

there is substantial credible evidence that would warrant a preliminary inquiry or an investigation.

SWORN TESTIMONY

Rule 11. Witnesses in Committee or Subcommittee hearings may be required to give testimony under oath whenever the chairman or Ranking Minority Member of the Committee or Subcommittee deems such to be necessary. If one or more witnesses at a hearing are required to testify under oath, all witnesses at that hearing shall be required to testify under oath.

SUBPOENAS

Rule 12. No subpoena for the attendance of a witness or for the production of any document, memorandum, record, or other material may be issued unless authorized by a majority of all the Members of the Committee, except that a resolution adopted pursuant to Rule 10(a) may authorize the Chairman, with the concurrence of the Ranking Minority Member, to issue subpoenas within the scope of the authorized investigation.

CONFIDENTIAL TESTIMONY

Rule 13. No confidential testimony taken by or any report of the proceedings of a closed Committee or any Subcommittee, or any report of the proceedings of a closed Committee or Subcommittee hearing or business meeting, shall be made public, in whole or in part or by way of summary, unless authorized by a majority of all the Members of the Committee at a business meeting called for the purpose of making such a determination.

DEFAMATORY STATEMENTS

Rule 14. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee or Subcommittee hearing tends to defame him or otherwise adversely affect this reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony or evidence.

BROADCASTING OF HEARINGS OR MEETINGS

Rule 15. Any meeting or hearing by the Committee or any Subcommittee which is open to the public may be covered in whole or in part by television broadcast, radio broadcast, or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the seating, vision, and hearing of Members and staff on this dais or with the orderly process of the meeting or hearing.

AMENDING THE RULES

Rule 16. These rules may be amended only by vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, That no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least three days in advance of such meeting.

LAW ENFORCEMENT NEEDS A NATIONAL BALLISTICS IMAGING NETWORK

Mr. LEVIN. Madam President, last Sunday the news program "60 Minutes" reported on an exciting new technology called ballistic fingerprinting, which is currently underutilized by our Nation's law enforcement organizations. Each time a gun is fired, it inscribes a unique pattern on each bullet. This marking is referred to as a ballistic fingerprint. The "60 Minutes" re-

port presented the case of a New York City double homicide in which the New York Police Department developed little evidence to work with besides the bullet shells and casings from the crime scene. After exhausting all other efforts to solve the case, detectives took those shells and casings to the NYPD ballistics lab to be scanned into the Integrated Ballistic Identification System, a database of ballistic fingerprints maintained by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives. The ballistics lab was able to connect the gun used in the double homicide to the one used three months later in an armed robbery. An arrest was made and the man was convicted of both crimes. Without ballistics fingerprinting this case might have never been solved.

Through its National Integrated Ballistic Information Network or NIBIN Program, the Bureau of Alcohol, Tobacco, Firearms, and Explosives deploys Integrated Ballistic Identification System equipment to State and local law enforcement agencies, such as the one in New York City, for their use in imaging and comparing crime gun evidence. This state-of-the-art equipment allows firearms technicians to acquire digital images of the markings made by a firearm on bullets and shells, like was done in the New York case. Unfortunately, at this point, only weapons that are confiscated in crimes are included in this database. Expanding this database to include newly manufactured and imported guns would enhance law enforcement's ability to investigate and reduce gun-related crime.

I believe that the ATF's ballistic fingerprinting network should be expanded, and that is why I have cosponsored the Technological Resource for Assisting Criminal Enforcement Act or TRACE Act. Under this bill, manufacturers and importers would be required to test fire firearms and capture ballistics images of the fired bullets and casings of new firearms. Expanding NIBIN to include these ballistics images would increase the crime gun tracing capabilities of the ATF and local law enforcement. Law enforcement could identify firearms by using the ballistics images of cartridge cases and bullets recovered at crime scenes even when criminals had removed the serial number. In fact, this technology would allow investigators to identify the firearm used in the crime without actually recovering that firearm. The legislation also contains strict provisions stating that the ballistics information regarding individual guns may not be used for prosecutorial purposes unless law enforcement officials have a reasonable belief that a crime has been committed and that ballistics information would assist in the investigation of that crime.

I believe this is sensible legislation that will strengthen law enforcement's ability to effectively track down criminals. This technology has worked for

both the NYPD and in the investigation of the Washington area sniper attacks. I urge my colleagues to support it.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH. Madam President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred March 9, 2002 in Huntington Beach, CA. Aris Gaddvang, 25, a Filipino-American store manager, was beaten in a parking lot. The attackers, three teenagers, shouted racial slurs and "white power" before beating Gaddvang with metal pipes. After the attack, Gaddvang said he received a phone call from someone who identified himself as one of the attackers. Gaddvang said that the caller used racial slurs and threatened him.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

SUPPORTING THE USE OF ETHANOL

Mr. VOINOVICH. Madam President, I rise today to express my support for the ethanol legislation that is being introduced today.

I am pleased to join my colleagues, Senators HAGEL, LUGAR, DASCHLE, and JOHNSON, in this effort to develop an ethanol package that addresses the concerns of a variety of stakeholders in the energy debate while providing a tangible benefit for the American people. I believe that increasing our use of renewable fuels such as ethanol and biodiesel is a key element in our effort to construct a viable energy policy.

As I have often stated, we face an incredible challenge in putting together an energy policy for our Nation. In my view, the Senate has a responsibility to develop a policy that harmonizes energy and environmental policies, and to acknowledge that the economy and the environment are vitally intertwined.

As I has to be a policy that broadens our base of energy resources to create stability, guarantee reasonable prices, and protect America's security. It has to be a policy that will keep energy affordable. Finally, it has to be a policy that won't cripple the engines of commerce that fund the research that will yield future environmental protection technologies.

I believe the passage of an ethanol bill will protect our energy independence, our economy, and our environment.

Increasing the use of renewable fuels such as ethanol will protect our energy independence. Given the current situation in the Middle East, perhaps our greatest energy challenge is to reduce our reliance on foreign sources to meet our energy needs. As my colleagues know, the United States currently imports about 58 percent of our crude oil. President Bush has stated repeatedly that energy security is a cornerstone for national security and it is crucial that we become less dependent on foreign sources of oil and look more to domestic sources to meet our energy needs. Ethanol is an excellent domestic source—it is a clean burning, home-grown renewable fuel that we can rely on for generations to come.

Creating a greater market for ethanol will protect our economy. Ethanol is good for our Nation's economy and, in particular, good for Ohio's economy. Ohio is sixth in the Nation in terms of corn production, and an increase in the use of ethanol across the Nation means an economic boost to thousands of farm families across my State. Ohio is one of the Nation's leading consumers of ethanol, with 40 percent of the gasoline consumed in the State containing ethanol. Because of the economic benefits of increasing consumption of ethanol, Ohio has placed a tremendous emphasis on expanding its use and is actively pursuing opportunities to build ethanol production plants.

Expanding the use of ethanol will protect our environment. Increasing the use of ethanol will help reduce auto emissions, which will clean the air and improve public health.

The language that is being introduced today is identical to the ethanol title passed by the Senate in last year's comprehensive energy bill. It is important to note that while this body overwhelmingly supported inclusion of an ethanol title in that bill, there were some significant issues raised during debate on this provision.

As chairman of the Clean Air Subcommittee, I intend to hold hearings on, and to mark up, this legislation so that it can be included in this Congress' version of comprehensive energy legislation. I know that Senator INHOFE, Chairman of the Environment and Public Works Committee, has some strong issues with the way that MTBE is dealt with in this legislation, and I intend to work closely with him to see that those issues are resolved before we move forward with this bill.

I was delighted that the Senate was able to come together and craft a bipartisan agreement on ethanol during the last Congress. It is my hope that that spirit of bipartisanship will continue throughout this Congress and that we can finally enact a comprehensive national energy policy that includes ethanol as one of its key provisions.

DEPLOYMENT OF TROOPS IN EUROPE

Mr. SMITH. Madam President, I rise today to speak for a few moments about, what I feel, is a very important issue—regarding NATO and the deployment of great armed forces in Europe.

I, like many of my colleagues, have watched and listened with concern to some of our European allies' thoughts and actions regarding the inspections in Iraq.

It has caused many in this town, both in this Chamber and in the government to ponder the merits of some of our allies that are new members of NATO . . . and the fine job they have done in supporting this Nation on fledgling budgets but with the heart of gold and fervor of patriotism often found in new democracies.

I believe that it is high time that we consider the merits of a limited redeployment of some U.S. forces either on a permanent or rotating basis from Germany to alternative locations in Eastern and Southern Europe.

The current alignment of U.S. forces in Europe, particularly their concentration in Germany, reflects a geopolitical reality that no longer exists. There has not been significant enough realignment of capabilities and assets since the fall of the Berlin Wall.

We no longer expect Soviet tanks to come rolling over the Folda Gap. Why are U.S. forces, therefore, still on a cold war footing?

During the 1990s, America and its allies agonized over the future of NATO. Now that we have reaffirmed that NATO will continue to exist and grow, and that the U.S. will remain engaged in Europe, we should ask ourselves what it should look like and how it can best serve our national and common security interests.

As attention turns to the Middle East, we should be thinking about where our troops should be stationed over the longer term. Given that the military flashpoints in the future are likely to revolve around the Caucasus, Iraq, the Middle East and North Africa, closer proximity of U.S. troops is of the utmost necessity.

Since Berlin has long ceased to be the fault line for military conflict, I urge my colleagues and the Administration to consider redeploying U.S. troops from Germany in a direction, and in a manner, that reflects the challenges of the future rather than the past.

I was proud to support the inclusion of Czech Republic, Hungary and Poland into NATO. I am also supportive of the aspiration of others to join that Alliance and to make the democratic and budgetary reforms necessary to bolster their candidacy.

I am proud that seven other nations, including Bulgaria and Romania, are candidates for membership.

By deploying U.S. forces to new locations to the East or South of Germany, to nations that enjoy new or prospective membership in NATO, we would

demonstrate our firm commitment to those countries.

Doing so would also reflect new geopolitical realities: first, we have cooperative and constructive relations with Russia, and secondly, points to the south of Europe will continue to require more of our attention.

As Secretary Rumsfeld has noted, while ties between the people of Germany and America remain strong, on a governmental level, our bilateral relations are increasingly out of sync.

I couldn't agree more.

Well before Mr. Schroeder began his attacks on President Bush and before the incessant German criticism of the administration's efforts to combat terrorism and the threat posed by Iraq—Germany had imposed increasing and burdensome restrictions on the way the U.S. military could maneuver and train in Germany.

Basing and operating costs in Germany one of the most industrialized and rich nations of Europe are high. Though start-up costs of relocating some U.S. forces to countries such as Poland or Romania might be high, over time such relocation would present savings.

Some Eastern or Southern European countries would be keen to host U.S. forces, either permanently or on a rotating basis.

They would welcome a U.S. military presence for the strategic and political dividends involved, and not least for the positive economic impact that this would entail. They would welcome us in the spirit of friendship.

In particular, I think the administration should strongly consider redeploying NATO forces to Poland, Romania and Bulgaria. Poland has bases and training grounds well-suited for U.S. military training, while Romania and Bulgaria are both in the process of upgrading their bases under the terms of their NATO membership.

Operating with fewer restrictions than on German bases will allow American troops to train more effectively, thus maintaining military readiness at the highest possible level.

Redeployment of U.S. forces to Romania and/or Bulgaria would ease strategic pressure on Turkey, a vital American ally.

With its location near the center of the world's least stable regions, we should not leave Ankara to stand as the sole pressure point when the U.S. projects forces eastward and southward from Europe.

Someday the political situation might force even a generally friendly Turkish government to resist America using Turkey as a staging point. American bases in Bulgaria and Romania would shift some of the burden from this hard-pressed American friend.

Likewise, bases in Bulgaria and Romania would provide the Turks, who will remain key partners in the new era, the diplomatic cover to continue to assist the U.S.

Nations that have escaped the yoke of communism in Central and Southern