington, DC, June 5, 1995.

Hon. PATRICK J. LEAHY,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LEAHY: I write to express the enthusiastic support of the National Organization for Victim Assistance for your proposed amendment to the anti-terrorism bill now before the Senate—an amendment that would establish vitally needed services for the victims of terrorism through the structure of the Victims of Crime Act (VOCA) and its Crime Victims Fund.

Let me give you a sense of the need for such an emergency service from our perspective:

When we tried to assist the relatives of Americans held hostage in Beirut, one service we tried to give them was the wherewithal to make telephone calls to friends and family—a healthy coping device which virtually every hostage family uses extensively, often causing them financial hardship. We found a charitable businessman who volunteered to organize contributions to a free phone service for a designated member of each family. Sadly, the contributions dried up before the hostage crisis ended.

We also tried to help the niece and nephew of Peter Kilbourne return his body from the East Coast for burial in his home state of California (the State Department being authorized to transport the remains of the slain hostage only to the nearest U.S. port of entry). Happily, we connected the relatives to an imaginative victim advocate in Santa Clara County, who persuaded the state victim compensation program to underwrite the transportation and burial costs. Unfortunately, few American victims of terrorism overseas have such a connection to a victim advocate, and very few compensation programs have the authority to assist its citizens who are victimized beyond the borders of the United States.

And as the coordinator of NOVA's Crisis Response Team that arrived in Oklahoma City the same day that its Federal Building was bombed, I sensed immediately that which is now being slowly documented—that those who had experienced significant, immediate emotional crisis numbered in the scores of thousands, that those at risk of experiencing persistent crisis reactions are surely in the thousands, and that those at risk of debilitating post-trauma stresses number at least in the hundreds. NOVA's ongoing planning work with just one institution—the city school system—shows us that, whatever good has been done by our volunteer crisis counselors and their counterparts in Oklahoma City, the need for caregiving services over the next year or two far exceeds available resources, and that full-time crisis counselors and post-trauma therapists must be hired for the task if society is to perform the same healing services for these victims as for victims of other violent crimes.

Your proposal to meet this need is not merely timely and compassionate but inspired:

It would rename the existing financial reserves in the Crime Victims Fund by calling

them an "emergency reserve," which precisely describes both its original purpose—to cover any shortfall in the Fund's revenues in a given year—and to circumscribe the purposes for which the new authorization is being created—a class of emergencies for which there are no victim assistance resources at present;

It would raise additional revenues for the Fund to help cover the new expenses;

It would cover domestic acts of "mass violence" so that one need not immediately ascertain the motives of a terror-inducing criminal before acting to assist the affected community; and

It would place on the Director of the Office for Victims of Crime the task of devising appropriate regulations, presumably in consultation with the State Department and administrators of state victim assistance and compensation programs, among others, so that the emergency authority can be invoked quickly, frugally, and imaginatively.

Let me add a final thought: in our ongoing work with "Operation Heartland" in Oklahoma City—the cooperative enterprise of city, county, state, and federal agencies to ease the pains of thousands of victims of the Murrah Federal Office Building bombing—we have seen just how the resources of your amendment would be put to use—quickly and effectively. The same is true of the monumental task that will someday face city, county, and federal criminal justice agencies, that is, how to meet their burdens of preserving the victims' rights when prosecuting a crime which, by design, produced thousands of anguished and grieving victims of violence.

For these reasons, we very much hope that your amendment will enjoy bipartisan support and speedy enactment.

Sincerely,

JOHN H. STEIN,  
*Deputy Director.*

Mr. LEAHY. Mr. President, I see the distinguished chairman of the Senate Judiciary Committee on the floor, who is seeking recognition. I will yield to him for whatever purpose he may need.

Mr. HATCH. I thank my colleague. I wonder if we can defer further debate on his amendment, so that I can file a bill and make a speech on the bill.

Mr. LEAHY. Of course.

Mr. HATCH. Senator BENNETT is coming over as well. Maybe we can do it right after lunch.

Mr. LEAHY. I also have an amendment somewhat related that I was going to offer on behalf of Senator MCCAIN and myself. I will withhold doing that so that the Senators from Utah can offer their bill.

Mr. HATCH. Why do you not call it up and then we will set it aside.

AMENDMENT NO. 1240 TO AMENDMENT NO. 1199  
(Purpose: To increase the special assessment for felonies and extend the period of obligation)

Mr. LEAHY. Mr. President, I send an amendment to the desk on behalf of Senator MCCAIN and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. MCCAIN, for himself and Mr. LEAHY, proposes an amendment numbered 1240 to amendment No. 1199.

Mr. LEAHY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place insert the following new section:

**SEC. . SPECIAL ASSESSMENTS ON CONVICTED PERSONS.**

(a) INCREASED ASSESSMENT.—Section 3013(a)(2) of title 18, United States Code, is amended—

(A) in subparagraph (A), by striking "\$50" and inserting "not less than \$100"; and

(B) in subparagraph (B), by striking "\$200" and inserting "not less than \$400".

Mr. LEAHY. I am pleased to cosponsor this amendment, which mirrors provisions contained in legislation previously introduced by the Senator from Arizona [Mr. MCCAIN], and provisions contained in the amendment I had filed to this bill.

In 1984 when we established the crime victims fund to provide Federal assistance to State and local victims compensation and assistance efforts, we funded it with fines, penalties, and assessments from those convicted of Federal crime. The level of required contribution was set low; 10 years have past and it is high time to adjust the assessments.

The amendment serves to double the assessments under the Victims of Crime Act against those convicted of Federal felonies. This should provide critical additional resources to assist all victims of crime, including those who are victims of terrorism or mass violence.

I do not think that \$100 is too much for those individuals convicted of a Federal felony to contribute to help crime victims.

I do not think that \$500 is too much to insist that corporations convicted of a Federal felony contribute to crime victims. The amendment would raise these to be the minimum level of assessment against those convicted of such crimes and provides judges with the discretion to assess higher levels when appropriate.

In connection with these provisions, I acknowledge the work of our colleague, the senior Senator from Arizona [Mr. MCCAIN]. I know that he has been actively seeking to raise these special assessments for some time and I am glad that we are able to join together in this effort. He deserves much credit for his ongoing efforts on behalf of crime victims.

I look forward to our continuing to cooperate in additional efforts on behalf of victims of crime, terrorism, and mass destruction. We have much to do if we are to improve collections for the crime victims fund and if we are to augment the critical resources needed by our victims compensation and assistance programs. This is an amendment that will help provide additional resources for meeting critical needs.

Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

(The remarks of Mr. HATCH and Mr. BENNETT pertaining to the introduction of S. 884 are located in today's

RECORD under "Statements on Introduced Bills and Joint Resolutions.")

**COMPREHENSIVE TERRORISM PREVENTION ACT**

The Senate continued with the consideration of the bill.

Mr. DOLE. Mr. President, I will just take a moment. I want to get an update on where we are on the pending legislation.

We hope to finish this today. I appreciate the President's efforts, along with the Democrat leader and the manager on the other side, to reduce the number of amendments on that side of the aisle. We have been making the same effort here.

I wonder if the distinguished chairman of the Judiciary Committee, Senator HATCH, might be in a position to indicate how many amendments are remaining on this side or on both sides, if he knows.

Mr. HATCH. We have only disposed of three amendments. We have disposed of a few others by unanimous consent. But of the 32 GOP amendments, only 1 has been accepted; 5 are pending. I expect at the most, only 3 more. We are basically down to a very few on the Republican side. On the Democrat side, they have only offered five amendments. We voted on one of them. That was the taggants amendment. That would leave over 60 unknown or unoffered Democrat amendments.

We have to, it seems to me, if we are going to finish tomorrow, we have to break those down and come up with a limited list, as the Republicans are doing.

Mr. DOLE. It is my understanding that maybe after the policy lunches that we have every Tuesday that maybe there will be an announcement on the other side that a number of the amendments have been dropped.

It seems to me, and I have not seen the list that may be remaining, a number of these amendments are not directly related to antiterrorism or what happened in Oklahoma City or anywhere else.

If there will be a pattern of amendments offered just for the purpose of making points which we believe can be made at another time—I do not suggest people should not have a right to make whatever point they want to make—this is legislation that the President has asked for. It is nonpartisan. It is bipartisan. We have worked together on it. It is part of Senator HATCH's efforts, part of my efforts, part of the President's efforts, part of the efforts of my colleague on the other side. We want to pass it.

The President complains about delay in the Senate. Much of the delay is because of a number of amendments on the other side. It may be the only way we can finish this bill is A, to start tabling amendments that are not directly related to this bill, and I will let the chairman of the committee, Senator HATCH make that decision. That would