

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein for a period not to extend beyond 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CRIME VICTIMS ASSISTANCE ACT OF 2001

Mr. LEAHY. Mr. President, on March 26, 2001, my friend Senator KENNEDY and I introduced S. 783, the Crime Victims Assistance Act of 2001. This legislation represents the next step in our continuing efforts to afford dignity and recognition to victims of crime. Among other things, it would enhance the rights and protections afforded to victims of Federal crime, establish innovative new programs to help promote compliance with State victim's rights laws, and vastly improve the manner in which the Crime Victims Fund is managed and preserved.

Senator KENNEDY and I first introduced the Crime Victims Assistance Act in the 105th Congress, and we re-introduced it in the 106th Congress. Like many other deserving initiatives, however, this much-needed legislation took a back seat to the debate over a proposed victims' rights constitutional amendment. I have on several occasions noted my concern that we not dissipate the progress we could be making by focusing exclusively on efforts to amend the Constitution. Regrettably, I must note again that the pace of victims legislation has slowed noticeably and many opportunities for progress have been squandered.

This year, we have a golden opportunity to make significant progress toward providing the greater voice and rights that crime victims deserve. The Crime Victims Assistance Act of 2001 enjoys broad support from victims groups across the country, including the National Center for Victims of Crime, the National Organization for Victim Assistance, and the National Association of Crime Victim Compensation Boards. Regardless of their views on the proposed constitutional amendment, these organizations recognize that our legislation can make a difference in the lives of crime victims right now.

When I spoke about the Crime Victims Assistance Act earlier in the year, I expressed the hope that Democrats and Republicans, supporters and opponents of a constitutional amendment, would join me in advancing this bill through Congress. This should be a bipartisan effort, and in this closely divided Senate, it must be a bipartisan effort. I want to thank our eight Democratic cosponsors: Senators CORZINE, DASCHLE, FEINGOLD, HARKIN, JOHNSON, KERRY, MURRAY, and SCHUMER. And I

want once again to urge my friends on the other side of the aisle to step up to the plate and support this important victims' legislation.

When it comes to recognizing the rights of victims of crime, there is no majority, no minority, and no middle ground. As Americans, we share the common desire to help victims and provide them the greater voice and rights that they deserve. The Crime Victims Assistance Act proposes some basic, common-sense reforms to our federal crime victims laws, and would help provide the resources necessary to assist the states in giving force to their own locally-tailored statutes and constitutional provisions. What a shame if this legislation stalls again this year, because we could not work together on an issue on which we share so much common ground.

NICS—KEEPING GUNS OUT OF CRIMINAL HANDS

Mr. LEVIN. Mr. President, the Brady law mandated the establishment of the National Instant Criminal Background Check System to allow federally licensed gun sellers to establish whether a prospective gun buyer is disqualified from purchasing a firearm. The NICS system is working. In its first 25 months of operation, more than 156,000 felons, fugitives and others not eligible to purchase a gun have attempted to do so and have been denied by an FBI NICS check. At the same time, NICS has not placed unreasonable constraints on law abiding citizens' ability to buy a gun. In fact, the Department of Justice reports that more than 7 out of 10 NICS background checks are completed immediately and 95 percent are completed within 2 hours.

But I'm concerned that recent action by Attorney General Ashcroft could limit the effectiveness of NICS and hamper law enforcement efforts to keep guns out of the hands of criminals. Regulations issued in January allowed the FBI to keep NICS data for 90 days following a check. The 90-day period is critical to law enforcement's ability to audit the NICS system for errors, search for patterns of illegal or false sales, such as purchasers using fake ID's, and screen for gun dealers who may abuse the system. But in June, the Attorney General announced plans to reduce the length of time that law enforcement agencies can retain NICS data to 24 hours. The 24-hour period is insufficient and would severely restrain law enforcement's ability to target illegal purchasers and corrupt gun sellers.

After reviewing Attorney General Ashcroft's action, I decided to cosponsor S. 1253, a bill introduced by Senators KENNEDY and SCHUMER to maintain the 90-day period for law enforcement to retain NICS data. The bill takes a common sense approach to

keeping guns out of the hands of criminals without compromising the privacy rights of law-abiding citizens. It is a good bill and the right remedy to the Attorney General's regrettable action.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred July 25, 1994 in Dana Point, CA. A man allegedly beat two gay men and threatened to kill them after yelling anti-gay slurs. Bradley Jason Brown, 22, was charged with assault with a deadly weapon and committing a hate crime.

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 of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

RECENT ELECTIONS IN EAST TIMOR

Mr. FEINGOLD. Mr. President, I rise today to congratulate the people of East Timor on the success of their recent Constituent Assembly elections.

On August 30, 2001, the people of East Timor voted to elect a new Constituent Assembly. That Assembly will begin meeting almost immediately to adopt a new constitution and to establish the framework for future elections and a transition to full independence next year. The vote was conducted on the second anniversary of the violent 1999 independence referendum. In that earlier referendum, nearly 98 percent of eligible voters risked their lives to vote for independence from Indonesia. Last week, the people of East Timor demonstrated their continuing commitment to democracy by turning out again in force to elect the women and men who will lead them now to full democracy and independence. Final voter turnout in this recent election was reported at more than 91 percent, in a territory-wide poll that was both peaceful and orderly.

After 25 years of occupation by Indonesia, and a much longer period of colonization by Portugal, many ordinary men and women walked for hours and lined up before dawn to vote for the first time for their own political leaders. Clearly, many difficult decisions and fractious debates now lie ahead for the 24 women and 64 men who have been entrusted by their election to the