June 16, 2000

CONGRESSIONAL RECORD—SENATE

and because of disability. That is what is provided in the amendment the seni- for Senator Kerry. Massachusetts will offer on Monday and of which I am proud to be a cosponsor.

I suppose some people may hear these categories that I have mentioned and say: People commit crimes based on hatred, hoping there are committed against others based on a characteristic, a status of the person, that are currently included in the Federal law. Adding these categories—gender, sexual orientation, disability—seems to me to be an appropriate ex-
tension of the basic concept of equal protection under the law. As the law now stands, it also imposes a require-
ment, a prosecution relating to race, color, religion, and national or-
in that we ought to change, which is that the law is only triggered if the victim is prevented from exercising a specifically enumerated federally pro-
tected activity.

There are obviously crimes that are committed based on hatred that are triggered in cases other than the sim-
ple prevention of the exercise of a fed-
eral protected activity. Thus, the pro-
vision of this amendment that would eliminate this obstacle and, therefore, broaden the ability of Federal prosecu-
tors to pursue crimes motivated by ra-
cial or religious hatred.

The amendment that will be intro-
duced on Monday also includes new language requiring the Justice Depart-
ment, prior to indicting a defendant in a hate crime based on the categories I have enumerated, including those added to the amendment, a pro-
secutor of the Justice Department will have to, prior to the indictment, cer-
tify either that the State is not going to prosecute a hate crime, therefore avoid- ing both an overlap and the oppor-
tunity for prosecution by those in law enforcement closest to the crime, the alleged crime, and will also have to certify that the State requested or does not object to Justice Department pros-
cution or that the State has com-
pleted prosecution it seems that you wouldn’t have to say that, but just to be sure to avoid a kind of double ex-
posure, double prosecution, that certifi-
cation should satisfy the concerns some of my colleagues may have who may feel prosecution by the States interfere with State efforts to bring perpetrators of hate crimes to justice. In other words, the State is given the first opportunity and the superior op-
opportunity to prosecute these cases. Only if the State does not will Federal prosecu-
tors be able to proceed.

At a time when so much else is going on here in the Capitol with the high profile issues of this session—the Pa-
tients’ Bill of Rights, whether we are going to give Medicare coverage or drug benefits for seniors, campaign finance re-
form—this amendment brings us back to America’s first principles of equality and tolerance and challenges each of us to think about the appro-
priate and constructive roles that the law can play, understanding that the law can’t control the hearts of people in this country.

Ultimately, we have to count on peo-
ples’ own sense of judgment and toler-
ance and, hopefully, the effect that other forces in their lives will have on them to make them fair and tolerant, such as their families, their schools, their religions, their faith. But here is the law to say in the cases when all of those forces are not there.

I hope my colleagues over the week-
end will have a chance to take a look at this amendment, will come to the floor and talk about it, and perhaps question those of us who have proposed it. Then I hope a strong bipartisan major-
ity will come to that statement the sanc-
tion of the law to say in the cases when all of those forces are not there.

I thank the distinguished Chair. I yield the floor.

BRIDGING THE DIGITAL DIVIDE

Mr. KERRY. Mr. President, I would like to take a few minutes to discuss an issue of considerable importance, one I feel very strongly about and one that I think the Senate should address before the end of this Congressional session, and that is Mr. President, the issue of the digital divide. The digital divide is one of the key issues the Con-
gress is currently facing—and will con-
tinue to face—in the foresee able future. Right now we are wrestling with how to best encourage growth in this new economy, but at the same time, how to ensure that growth is evenly spread, that everyone in our society has an op-
portunity to participate in this new economy and reap its economic re-
wards.

Mr. President, these are amazing times in which we live and the new economy is responsible for much of this nation’s unprecedented prosperity: the stock market is soaring to unimaginable heights, IPO’s are attracting at a record pace investors in the thousands of millionaires in this country. The innovations of the new tech-
ologies are astounding: You can order a Saturn online and the very next day a new car shows up in your drive-way. Each day 55,000 new E-BAY subscribers sign up for the world’s largest auction. The NetSchools program provides every child with a kid-proof laptop PC that is connected to teachers and class-
mates using wireless infrared tech-
nology and has had tremendous results improving academic achievement, at-

teendance, and parental involvement in extremely disadvantaged communities.

A surgeon in Boston can direct a doc-
tor in the Berkshires to do a biopsy by doing so without ever leaving their office.

The wealth creation—for those on the right side of the divide—generated by this New Economy is breathtaking, Mr. President: College students from the dorm room to the board room as high tech mogul, like Jerry Yang and Michael Dell. Starting salaries for high tech jobs even for students coming out of college can range from $70,000–$100,000—even more with stock options. Pick up the San Jose Mercury News job section each day and—liter-
ally—you will find advertisements for upwards of 10,000 high tech and in-
formation technology jobs. Silicon Val-
ley has created more than 257,000 new jobs since 1992—and median family in-
come has soared to $57,000 per year—
the third highest in the country.

But as we all know Mr. President, the new economy has not evenly spread its wealth to all Americans and income disparity in this nation continues to grow. One of the greatest challenges we currently face is to connect those not participating in the new economy with the skills, resources, and support neces-
sary for them to do so. A January 2000 study by the Center on Budget and Policy Priorities and the Economic Policy Institute found that in two-
thirds of the states, the gap in incomes between the top 20 percent of families and the bottom 20 percent of families grew between the late 1980s and the late 1990s. In three-fourths of the states, income gaps between the top fifth and middle fifth of families grew over the last decade. By contrast, in-
equality declined significantly in only three states. Clearly Mr. President, the digital divide and the economic divide are closely interrelated and must be re-
sponded to as such.

Mr. President, the new economy is more than the latest and greatest innova-
tions in information technology and the highest-flying Internet companies. It is a knowledge economy, with a large share of the workforce employed in office jobs requiring some level of

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Mr. President, the new economy is more than the latest and greatest innovations in information technology and the highest-flying Internet companies. It is a knowledge economy, with a large share of the workforce employed in office jobs requiring some level of
higher education. It is a global economy—the sum of U.S. imports and exports, but from the digital divide is real and cannot afford to be ignored. Let me describe to you what this divide looks like.

The Digital Divide:

61.6% of those with college degrees now use the Internet, while only 6.6% of those with an elementary school education or less use the Internet.

At the highest incomes ($75,000+), the White/Black divide for computer ownership decreased by 76.2% between 1994 and 1997.

Whites are more likely to have access to the Internet from home, than Blacks or Hispanics have from any location.

Black and Hispanic households are two-fifths as likely to have home Internet access as White households.

Forty-four million American adults, roughly 22 percent, do not have the reading and writing skills necessary for functioning in everyday life. And an estimated 87 percent of documents on the Internet are in English. Yet at least 32 million Americans speak a language other than English and they are—again and again—left behind on the Internet.

Those with a college degree or higher are over eight times more likely to have a computer at home than the least educated and nearly sixteen times more likely to have home Internet access.

The “digital divide” for Internet use between those at the highest and lowest education levels widened by 25% from 1997 to 1998.

Those with college degrees or higher are ten times more likely to have Internet access at work as persons with only some high school education.

Mr. President, technology is changing our world. Technology is changing our lives, how we work, and how we learn. But this is not just a new economy, it is our economy. And ours is not a newly divided society. Mr. President, this country has always been a society of haves and have-nots, and so although we must respond to the unique challenges presented by the changing economy and the changing world of work, we must also understand that bridging the digital divide is about more than just computers and the Internet.

In order to meet the challenge of bridging the digital divide we must assist the have-nots with basic necessities, like a good public education system, a safe and clean place to live, and adequate health care. We must recognize what I hear from business leaders, teachers, students, parents—everyone—the biggest technology issue in the United States today is education. And we need to make that connection.

I’ve spent much time talking about technology and education—the earlier days of our awareness that there was a growing digital divide—we were focused on wiring schools and outfitting them with equipment. Now, thanks in large part to the success of the E-Rate program, which we worked hard on in the Commerce Committee and which we pushed through to passage, new technology and education is about so much more. In just a few years most of our schools have gotten on-line. And now the focus is on training teachers to effectively use the technology, to integrate technology into the classroom, and to improve parental involvement through technology.

What we can do and what we must do Mr. President, is work to harness technology to grow our economy and enlarge the winner’s circle. What we can do and what we must do is work to communicate this single reality: to keep the economic growth moving ahead, we need to ensure that we have a workforce and a generation of young people capable of working with the best technology and the very best ideas to raise living standards and expand the economy—and that is why we must close the digital divide.

The digital divide goes far beyond technology to encompass basic human needs. Mr. President, if we can ensure that there is a computer in every classroom—for every student—the technology will not be effectively used, learning will continue to be challenged if the child does not have a safe and secure home to go to at the end of the day. If a child attends a school that is falling apart, does it matter how many computers are in a classroom and whether or not the school is wired? If a child lives in a dangerous and violent community—a reality for far too many of this nation’s young people—the fear of bullets and gangs is certain to triumph over the desire to conquer new technologies. If a child goes hungry, if school is the only place that can be counted on for a good meal, that child cannot focus on computing and learning.

Mr. President, these are the issues of the digital divide: adequate and affordable housing, safe and secure school buildings, adequate health care, qualified teachers, an increased minimum wage, strong communities, and affordable day care. We must understand that in order to seize upon this brilliant moment of technological advance and move our entire nation forward, we must address these basic needs. We must shore up the foundation, Mr. President and provide all our citizens with opportunity as we march forward in the digital age.

I ask my colleagues to ponder this for a moment: change is nothing new, but the digital divide is real and we must respond to it.