

LOCAL LAW ENFORCEMENT
ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress, I have come to the floor to highlight a separate hate crime that has occurred in our country.

On February 1, 2006, in New Bedford, MA, a man walked into Puzzles Lounge and asked someone at the bar if it was a gay bar. The man then opened fire with a handgun, wounding at least three people. Two of the victims were flown to Boston hospitals for treatment, while the third person was taken to St. Luke's hospital in New Bedford.

I believe that the 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.

FAIRNESS IN ASBESTOS INJURY
RESOLUTION ACT

Mr. ALEXANDER. Mr. President, I rise today to express my support for the Fairness in Asbestos Injury Resolution Act sponsored by Senators SPECTER and LEAHY. The FAIR Act is a bill about American jobs. It will have a substantial effect on a number of jobs at Tennessee manufacturers such as Nissan, Saturn, and Eastman as well as hundreds of their Tennessee suppliers. That is because while it means faster, more efficient resolution of claims for those harmed by asbestos exposure, it also means certainty for manufacturers so that they can spend more of their money investing in their businesses and creating more American jobs.

Americans injured by asbestos are waiting too long and paying too much to adjudicate these claims. According to estimates from the RAND Institute, of the \$70 billion expended on asbestos litigation through 2002, nearly 60 percent was spent on attorneys' fees and other transaction costs. Put another way, asbestos victims are only getting a little more than 40 cents of every dollar that is being paid out on asbestos claims. In addition, in many cases, these claimants are waiting more 3 years to collect this compensation as their cases wind their way through the tort system. As a result, many of these victims are not able to cover the costs of medical treatments that cannot be delayed. The FAIR Act will help claimants by capping attorneys' fees at 5 percent—and thereby putting 95 percent of the compensation paid out into the pockets of the victims. It will also

ensure that victims get a ruling on their claim within 90 to 180 days from the Department of Labor—not 3 years or more.

Since the 1980s, the number of companies defending themselves from asbestos claims has risen from 300 to more than 8,400. More than 70 companies have gone bankrupt, resulting in more than 60,000 workers losing their jobs and retirees seeing their retirement funds shrink. In Tennessee, according to the 2002 Economic Census, more than 400,000 jobs are in the manufacturing sector. Without this bill, tens of thousands of those jobs may be shipped overseas as companies struggle to afford the enormous payouts that result under the current system.

The Senate Judiciary Committee has considered this issue for more than 20 years. Senator SPECTER and Senator HATCH before him held numerous meetings with stakeholders and members of the Judiciary Committee. The bill has gone through numerous revisions to accommodate issues raised by parties on all sides. Senator SPECTER and Senator LEAHY have been cooperative, accommodating, flexible, and generous with their time. And they have produced a bill that has garnered support from a broad spectrum of manufacturers, insurers, and claimants.

The FAIR Act may not be perfect, but it will start us on the road toward achieving two critical goals: it allow people injured by asbestos to receive compensation quickly and efficiently, without spending years tied up in the courts and losing a large chunk of their award to attorneys' fees; and it will save jobs by giving American companies certainty with regard to the costs of compensating claimants.

I urge my colleagues to support this important legislation.

ILLEGAL EXPORT OF DANGEROUS
FIREARMS TO MEXICO

Mr. LEVIN. Mr. President, several recent published reports indicate that lax gun safety laws here in the United States may be resulting in the trafficking of thousands of firearms across the border into Mexico and contributing to a surge in violence and crime in that country.

Many firearms are illegal in Mexico. In fact, there are apparently less than 2,500 licensed gun owners in the entire country. This is because such licenses take a year or more to process, cost nearly \$2,000, and must be renewed every 2 years. In addition, Mexican authorities say they confiscate more than 250 illegal firearms every day from crime suspects. U.S. and Mexican law enforcement officials estimate that as much as 95 percent of these guns can be traced back to the United States.

Mexican law enforcement officials have made several major illegal weapons seizures in the last few months alone. In December, 20 assault rifles were seized in Tijuana, just across the border from California. In another sei-

zure, police recovered a cache of weapons that included seven assault rifles and several semiautomatic handguns in the Mexican border town of Nuevo Laredo. It also should be noted that in the last year alone more than 100 people were shot to death by suspected drug cartel members in Nuevo Laredo. According to Mexican and U.S. officials, these drug smuggling operations are frequently the end users of guns illegally trafficked from the United States.

Reportedly, weak U.S. gun regulations are being exploited to help arm criminals in Mexico. One way of doing this is through the use of a "straw purchaser" who buys firearms legally in the United States on behalf of a Mexican gun trafficker. In one reported case last year, a handgun recovered in Reynosa, Mexico, was traced back to a Texas man who had reportedly bought more than 150 guns for criminals in Mexico. In another case, more than 80 guns were traced to a Mexican national who apparently paid Texas residents to purchase them for him. According to Mexican authorities, guns recovered in Mexico are often traced to original buyers in Texas, where "straw purchasers" can buy guns and ammunition in unlimited quantities.

Law enforcement authorities in Mexico say assault rifles are the most sought-after weapons by Mexican criminals. Unfortunately, these dangerous weapons are in plentiful supply here in the United States due to Congress's failure to reauthorize or strengthen the 1994 Assault Weapons Ban. On September 13, 2004, this legislation expired, allowing 19 previously banned assault weapons, as well as firearms that can accept detachable magazines and have more than one of several specific military features, such as a folding/telescoping stock, protruding pistol grip, bayonet mount, threaded muzzle or flash suppressor, barrel shroud or grenade launcher to be legally sold again. These dangerous weapons are being bought in the United States and trafficked into Mexico, where they are frequently used in violent crime, conflicts between rival drug cartels, and shootouts with Mexican law enforcement authorities.

Apparently, law enforcement officials are also concerned about the prevalence of .50-caliber firearms, which are turning up more frequently in Mexico in recent years. These high-powered weapons fire thumb-sized bullets that come in armor-piercing, incendiary, and explosive varieties and can easily punch through aircraft fuselages, fuel tanks, and engines. Under current U.S. law, .50-caliber sniper rifles can be purchased by private individuals with only minimal federal regulation. In fact, these dangerous weapons are treated the same as other long rifles including shotguns, hunting rifles, and smaller target rifles.

I am a cosponsor of the Fifty-Caliber Sniper Weapon Regulation Act introduced by Senator FEINSTEIN. This bill