to Mexico because INS was unaware that he was wanted for murder. Shortly after his voluntary return, he returned to Oregon and committed four more murders. Had IDENT been linked to IAFIS, immigration officials would have known Resendez-Ramirez was wanted for murder, had an extensive criminal history and prior deportation, and could have detained him for prosecution.

That year, in the fiscal year 2000 conference report, the CJS Appropriations Subcommittee responded by directing DOJ to prepare a plan for the integration of IDENT and IAFIS databases and fingerprint systems.

DOJ submitted a plan for integration in March 2000. The plan focused on conducting several studies to determine the impact, scope, and technology needed to integrate the two systems.

Good news is the project has slowly moved forward.

Records are now extracted from IAFIS and added to IDENT every 2 weeks, including those of wanted persons likely to be picked up by immigration officials, birthplace outside of U.S. Over 140,000 wanted individuals have been downloaded into IDENT. There are, on average, 400 hits per month, meaning 400 apprehended aliens have active wants or warrants for their arrest. There are also over 12,000 fingerprint records of known or suspected terrorists extracted from IAFIS and put into IDENT.

A workstation has been developed and deployed to DHS field sites, border patrol stations and ports of entry, that has a ten print scanner that can capture ten rolled prints; and a computer that can simultaneously search IDENT and IAFIS and provide an integrated response from both systems.

The CJS appropriations subcommittee provided $1 million in fiscal year 2003 for National Institute for Standards and Technology, NIST, the Federal agency charged with establishing fingerprint standards, to research fingerprint search compatibility. Preliminary results show 8 flat prints can be searched against 10 rolled prints with the same accuracy as 10 rolled prints, but the search takes 2–3 times longer. Compare that to 2 flat prints, in which case the search has an ''unacceptable reduction in identification accuracy'' and takes 35 times longer.

The bad news: 5 years have passed and $41 million has been provided and the systems are still not integrated. Extracting a sampling of IAFIS information every 2 weeks is not enough.

Wanted individuals who are apprehended by DHS could be mistakenly returned to their country of origin if their warrants are submitted to IAFIS during the 2 week lag time. DOJ and DHS claim they will begin to extract information daily, but it is unclear when, how and whether that can happen. Even daily extracts cannot substitute real-time information or full interoperability.

The extracts do not include criminal histories. The need for criminal histories was made apparent in the 2002 case of Victor Manual Batres. In that case, Batres was deported following a conviction for an aggravated felony. Batres reentered, but information about his deportation was not known because the systems are not integrated, and he was voluntarily returned to Mexico. He illegally entered the country again, at which time he raped two nuns, resulting in the death of one of them. Had IDENT and IAFIS been integrated, the immigration officials would have had immediate access to Batres' deportation and criminal history, and could have detained him for prosecution, thereby saving lives. Reentry after deportation alone can carry up to 20 years imprisonment.

Workstations are only a one way solution. Workstations give DHS access to IAFIS, but they do not give law enforcement access to immigration records. FBI and State and local law enforcement believe there are situations that require access to immigration records, such as: Fingerprints captured at a crime scene cannot be checked against immigration violators; and an individual can apply to a sensitive position, security at a nuclear power plant, and there is no way to verify his or her country of birth or immigration history.

Workstations are only partially deployed. Two hundred and ninety-three workstations have been deployed to only 115 DHS field sites, which means less than one-third of DHS' field sites have workstations. It is unclear whether there is a plan to deploy workstations at the remaining field sites.

The administration has no timeline to move to capturing 8 flat prints. Eight flat prints would significantly improve the chances of interoperability.

The bad news also is that any plans for integration have been delayed at least 2 years, with final deployment now not expected until August 2008 due to fear that the Government could not absorb the impact of integration, the increases in detention, prosecution and imprisonment of aliens. There is no agreement between DOJ and DHS on how to collectively proceed with IDENT/IAFIS integration. Personnel and resources were diverted from IDENT/IAFIS integration to build US VISIT.

Now, DHS is creating its new system, US VISIT, with the same traps as IDENT and then some. Problems are already apparent. US VISIT has not been fully defined. No policy has been identified for Mexico and Canada or the ''exit'' aspect of the program, for example, will U.S. citizens be checked every time they leave the country. US VISIT was built on IDENT because that was the only way DHS could meet its December 2003 deadline to deploy the program. That means US VISIT continues to capture only 2 flat prints and is not interoperable with IAFIS. There has been no mention of whether and how IAFIS would access the US VISIT fingerprint records. It is unclear whether IDENT alone is robust enough to handle the additional workload that comes with US VISIT.

The State Department, whose job it is to take the photos and fingerprints of visa applicants, appears to be on track to meet the October 26, 2004 deadline to enroll 2 flat prints of all visa applicants between the ages of 14 and 79 at all 211 posts. However, there has been some question regarding the quality of the fingerprint images the State Department is enrolling, which we are looking into.

In summary, knowing the background of individuals entering the United States is our first line of defense against terrorism. We have spent hundreds of millions of dollars to build a criminal database, IAFIS, and should take full advantage of the information it contains. The administration should make the integration of IDENT and US VISIT with IAFIS a number one priority. These agencies must work together to determine what is needed to integrate these systems. The administration should submit a statement of policy and a plan, agreed to by FBI, DHS, and State, which provides the technology and funding requirements as well as a time line for integration.

The PRESIDING OFFICER. The Senator for North Carolina.

THE ADMINISTRATION IS SUCCEEDING IN IRAQ

Mrs. DOLE. Mr. President, I want to address the repeated attacks towards the Bush administration's role in Iraq. Yesterday, one critic claimed that our unilateral policy in Iraq has steadily drifted from tragedy to tragedy and made America less safe. The very mention of Iraq and the current situation there incites what I have begun to call the ''liberal naysayers'' to launch into steady streams of empty rhetoric against our plans in Iraq. Just this week these critics said that our troops are paying the price for flawed policy. These brazenly political claims have no basis, in fact, and serve no purpose other than to undermine the administration in a time of war.

In liberating Iraq, we have rid the nation and the rest of the world from the danger of Saddam Hussein. 46 of the 55 of his most wanted regime members have been captured or killed. In removing this tyrant from power and undermining his regime, we have brought about increased security in a nation that at one time barely comprehended the term. Today, over 150,000 Iraqis, including 75,000 new police personnel, are protecting the Iraqi people. Recently the Iraqi Governing Council signed the Transitional Administrative Law. This unprecedented framework promises long overdue civil rights for all Iraqis. It ensures freedom of religion and worship, the right to free expression, the

right to peacefully assemble, the right to be treated equally under the law, the right to stand for election and cast a ballot secretly, the right to privacy, and the right to a fair, public and speedy trial. We have removed many barriers in the Iraqi society and allowed women to finally play a role in every day life—including the new Iraqi government.

To abandon our mission in Iraq today would undermine all we have accomplished up until now. We would leave behind a devastating breeding ground for terrorists. More importantly, it would give the insurgents in Iraq reason to believe they have won—that they finally succeeded in driving us out and halting the process of peace. The recent surge of violence in Iraq is not indicative of failed policy—rather it is proof that terrorists see freedom arriving there—and it terrifies them. Just recently I read of that fear firsthand in a memo written by captured al Qaida operative Zarqawi. Concerned that the Mujahidin may lose its footing in Iraq he wrote:

> There is no doubt that our field of movement is shrinking and the grip around the throat of the Mujahidin has begun to tighten. With the spread of the Army and the police, our future is becoming frightening.

The very idea of freedom incites fear in the hearts of terrorists across the world. Insurgents from Syria, Libya, Iran and other countries continue to cling to the fruitless hope that their violence will force the coalition forces out and allow the eradicated reign of terror back in. They don't just hate freedom—they fear it. These terrorist cells infiltrating Iraq know that the introduction of democracy and peace in the Middle East is only the beginning of the annihilation of terrorism worldwide.

The accomplishments are many, and the truth is the liberation of Iraq is just one battle in the war on terror. The process of creating a democracy and turning the government over to an entire new governing council will take time. But we are a nation of our word. President George Bush has told the world that we would return power to the Iraqi people on June 30, and we intend to stick to that deadline. Our desire is to restore sovereignty to the people of Iraq—and ensure peace and stability in the transfer. To abandon Iraq prior to either of those goals being accomplished would be a failed mission—and that simply is not an option.

While it is important to note the administration's successes in Iraq, Americans should also be aware that our actions in Iraq have made us safer here in the U.S. President Bush recognized that in order to contain the growing threat of terrorism from Iraq we had to eliminate it at its source. Our President chooses to allow the war on terror to be fought in Kabul and Baghdad, rather than Washington, DC, or New York. As he so boldly explained just recently, his desire was not to stand idly by. He said:

> I made a pledge to this country; I will not stand by and hope for the best while dangers gather. I will not take risks with the lives and security of the American people. I will protect and defend this country by taking the fight to the enemy.

I applaud our administration for carrying out their mission in Iraq so effectively. Our role in Iraq has brought about freedom to 50 million Iraqis and Afghans and underscored America's character in keeping our word. Former secretary of State George Shultz said it best this week when he wrote:

> Above all, and in the long run, the most important aspect of the Iraq war will be what it means for the integrity of the international system and for the effort to deal effectively with terrorism. The stakes are huge and the terrorists know that as well as we do. That is the reason for their tactic of violence in Iraq. And that is why, for us and for our allies, failure is not an option. The message is that the U.S. and others in the world who recognize the need to sustain our international system will no longer quietly acquiesce in the take-over of states by lawless dictators who then carry on their depredations—including the development of awesome weapons for threats, use or sale . . . September 11 forced us to comprehend the extent and danger of the challenge. We began to act before our enemy was able to extend the consolidate his network.

The war on terror will not easily be won, but America is up to the task. May God bless our brave men and women in uniform fighting for democracy and freedom—and God bless this land of the free, America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, how much time remains in morning business?

The PRESIDING OFFICER. There remain 3½ minutes.

Mr. SPECTER. Mr. President, I ask unanimous consent that I may speak up to 10 minutes.

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

ASBESTOS LEGISLATION

Mr. SPECTER. Mr. President, I have sought recognition to comment on the issue of asbestos, the legislation which is about to be called to the Senate floor, offered by the distinguished chairman of the Judiciary Committee, the senior Senator from Utah. The Judiciary Committee reported out a prior bill in July of last year, and it was supported largely along party-line votes. One Democrat joined in the vote to send it out of committee, and I supported the vote to send the bill to the floor, having stated a number of concerns I had on specific provisions.

In August, during the August recess, I enlisted the aid of the former Chief Judge of the Court of Appeals for the Third Circuit, Judge Edward R. Becker, who had taken senior status preceding May 5. For 2 days, in Judge Becker's chambers, he and I met with representatives of the manufacturers, the insurers, the reinsurers, the AFL/CIO, and the trial lawyers, starting to go through a wide range of issues. Since that time, we have met on 18 occasions in my office here in the Hart Building, virtually every week, with those representatives, and they had meetings in between.

During the course of our extensive discussions, we have come to significant agreements on streamlining the administrative process, early startup, defining the exigent health claims, moving through the language on judicial review, and dealing with the issue of medical monitoring. A good number of those provisions were inserted in a new bill introduced by Senator HATCH and Senator FRIST on April 7. The majority leader has listed the asbestos bill on a number of occasions, and each time has deferred it pending the negotiations which have been in process and I think are making good progress.

I have attended all of these meetings. They have lasted, most of them, for several hours supplementing the 2 days in Judge Becker's chambers, which were both all-day events. All the parties have been very, very cooperative. The manufacturers have talked to the AFL/CIO. In between, meetings have been had with the AFL/CIO. The trial lawyers have been cooperative. There is no doubt that some among the trial lawyers may feel they have some contrary interests. I think there has been an overall view—clearly by the trial lawyers and the AFL–CIO—that there are many injured people who have suffered from mesothelioma, which is a deadly ailment, who are not being compensated because their companies were bankrupt. In excess of 70 companies have gone bankrupt. There are hundreds of thousands of claims and there are numerous parties who have been named as defendants. The specific statistics are that the number of claims is now over 600,000. There are 8,500 companies which have been named as defendants. As I say, more than 70 companies have been bankrupt.

The courts have held that someone is entitled to compensation for exposure to asbestos even though the injuries are not yet demonstrable; that even though the injuries are speculative, a jury may return a verdict based on what injuries may be sustained. That decision was made by the Supreme Court of the United States. That stands at the same time the people who have mesothelioma, which is a deadly disease, are not compensated.

So it is a very serious matter on all ends: On the end of the claimants who are not being compensated because the companies are bankrupt; on the end of companies which have gone bankrupt spending a lot of money on litigation.

When a request is made, when legislation is structured to give up the right to jury trial, that is a very serious matter with our common law tradition for right to trial by jury, a right which is specified in the seventh amendment to the U.S. Constitution, the right to jury trial in a civil case. We are dealing with very weighty matters. We