

"His unparalleled action saved the lives of many members of his platoon who otherwise would have fallen to the sniper fire," reads the official citation. "Private First Class Albanese's extraordinary heroism and supreme dedication to his comrades were commensurate with the finest traditions of the military service and remain a tribute to himself, his unit, and the U.S. Army." Lewis Albanese was 20 years old.

Mexican-born immigrant Marcario Garcia was acting squad leader of Company B (22nd Infantry) near Grosshau, Germany during World War II. Garcia was wounded and in pain as he found his company pinned down by the heavy machine gun fire of Nazi troops and by an artillery and mortar barrage. Garcia crawled forward up to one of the enemy's positions. He lobbed hand grenades into the enemy's emplacement, singlehandedly assaulted the position, and destroyed the gun, killing three German soldiers.

Shortly after returning to his company, another German machine gun started firing. Garcia returned to the German position and again singlehandedly stormed the enemy, destroying the gun, killing three more German soldiers, and capturing four prisoners.

Finally, Lieutenant John Koelsch was a London-born immigrant who flew a helicopter as part of a Navy helicopter rescue unit during the Korean War. On July 3, 1951, he received word that the North Koreans had shot down a U.S. marine aviator and had him trapped deep inside hostile territory. The terrain was mountainous and it was growing dark. John Koelsch volunteered to rescue him.

Koelsch's aircraft was unarmed and due to the overcast and low altitude he flew without a fighter escort. He drew enemy fire as he descended beneath the clouds to search for the downed aviator.

After being hit, Koelsch kept flying until he located the downed pilot, who had suffered serious burns. While the injured pilot was being hoisted up, a burst of enemy fire hit the helicopter, causing it to crash into the side of the mountain. Koelsch helped his crew and the downed pilot out of the wreckage, and led the men out of the area just ahead of the enemy troops. With Koelsch leading them, they spent nine days on the run evading the North Koreans and caring for the burned pilot. Finally, the North Koreans captured Koelsch and his men.

"His great personal valor and heroic spirit of self-sacrifice throughout sustain and enhance the finest traditions of the U.S. Naval Service," his citation for the Medal of Honor reads. That self-sacrifice, the citation notes, included the inspiration of other prisoners of war, for during the interrogation he "refused to aid his captors in any manner" and died in the hands of the North Koreans.

These and other immigrant Medal of Honor recipients tell the story not only of America's wars but of America's people. After all, we must never forget that all of us are either immigrants or the descendants of immigrants.

Tens of thousands of immigrants and hundreds of thousands of the descendants of immigrants have died in combat fighting for America. I put to you that there is a standard, a basic standard, by which to judge whether America is correct to maintain a generous legal immigration policy: Have immigrants and their children and grandchildren been willing to fight and die for the United States of America? The answer—right up to the present day—remains a resounding "yes."

DETROIT FREE PRESS ARTICLE ON GUN-RELATED PROSECUTIONS

Mr. ABRAHAM. Mr. President, I rise today to call attention to a Detroit Free Press article, published on Tuesday of this week, entitled, "Federal gun cases decrease: Decline in Michigan greater than in U.S." This article notes that from 1993 to 1997, there has been a very significant decline in the number of gun prosecutions brought in Detroit.

Mr. President, over the last two weeks, we in this body engaged in lengthy debate on the question of how effective or useful different proposals to regulate firearms were likely to be in stemming violent crime, most especially juvenile crime. I supported some of the proposals and opposed others. This article, however, brings home another important point raised in this debate: no matter what laws this Congress passes, their effect on violent crime will almost certainly be negligible if the Administration is not willing to use them to prosecute violent criminals. Unfortunately, the Free Press article provides little ground for optimism on this score.

According to the Free Press, between 1993 and 1997 the number of people prosecuted in Detroit in cases investigated by the BATF dropped by 55%, compared with a 36% drop nationally. The Free Press also reports that there has been a nearly 50% decrease in prosecutions involving the three largest categories of federal gun laws, from 221 to 112 respectively.

When asked about this, U.S. Attorney Saul Green of Detroit reportedly stated that the decrease in prosecutions in the Eastern District of Michigan follows a downward trend in crimes. In fact, however, while there has been some improvement on that score, Detroit's violent crime rate has been falling significantly less than that of most large metropolitan areas, and it remains unacceptably high. Meanwhile, the much more dramatic decline of violent crime in Richmond, Virginia, where federal officials have pursued a policy of vigorous prosecution of gun offenders, strongly suggests that if the Administration were following the same course in Detroit, we would be doing better.

As the Detroit Free Press article points out, police records show that there were 559 murders in Detroit in 1993, compared to 453 in 1998. But that still left Detroit with the highest murder rate per capita for cities with a population of approximately one million or more—and the sixth highest among the U.S.'s 225 largest cities.

Moreover, while in 1998 the rate of reported violent crimes decreased 6% nationally, in Detroit it actually increased by 13%, according to FBI figures. Nor is this simply a one-year anomaly.

In 1997, the number of murders in Detroit increased by 9% from 1996 and De-

troit's murder rate ranked 5th worst among the U.S.'s 225 largest cities. Meanwhile, our rate of serious crime decreased by only 1%, compared to a 3.2% decrease nationally. Similarly, in 1996, Detroit's rate of violent crimes decreased by only 3%, compared to a 7% decrease nationally.

Nor is Detroit's relatively small numerical improvement explained by the fact that it is a major metropolitan area. To the contrary, it is mostly the biggest cities, like New York, that have seen the largest drops in crime rates over the past few years.

The fact that Detroit is lagging behind the nation's improving violent crime rates, along with the fact that it is continually among nation's 5-7 worst cities with respect to its homicide rate, clearly indicates that this is no time for anyone in Detroit, including the federal government, to be relaxing our crime-fighting efforts. Meanwhile, recent data from Richmond, Virginia's Project EXILE strongly suggest that aggressive prosecution and severe punishment of gun law violations would be of major help. In 1998, the year following the implementation of Project Exile in Richmond, the homicide rate in Richmond decreased by approximately 1/3. The rate of firearm-related homicides in Richmond dropped even more—66%, from 122 in 1997 to 78 in 1998.

This takes me back to where I started. I voted in favor of several of the measures the Senate adopted last week because I believe that they can be useful tools in stopping gun violence. But quite simply, no gun laws, either those currently on the books or any new ones that Congress may enact, can be effective if the Attorney General does not enforce them through aggressive prosecution. The Detroit Free Press's article of two days ago confirms that right now, both in Detroit and nationally, aggressive prosecution is not what we are seeing. For our children's sake, it is high time for it to begin.

Mr. President, I ask unanimous consent that the full text of the Detroit Free Press article be printed in the RECORD.

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

[From the Detroit Free Press, May 25, 1999]

FEDERAL GUN CASES DECREASE

DECLINE IN MICHIGAN GREATER THAN IN U.S.

(By Tim Doran)

Federal gun law prosecutions declined sharply in the eastern half of Michigan between 1993 and 1997.

The number of people prosecuted in cases investigated by the federal Bureau of Alcohol, Tobacco and Firearms plummeted 55 percent. Nationally, prosecutions were down 36 percent, according to data analyzed by the Free Press.

For the three largest categories of gun law violations, the number of people prosecuted in eastern Michigan dropped from 221 in 1993 to 112 in 1997.

The analysis comes at a time when Congress is debating legislation to tighten access to guns, and the state Legislature is considering laws to make it easier to get a concealed weapons permit.

If the federal government wants to reduce gun crime, it should enforce existing laws, said Dave LaCourse, public affairs director for the Second Amendment Foundation, which supports gun ownership.

"But the agency that's set up to put the screws to the bad guy is almost being cut in half," LaCourse said.

Last month, Wayne County and the City of Detroit sued gun manufacturers and dealers, saying they used a strategy of "willful blindness," looking the other way when guns are sold illegally. A sting by county law enforcement alleged that nine of 10 dealers sold guns to people who indicated they were buying on behalf of a minor or felon with them.

Both U.S. Attorney Saul Green of Detroit and Special Agent Michael Morrissey, head of the ATF in Michigan, dispute the numbers from the Free Press study. The reports analyzed for the study came from the Executive Office for U.S. Attorneys and are made public by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University.

"The numbers have gone down," Green said. But he said he does not accept the data the Free Press analyzed as definitive.

Green said that the decline follows a general downward trend in crimes.

For example, according to police records, Detroit had 559 homicides in 1993 and 453 in 1998.

The increased use of local-federal task forces may play a role in the decreased federal gun cases, he said. "We have a lot more cooperation than we had in the past and some of the cases developed might go to local prosecution, rather than federal."

Morrissey and ATF officials in Washington said the bureau shifted its investigative strategy, targeting more serious violators.

The number of ATF investigators on the street declined both nationally and in Michigan, and some of the remaining agents have taken on added duties.

The number of licensed gun dealers in the state has dropped, from about 11,000 in the early 1990s to 2,498 as of earlier this month, and violent crime is down.

"We're doing more with less," Morrissey said. "I think we're doing better quality with less, too."

And a program started in the last two months in Detroit could reverse the downward trend. Operation Countdown hopes to use tough federal gun laws to take felons caught with guns off the streets.

REDUCTIONS DEBATED

Green and Morrissey disputed TRAC's numbers, but reports from other sources, including the ATF's national office in Washington, show a drop in prosecutions.

In March, U.S. Sen. Jeff Sessions, R-Ala., released figures showing federal gun prosecutions under one program dropped 46 percent between 1992 and 1998.

"The senator's message is: We've seen a reduction in violent crime rates overall," said his spokesman John Cox. "But not the reduction that we want. The effectiveness of federal prosecution of gun crimes has got to be utilized."

ATF's own national figures show the number of cases the bureau referred for prosecution to state and federal prosecutors dropped by about 48 percent from 1993-1997, said agent Jeff Roehm, chief of the public information division of the ATF in Washington. Numbers for 1998 show a slight increase.

Between 1993 and 1997, the median prison term for those convicted after investigation by the ATF stayed fairly constant at around 30 months, which suggests if agents were targeting more serious violators, they did not receive greater prison time.

"We gather the facts and present them to the U.S. Attorney for prosecution. It is up to the court to decide the sentence," Morrissey said. "And often times, the sentences fall under guidelines enacted by Congress."

While the number of people prosecuted declined in eastern Michigan, agents in the district referred more people for prosecution in 1997 than in any other federal district. The eastern district had a high number of referrals in 1993-1996 as well.

The Eastern District of Michigan covers the eastern half of the Lower Peninsula.

In the Western District of Michigan, which covers the rest of the state, the number of federal prosecutions fluctuated but the annual totals were much less than in the east.

If recent undercover investigations in Wayne County are an indication, finding illegal gun sales would not be difficult.

Between March 24 and April 14, undercover teams who told gun dealers they were juveniles and convicted felons bought weapons from nine out of 10 dealers.

Morrissey, who took over ATF Michigan operations last August, said his bureau can inspect gun dealers only once a year unless the bureau has probable cause to suspect a crime.

His figures show the number of cases referred to prosecutors by the ATF in Michigan have fluctuated between 1993 and 1997 but remained fairly constant. They do show, however, a downward trend in prosecutions.

In the early 1990s, when the numbers were higher, the bureau targeted more felons with guns, Morrissey said.

"Those are as easy as going out and picking blades of grass," he said.

But the number of guns on the street did not decline, Morrissey said. The ATF began concentrating on licensed and unlicensed dealers who supply guns illegally and violent felons. One dealer can supply guns used in many crimes, he said.

The ATF has 33 fewer agents on the streets of Michigan this year than it had in 1992, he said. And some of those agents have more duties related to their specialized training in arson and explosives.

Some are assigned to state task forces, so the criminals they help arrest might not show up in the ATF's statistics, he said.

The ATF also assigns agents to gang reduction programs in schools, and the bureau investigates cigarette bootlegging, arson fires and explosions, not just gun violations.

IT WORKS IN RICHMOND

While the ATF has shifted its emphasis nationally away from individual felons with guns, one city that strictly enforced federal firearms laws saw a reduced murder rate.

In Richmond, federal prosecutors began in March 1997 to prosecute every gun case in the city of 200,000, said Jim Comey, executive assistant U.S. attorney. Officials advertise the tougher enforcement of Project Exile on billboards and television, Comey said.

"We have been selling deterrence the way they usually sell Wrangler jeans," he said.

It has worked, Comey said. Defendants ask lawyers to stop their cases from going "Exile." When cops pat down suspects on traffic stops, some say they are not stupid enough to carry a gun.

It has also helped change the murder rate. The city had 140 homicides in 1997 and 95 in 1998, he said. The number of firearm-related

homicides dropped from 122 in 1997 to 78 in 1998.

Comey doesn't give Project Exile all the credit. Crack is waning in popularity; the state abolished parole three years ago, and drug enforcement has increased. He and others say it should not be seen as the answer for every city, although both gun-rights and gun-control advocates support it.

Local and federal officials in Detroit have joined to start a similar program. Operation Countdown, which began about two months ago, is operating in a few precincts. Already eight cases have been referred to federal prosecutors, said Bob Agacinski, deputy chief in charge of career criminals for the Wayne County Prosecutor's Office.

He said the program, which involves the ATF and Detroit police, has strong support from both Green and Wayne County Prosecutor John O'Hair.

"I think it's going better than we thought," Agacinski said.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO BURMA—MESSAGE FROM THE PRESIDENT—PM 33

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 26, 1999.

REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT—PM 34

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.