

Provide Appropriate Tools Required to Intercept and Obstruct a Terrorism Act, or PATRIOT Act, in the United States. This analogy was conveniently overlooked by the gentleman from Indiana.

In October of this year, the U.S. Congress passed the PATRIOT Act, which gave law enforcement officials more tools to detect, apprehend, and prosecute terrorists. In the aftermath of September 11, Congress was required to act quickly to pass measures to address the immediate and long-term security, recovery, and financial needs of the country.

There was controversy and there still remains criticism of the PATRIOT bill from both the right and the left. Members protested that it would grant the government too much power and endanger civil liberties. However, the administration called for immediate action and, while moving the bill through Congress, several provisions were either dropped or modified and a bill did pass.

From what I understand, the Indian Parliament is planning on going through a similar process of modifying some provisions in their ordinance. It is likely that the bill will pass and be enacted into law, thereby affording Indian officials the authority to deal with the growing terrorist threat facing India that the normal criminal justice system could not address sufficiently.

Mr. Speaker, I believe that unusual circumstances in the U.S. call for these types of measures, and the same holds true for India. A true parallel can be drawn here for the two largest and most vibrant democracies in the world. Unfortunately, both of these countries are now combating terrorism.

The gentleman from Indiana (Mr. BURTON) I think is incorrect in accusing India of being repressive by enacting this law. His strategy to bash India is clearly a pattern. It is no surprise that these types of statements come at a time when we are providing aid to India. There is no justification for ending the limited aid that we provide to India, and there is no rhyme or reason to cutting back or putting back in place the sanctions against India that should have been lifted a long time ago.

My point, Mr. Speaker, is that the gentleman from Indiana's efforts to implement such things are simply wrong. We do not need to go back to the sanctions, and we certainly should not punish India for essentially doing the same thing that the United States has done in the aftermath of September 11.

#### U.S. SHOULD PRIORITIZE SPENDING TO AVOID DEFICIT SPENDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, the question I would like to ask my colleagues is how much more, how much deeper should we go in debt in this country?

The current authorized debt that we passed several years ago is \$5,950 billion, and we were actually projecting just a few months ago, last May, that we would not have to increase the debt limit. Our current debt, the debt limit as passed by law is \$5,950 billion. The current debt is \$5,860 billion. So if we implement what we are talking about for next year's budget, if all of the bills that have been passed in the House were implemented, then we are going back into deficit spending, which means we are going to have to increase the debt of this country.

It seems to me that we should be budgeting in a way that every family has to budget, that every business has to budget, and that if something comes up that is very important we look at other portions of that budget that we might reduce in order to accommodate the higher priority spending. In this case, I would suggest, Mr. Speaker, to my colleagues that the higher priority spending is to assure security and to do what we can to make sure that the economy again comes back strong as quickly as possible.

But if we do that without going into debt like we were some years ago, driving the debt of this country up, if you will, driving the mortgage that our kids and our grandkids are going to have to pay off because of our excessive spending, if we are not to go back into that kind of deficit spending, then we are going to have to prioritize.

How do we prioritize? Is there some spending of this Congress, is there some pork spending, is there some spending that is less important than driving us deeper into debt? Let me just suggest, as we discuss economic stimulus packages, at what point of overspending that is going to result in higher interest rates. Overspending means the government has to borrow more money. We go into competition with business and individuals for that available money supply out there; and, in fact, Congress bids up interest rates to get what they want. So at what point do we decide that increased interest rates are as much of a downer for economic recovery as maybe some stimulus package or some spending that some Members say are important to their economy locally? At what point does it balance? How much should we go in debt in future spending?

I would suggest to my colleagues that the gimmick of the lockbox that we passed, Democrats and Republicans together, was a good effort, suggestion, indication, that we would not go back to spending the Social Security surplus. This year, Social Security is going to bring in a surplus of about \$160 billion. But the way we are going, we are going to spend all of that Social Security surplus. I say this is not good. I

say that belt-tightening is called for, and prioritization of spending is called for.

So I would not only suggest to this Chamber but certainly to the Senate, certainly to the President and the administration, to start prioritizing spending so that we minimize the amount that we are going to drive our kids and our grandkids into indebtedness that sometime, someplace, somehow, they are going to have to pay off.

Last May, let me just tell my colleagues how rapidly things have changed. Last May, the Congressional Budget Office, the CBO, estimated that our surplus for this 2002 fiscal year would be \$304 billion. \$304 billion surplus. Now, with the bills that have passed the House, with the bills that have passed the Senate, all of them have not passed the Senate, but with all of the appropriation bills and the stimulus package, we are actually now deficit spending, spending all of the Social Security surplus, spending all of the Medicare-Medicaid surplus and going back into debt, which means that sometime our kids are going to have to come up with either the increased taxes or the reduced living standards from government that we have provided to date.

Mr. Speaker, in conclusion, let me say that I think there are a lot of areas of spending that are of lesser importance, and simply because the lockbox has now been, if you will, broken open, is not the excuse to spend all kinds of money for all kinds of projects.

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#### IN SUPPORT OF INCREASED FUNDING FOR HOMELAND SECURITY

The SPEAKER pro tempore (Mr. PENCE). Under a previous order of the House, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, yesterday the Senate Appropriations Committee passed the defense appropriations bill containing \$35 billion in funding to enhance our Nation's efforts to combat terrorism.

Last week, the House missed an opportunity to do the same. The ranking member of the Committee on Appropriations had proposed an amendment to the defense appropriations act to add \$7.2 billion for homeland security. Unfortunately, the rule failed to protect this amendment from a point of order, and the House was prevented from voting on one of the most important issues facing Americans today.

Considering the Bush administration issued a third terror alert on Monday, it is imperative that Congress act now to provide greater security for the American people. Since September 11, States and cities have been forced to dig deep into their coffers to pay for unexpected emergency programs. I have met with Rhode Island officials to learn how they have responded to this

crisis and to gauge their need for additional counterterrorism and security improvements.

In the 6 weeks following the terrorist attacks, my State spent \$18 million on homeland security and needs \$56 million more to upgrade emergency response in public health systems. State and local governments have done an exceptional job at pinpointing and prioritizing areas in need of improvement to ensure the safety of their citizens, and Congress must act now to provide them with the resources that they require.

Rhode Island's leaders recognize that law enforcement and emergency responders represent the first line of defense in the domestic fight against terrorism. As a result, they hope to invest \$5.8 million for improvements in coordinated emergency response efforts. Through new equipment and training for hazmat teams, the State will be better prepared to deal with the threat of weapons of mass destruction.

Also, the anthrax attacks highlight the need for a strong public health infrastructure. Rhode Island has proposed a \$48 million plan to enhance medical surveillance, research, and investigation. Our health officials must be prepared to identify a biological attack in its early stages, respond swiftly to the threat, and prevent further contamination.

As an original cosponsor of the Bioterrorism Prevention Act of 2001, which would provide \$7 billion to improve our national public health infrastructure, I applaud the gentleman from Wisconsin (Mr. OBEY) for proposing funding to address the threat of bioterrorism in our communities.

One particularly important provision included in the Obey amendment was a budget increase for the Coast Guard, which has now taken on new responsibilities since September 11. Daily life of Rhode Island is intricately tied to the ocean and Narragansett Bay. Commercial fishing netted \$79 million for the State's economy in 1999, and recreational boating is a popular pastime among our residents.

The Coast Guard's dependable presence and its work to keep our seaways safe have made them well respected among our boaters and our residents. However, the Coast Guard has been plagued by dwindling budgets in recent years, preventing personnel increases and equipment improvements. As a result, of the 41 nations with coastal patrols, the U.S. Coast Guard now has the 39th oldest fleet.

Nonetheless, the Federal Government expects the Coast Guard to patrol the Nation's 361 ports and increase inspections of foreign vessels, and 121 Rhode Island reservists have been called to this mission. Commandant Admiral James Loy has pleaded with Congress for years to raise funding levels for the Coast Guard, but we have again taken the wind out of their sails.

Moreover, the Obey amendment would have provided critical funding to

strengthen our border patrol. Each day, 1.25 million people, 500,000 vehicles, and 50,000 containers cross our borders; yet far too few vehicles, containers, packages, and other possessions are properly checked. We must provide the Border Patrol with the resources needed to detect and prevent terrorism at our borders.

Although the House was not able to address these and many other concerns by voting on the Obey amendment, I strongly encourage my colleagues to continue pushing for increased homeland security funding so that we may provide Americans the protection and peace of mind that they demand and that they deserve.

Mr. FILNER. Mr. Speaker, will the gentleman yield?

Mr. LANGEVIN. I yield to the gentleman from California.

Mr. FILNER. Mr. Speaker, I want to thank the gentleman for raising these issues, especially his statement about the Coast Guard. I represent San Diego, California; and we only inspect less than 10 percent of the ships coming in. We need more positions for the Coast Guard. I thank the gentleman for his efforts here.

Mr. LANGEVIN. I could not agree more.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

(Mr. FOLEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

(Mr. INSLEE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### HATE CRIMES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.

Mr. CONYERS. Mr. Speaker, since the April 3, 2001 introduction of H.R. 1343, the Hate Crimes Prevention Act, more than 200 members (202) from both sides of the aisle have added their voices to the call for comprehensive legislation that will provide assistance to state and local law enforcement and amend federal law to streamline the investigation and prosecution of hate crimes.

This legislation is a constructive and measured response to a problem that continues to plague our nation—violence motivated by prejudice. The legislation is designed to address two significant deficiencies in the existing bias crime law enforcement framework. First, the legislation loosens the overly restrictive federally protected activity requirement under existing hate crimes law. Second, the legislation expands the jurisdiction of the federal government to reach violent conduct aimed at victims on the basis of their gender, sexual orientation or disability status.

Title 18, United States Code, Section 245, is one of the primary statutes used to combat racial and religious violence. At the time of its passage in 1968, a number of members of Congress wanted to limit the reach of the statute. They accomplished their goal by including a dual intent requirement. To establish a violation under Section 245, a federal prosecutor must prove that a defendant acted, for example, because of the victim's race and because the victim was exercising one of a limited category of federally protected rights (e.g., serving on a jury, voting or attending public school).

The original version of the statute contained a less restrictive, but still substantial, intent requirement that the government prove the defendant acted while the victim engaged in a federally protected activity.

This dual intent requirement has substantially hampered the hate crimes enforcement by the Department of Justice. There are numerous examples of heinous acts of violence that DOJ has either been unable to prosecute, or has been unsuccessful in prosecuting, due to the limitations of Section 245.

One of the most egregious examples of the problems under current federal law occurred in a 1994 Texas hate crimes prosecution. A federal jury acquitted three white supremacists of civil rights violations arising out of an incident where they stalked the street of Fort Worth hunting for African-American victims. Although the jury agreed that the defendants' actions were racially motivated, they acquitted the assailants because they could not conclude that they intended to deprive the victims of a federally protected right.

The Hate Crimes Prevention Act would correct this deficiency by expanding the reach of federal jurisdiction to cover serious, violent bias crimes. Under the bill, hate crimes that cause death or bodily injury because of prejudice can be investigated federally, regardless of whether the victim was exercising a federally protected right.

This legislation will also address inconsistencies in the coverage of current federal, state and local bias crime provisions. Current law does not permit federal involvement in a range of cases involving crimes motivated by bias against the victim's sexual orientation, gender or disability. This loophole is particularly significant given the fact that five states have no hate crime laws on the books, and another 21 states have extremely weak hate crimes laws.

Our bill will expand the jurisdiction of federal law to cover sexual orientation, gender or disability, so the federal government will no longer be handicapped in its efforts to assist in the investigation and prosecution of hate crimes.

In addition, through an Intergovernmental Assistance Program, federal authorities will be able to provide technical, forensic or prosecutorial assistance to state and local law enforcement officials. In addition, the legislation authorizes the Attorney General to make grants to state and local law enforcement agencies that have incurred extraordinary expenses associated with the investigation and prosecution of hate crimes.

The Hate Crimes Prevention Act is endorsed by notable individuals and over 175 law enforcement, civil rights, civic and religious organizations, including: President Bush's Attorney General Dick Thornburgh; 22 State Attorney Generals; National Sheriffs' Association; International Association of Chiefs of