DNA programs for forensic and identification purposes.

Sexual offender identification and registration systems.

Domestic violence offender identification and information systems.

Programs for fingerprint-supported background checks for non-criminal justice purposes including youth service employees and volunteers and other individuals in positions of trust, if authorized by federal or state law and administered by a government agency.

Criminal justice information systems with a capacity to provide statistical and research products including incident-based reporting systems and uniform crime reports.

Online and other state-of-the-art communications technologies and programs.

Multi-agency, multi-jurisdictional communications systems to share routine and emergency information among federal, state and local law enforcement agencies.

Let me just give a couple of examples from my home State of Vermont that illustrate how our comprehensive legislation will aid state and local law enforcement agencies across the country.

The future of law enforcement must focus on working together to harness the power of today s information age to prevent crime and catch criminals. One way to work together is for state and local law enforcement agencies to band together to create efficiencies of scale. For example, together with New Hampshire and Maine, the State of Vermont has pooled its resources together to build a tri-state IAFIS system to identify fingerprints. Our bipartisan legislation would foster these partnerships by allowing groups of States to apply together for grants.

Another challange for law enforcement agencies across the country is communication difficulties between federal, state and local law enforcement officials. In a recent report, the Department of Justice s National Institute of Justice concluded that law enforcement agencies throughout the nation lack adequate communications systems to respond to crimes that cross state and local jurisdictions.

A 1997 incident along the Vermont and New Hampshire border underscored this problem. During a cross border shooting spree that left four people dead including two New Hampshire state troopers, Vermont and New Hampshire officers were forced to park two police cruisers next to one another to coordinate activities between federal, state and local law enforcement officers because the two states' police radios could not communicate with one another.

The Vermont Department of Public Safety, the Vermont U.S. Attorney s Office and others have reacted to this communications problem by developing the Northern Lights proposal. This project will allow the northern borders States of Vermont, New York, New Hampshire and Maine to integrate their law enforcement communications systems to better coordinate interdiction efforts and share intelligence data seamlessly.

Our legislation would provide grants for the development of integrated Federal, State and local law enforcement communications systems to foster cutting edge efforts like the Northern Lights project.

In addition, our bipartisan legislation will help each of our States meet its obligations under national anti-crime initiatives. For instance, the FBI will soon bring online NCIC 2000 and IAFIS which will require states to update their criminal justice systems for the country to benefit. States are also being asked to participate in several other national programs such as sexual offender registries, national domestic violence legislation, Brady Act, and National Child Protection Act.

Currently, there are no comprehensive programs to support these national crime-fighting systems. Our legislation will fill this void by helping the each State meet its obligations under these Federal laws.

The Crime Identification Technology Act provides a helping hand with the heavy hand of a top-down, Washington-knows-best approach. Unfortunately, some in Congress have pushed legislation mandating minute detail changes that States must make in their laws to qualify for Federal funds. Our bill rejects this approach. Instead, we provide the States with Federal support to improve their criminal justice idenfication, information and communication systems without prescriping new Federal mandates

Mr. President, we have patterned the administration of the technology grants under our bill after the highly successful DOJ National Criminal History Improvement Program (N-CHIP),which was created by the 1993 Brady Act.

The Vermont Department of Public Safety has received funds under the N–CHIP program for the past three years and I have been proud to strongly support their efforts. With that Federal assistance, Vermont has been achieved acquiring the automated fingerprint identification system in conjunction with Maine and New Hampshire, upgrading its records repository computer systems, as well as extending their online incident-based reporting system to local jurisdictions throughout Vermont. Our bill builds on the Justice Department s existing infrastructure under the successful N-CHIP program to provide fair and effective grant administration.

I know that the Justice Department, under Attorney General Reno's leadership, has made it a priority to modernize and automate criminal history records. Our legislation will continue that leadership by providing each State with the necessary resources to continue to make important efforts to bring their criminal justice systems up to date.

I urge my colleagues in the House of Representatives to act quickly on the Crime Identification Technology Act to ensure that each State has the resources to capture the power of emerging information and communications technologies to serve and protect all of our citizens.

INTERSTATE IDENTIFICATION INDEX (III) COMPACT

Mr. LEAHY. Mr. President, I am delighted that the Senate passed, S.2294, the National Criminal History Access and Child Protection Act. I want to thank Senators HATCH, DEWINE and DASCHLE for their strong support of this legislation to enact the Interstate Identification Index (III) Compact.

This Compact is the product of a decade-long effort by federal and state law enforcement officials to establish a legal framework for the exchange of criminal history records for authorized noncriminal justice purposes, such as security clearances, employment or licensing background checks.

Since 1924, the FBI has collected and maintained duplicate state and local fingerprint cards, along with arrest and disposition records. Today, the FBI has over 200 million fingerprint cards in its system. These FBI records are accessible to authorized government entities for both criminal and authorized noncriminal justice purposes.

Maintaining duplicate files at the FBI is costly and leads to inaccuracies in the criminal history records, since follow-up disposition information from the States is often incomplete. Such a huge central database of routinely incomplete criminal history records raises significant privacy concerns.

In addition, the FBI releases these records for noncriminal justice purposes (as authorized by Federal law), to State agencies upon request, even if the State from which the records originated or the receiving State more narrowly restricts the dissemination of such records for noncriminal justice purposes.

The III Compact is an effort to get the FBI out of the business of holding a duplicate copy of every State and local criminal history record, and instead to keep those records at the State level. Once fully implemented, the FBI will only need to hold the Interstate Identification Index (III), consisting of the national fingerprint file and a pointer index to direct the requestor to the correct State records repository. The Compact would eliminate the necessity for duplicate records at the FBI for those States participating in the Compact. Eventually, when all the States become full participants in the Compact, the FBI s centralized files of state offender records will be discontinued and users of such records will obtain those records from the appropriate State s central repository (or from the FBI if the offender has a federal record).

The Compact would establish both a framework for this cooperative exchange of criminal history records for noncriminal justice purposes, and create a Compact Council with representatives from the FBI and the States to monitor system operations and issue necessary rules and procedures for the integrity and accuracy of the records and compliance with privacy standards. Importantly, this Compact would not in any way expand or diminish noncriminal justice purposes for which criminal history records may be used under existing State or Federal law.

Overall, I believe that the Compact would increase the accuracy, completeness and privacy protection for criminal history records.

In addition, the Compact would result in important cost savings from establishing a decentralized system. Under the system envisioned by the Compact, the FBI would hold only an index and pointer to the records maintained at the originating State. The FBI would no longer have to maintain duplicate State records. Moreover, States would no longer have the burden and costs of submitting arrest fingerprints and charge/disposition data to the FBI for all arrests. Instead, the State would only have to submit to the FBI the fingerprints and textual identification data for a person s first arrest.

With this system, criminal history records would be more up-to-date, or complete, because a decentralized system will keep the records closer to their point of origin in State repositories, eliminating the need for the States to keep sending updated disposition information to the FBI. To ensure further accuracy, the Compact would require requests for criminal history checks for noncriminal justice purposes to be submitted with fingerprints or some other form of positive identification, to avoid mistaken release of records.

Furthermore, under the Compact, the newly created Council must establish procedures to require that the most current records are requested and that when a new need arises, a new record check is conducted.

Significantly, the newly created Council must establish privacy enhancing procedures to ensure that requested criminal history records are only used by authorized officials for authorized purposes. Furthermore, the Compact makes clear that only the FBI and authorized representatives from the State repository may have direct access to the FBI index. The Council must also ensure that only legally appropriate information is released and, specifically, that record entries that may not be used for noncriminal justice purposes are deleted from the response.

Thus, while the Compact would require the release of arrest records to a requesting State, the Compact would also ensure that if disposition records are available that the complete record be released. Also, the Compact would require States receiving records under the Compact to ensure that the records are disseminated in compliance with the authorized uses in that State. Consequently, under the Compact, a State that receives arrest-only information would have to give effect to disposition-only policies in that State and not release that information for noncriminal justice purposes. Thus, in my view, the impact of the Compact for the privacy and accuracy of the records would be positive.

I am pleased to have joined with Senators HATCH and DEWINE to make a number of refinements to the Compact as transmitted by to us by the Administration. Specifically, we have worked to clarify that (1) the work of the Council includes establishing standards to protect the privacy of the records; (2) sealed criminal history records are not covered or subject to release for noncriminal justice purposes under the Compact; (3) the meetings of the Council are open to the public, and (4) the Council s decisions, rules and procedures are available for public inspection and copying and published in the Federal Register.

Commissioner Walton of the Vermont Department of Public Safety supports this Compact. He hopes that passage of the Compact will encourage Vermont to become a full participant in III for both criminal and noncriminal justice purposes, so that Vermont can reap the benefits of cost savings and improved data quality. The Compact is also strongly supported by the FBI and SEARCH.

We all have an interest in making sure that the criminal history records maintained by our law enforcement agencies at the local, State and Federal levels, are complete, accurate and accessible only to authorized personnel for legally authorized purposes. This Compact is a significant step in the process of achieving that goal.

PERFORMANCE OF BILL LANN LEE

Mr. LEAHY. Mr. President, the Senate Judiciary Committee has repeatedly postponed hearings regarding the performance of the Civil Rights Division of the Justice Department, including one that had been noticed for this morning. I am disappointed that this hearing was canceled because it would have offered us a chance to look at the outstanding on-the-job performance of Bill Lann Lee, our Acting Assistant Attorney General for Civil Rights.

At the end of last year, Bill Lee got caught up in one of the political whirlwinds that hit Washington every now and then. The result was that he became a victim of the right wing anti-affirmative action lobby and was denied a fair chance at a vote by the full Senate on his nomination to head the Civil Rights Division. Bill Lee was mischaracterized last fall as a wild-eyed radical and as someone ready to impose an extreme agenda on the United States. He was also mis-portrayed as a supporter of quotas.

I knew nothing could be further from the truth. After looking at Bill Lee's record, I knew he was a man who could effectively lead the Civil Rights Division, enforce the law and resolve disputes. I noted at the time: ''He has been involved in approximately 200 cases in his 23 years of law practice, and he has settled all but six of them. Clearly, this is strong evidence that Mr. Lee is a problem solver and practical in his approach to the law. No one who has taken the time to thoroughly review his record could call him an idealogue.'' I recognized last fall that Bill Lee would be reasonable and practical in his approach to the job, and that he would be a top-notch enforcer of the Nation's civil rights laws.

Last December, after this nomination was blocked from going to the Senate for an up or down vote, the President and the Attorney General determined that the right thing to do was to have Bill Lee proceed to act as the head of the Civil Rights Division and to resubmit his nomination to the Senate. The Nation needs leadership in this important position. Bill Lee has been serving for seven months now, and he has established a solid track record. It is a shame that today's hearing was canceled, because it would have been a chance to show the Nation what an outstanding job he is doing for all Americans.

In preparation for the scheduled hearing, I have had a chance to take a close look at what Bill Lee has been doing while serving as the acting head of the Civil Rights Division. What I find is a record of strong accomplishments. In addition, I see professionalism and effective problem solving. I find him enforcing the law in a sensible and fair manner.

Over the past seven months, the Division has focused most intensely on three areas of the law: violations of our Nation's fair housing laws, enforcement of the Americans with Disabilities Act (''ADA''), and cases involving hate crimes. Bill Lee and his team of civil rights attorneys have made advances in each of these areas of the law.

The Division has resolved the following housing discrimination cases over the past few months:

An agreement was reached with two large New Jersey apartment complexes resolving allegations that the defendants had discriminated against potential renters based on family status and race. A housing discrimination case in Michigan was settled involving an apartment manager who told black applicants that no apartments were available at the same time that he was showing vacant apartments to white applicants. An agreement was also reached with the second largest real estate company in Alabama, which had been steering applicants to agents and residential areas based on race.

The Civil Rights Division has also focused on educating the public about