

And so what I say that we need to do, Mr. President, is to target the violent career criminals, particularly those who use a gun to commit a felony—target them, convict them, get them off the street, lock them up, and keep them locked up.

Mr. President, we have actually tried this, and we know it works. One of the most successful crime fighting initiatives of recent years was known as Project Triggerlock. This project was wildly successful precisely because it addressed a problem squarely head on, and it placed the resources where they were most needed.

Let me talk for a moment and share with you the story about Project Triggerlock. The U.S. Justice Department began Project Triggerlock in May 1991. The program targeted for prosecution in Federal court armed, violent, repeat offenders. Under Project Triggerlock, U.S. attorneys throughout the country turned to their local, State prosecutors and said this: "If you catch a felon, and you catch that felon with a gun, and if you want us to, the U.S. attorneys, we, the Federal prosecutors, will take over the prosecution for you. We will prosecute this individual under Federal law—Federal law that many, many times, in regard to violent repeat offenders who use a gun in the commission of a felony, is tougher than State law. We will prosecute this individual. We will convict this individual, and we will hit this person with a stiff Federal mandatory sentence. And then we will lock him up in a Federal prison at no cost to the State or local community. Basically, we will deep-six this guy, get him out of society. We will take the cost of prosecution and then we will pay to house him for 10, 15, 20 years while he is out of society."

That is the type of assistance to local communities that makes a difference. That is what Project Triggerlock did. Triggerlock was an assault on the very worst criminals in America. Mr. President, it worked.

Listen to these figures. This program took 15,000—15,000—criminals off the streets in an 18-month period of time. Triggerlock caused a dramatic increase in Federal firearms prosecutions. In the first 12 months of Triggerlock, the program initiated firearms prosecutions against 6,454 defendants. It worked.

Now, incredibly, Mr. President—incredibly—the Clinton Justice Department has chosen to deemphasize Project Triggerlock. They tell us they still have it; they just do not talk about it. Apparently, they do not even keep the statistics on it. They do not make it a priority.

Mr. President, Project Triggerlock was the most effective Federal program in recent history for targeting and removing armed career criminals. But the Clinton administration Justice Department, today, acts like Triggerlock simply does not exist. While the Clinton Justice Department

says that Triggerlock remains important, the facts, the statistics do not bear this out. They, apparently, no longer keep records on these prosecutions—and, I guess, for very good reason.

If you look at the records kept in Federal courts—go to the Federal courts to get your statistics, here is what you learn: Since the advent of the Clinton administration we have seen a substantial decrease in the prosecution for weapons and firearms offenses.

That is a shocking fact.

We also see a substantial decrease in actual convictions for these firearm related offenses in Federal court.

Let us look at the numbers. In 1992, there were 4,501 prosecutions of gun criminal charges for these crimes. In 1993, the number of prosecutions dropped slightly to 4,348. But in 1994, the number plunged all the way down to 3,695. We should have been seeing an increase. Instead, we started going the wrong way. That is a 19-percent drop in weapons and firearms prosecutions in the Federal courts during the Clinton administration—a 19-percent drop.

Mr. President, who in this country can believe that this is justified? Who in this country believes that the threat of gun criminals to the society is less than it was 2 years ago? Clearly, it is not.

Mr. President, the number of total convictions for firearm-related prosecutions in Federal court has dropped as well. Again, let me go back to 1992. In 1992, 3,837 of these defendants were convicted. In 1993, there was a drop, a drop to 3,814. But in 1994, we see a more severe drop—down to 3,345. Again, instead of going up in prosecutions, which is what you would have expected, we see the trend lines going down. Mr. President, that is going in exactly the wrong direction.

Last year, I introduced a crime bill that would have restored Project Triggerlock. It would have required a U.S. attorney in every jurisdiction in this country to make a monthly report to the Attorney General in Washington on the number of arrests, the prosecutions and convictions that they had achieved in the previous month on gun-related defenses. The Attorney General under my bill should then report semi-annually to the Congress on the work of these prosecutors. Then we would know the information would be available.

It is like anything else. When you start counting, when you start publicizing the results, you start holding people accountable, and people then respond.

Let me say that there are a lot of U.S. prosecutors who are doing a good job in this area who on their own are emphasizing the prosecution of people with guns. But it should not just be left up to every U.S. attorney in the country to decide one way or the other. This should be a national policy. It should be a national policy that is driven by the Attorney General and driven

by the President of the United States. Quite frankly, nothing short of that, in my opinion, is acceptable.

The truth is that, like all prosecutors, U.S. attorneys have limited resources. So like all prosecutors, U.S. attorneys have to exercise discretion about whom to prosecute. We know that. We all recognize that Congress can and should not dictate to prosecutors whom they should prosecute. But it is clear that we as a Congress, that we as a Senate, should go on record with the following proposition. There is nothing more important in fighting crime than getting armed career criminals off the streets.

Mr. President, I think the Project Triggerlock is a very important way to keep the focus on the prosecution of gun crimes. Getting gun criminals off the streets is a major national priority. I believe that we should behave accordingly.

This is no time to turn our backs on a proven, promising mainstream anticrime initiative; an anticrime initiative that is not controversial, an anticrime initiative that would not tie up 5 minutes of debate on the Senate floor in regard to whether or not we should do it. Everyone understands that we need to do this. What we need is the will from the executive branch to really reinstitute Project Triggerlock and make it work.

Mr. President, families who are living in crime-threatened communities need to know that we are going to do what it takes to get guns off their streets. We are going to go after the armed career criminals. We are going to prosecute them, we are going to convict them, we are going to lock them up, and we are going to keep them locked up.

Mr. President, in conclusion, this is why we have a Government in the first place—to protect the innocent, to keep ordinary citizens safe from violent predatory criminals.

I think Government needs to do a much better job at this very fundamental task, and it is inherently the fundamental task of the Government. That is why targeting the armed career criminal is such a major component of our national policy.

The Clinton administration, I believe, should reverse its opposition to Project Triggerlock, and should do so immediately.

I thank my colleague from Georgia for the time. I thank the Chair.

I yield the floor.

Mr. COVERDELL. Mr. President, I appreciate the remarks of the Senator from Ohio.

I now yield up to 5 minutes to the senior Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

#### PRISON CONSTRUCTION AND CRIME IN TEXAS

Mr. GRAMM. Mr. President, I want to thank our colleague from Georgia

for leading this effort. We are always looking for good news in our war on violent crime and the threat that it poses to our families. This morning I want to share some good news. This good news is based on hard facts presented in a major study done by the National Center for Policy Analysis, which is located in my State. I think that when you listen to the numbers, they speak as loudly and as clearly as a clap of thunder.

Five years ago, Texans finally had enough of violent crime, so we launched the largest prison building program in the history of the United States of America. Over a 4-year period, we expanded the size of the Texas prison system from a 49,000 criminal capacity to a 150,000 criminal capacity.

In terms of our population, Texas started out having a per capita violent criminal incarceration rate that was roughly equal to the national average. Four years later, we have the highest criminal incarceration rate of any State in the Union. I believe that this is a direct result of building new prisons, putting people in jail, and beginning to approach what we call "truth in sentencing," so that when somebody is sentenced to prison for 10 years, they actually, honest to God, serve 10 years in prison.

We have seen the following things happen in Texas in terms of expected punishment for committing major crimes. Over the 6-year period between 1988 and 1994, the expected punishment in Texas for murder rose by 360 percent. For rape, the expected punishment rose by 266 percent; for larceny, 167 percent; for aggravated assault, the expected punishment rose by 360 percent. For burglary, the expected punishment rose by 299 percent; for robbery, 220 percent; and for motor vehicle theft, 222 percent.

In other words, we built prisons, we got tough, we sent people to prisons, and we extended the amount of time criminals actually spend in prison. What happened? Well, what happened is that the overall crime rate in Texas has fallen by 30-percent since 1988. Let me repeat that. We increased the number of prison beds. We more than doubled the expected punishment for crimes ranging from murder to car theft, we increased the number of people in prison, and the crime rate fell by 30 percent.

Let me put that in more meaningful terms: As compared to 5 years ago when we started building prisons and putting violent criminals in prison in Texas—as compared to 1991—the 30-percent lower crime rate we have today means that in this year alone, 1,140 people in Texas who, at the crime rate of 5 years ago would have been murdered in my State, will not be murdered. It means that in 1996, 450,000 less serious crimes will be committed than would have been committed had we not tripled the capacity of our prisons.

The lesson is very clear. We have a small number of violent predator

criminals who commit a huge percentage of our violent crimes. When you are willing to put them in jail and keep them there, the crime rate falls.

The time has come for us to get serious at the Federal level. We have three major statutes that criminalize prison labor. We are one of the few countries in the world which cannot make people in prison work to produce something that can be sold in order to help pay for the cost of incarceration. Three depression-years laws make it a crime to require prisoners work, make it a crime to sell what they produce, and make it a crime to transport what is produced. In other words, we can require taxpayers to work in order to pay for building and maintaining prisons, but we cannot make prisoners work in order to do the same. We should repeal those three statutes. We should turn our Federal prisons into industrial parks. We should cut the cost of prison construction by stopping the building of prisons like Holiday Inns. We need to put people in jail for violent crimes. We need to have sentences of 10 years in prison without parole for possessing a firearm during the commission of a violent crime or drug felony, 20 years for discharging it, and the death penalty for killing one of our neighbors.

If we do those things, we can end this wave of violence. We are allowing our fellow citizens to be brutalized by violent criminals because we will not do something about it. In Texas, we have shown that you can do something about it and I would like us to follow that lead at the Federal level. I commend the National Center for Policy Analysis for conducting this study which was released in January of this year. Every Member of Congress should read this study and I would be happy to supply it to anyone who is interested in doing so.

Mr. President, I thank you for listening.

Let me now yield 10 minutes to the Senator from Michigan [Mr. ABRAHAM].

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. ABRAHAM. I thank the Chair.

#### CONTROL OF PRISONS

Mr. ABRAHAM. Mr. President, I should like to pick up on some of the topics which the Senator from Texas was discussing and particularly focus on one aspect of the Republican agenda on crime, prison reform. I would like today to discuss the proposals we Senate Republicans have developed under the leadership of the majority leader, Senator DOLE, to end frivolous lawsuits brought by prisoners, to remove our prisons from the control of Federal judges, and return control over them to our State and local officials.

Mr. President, let me begin by outlining the problem. In 1995, 65,000 prisoner lawsuits were filed in Federal courts alone. To put that in context, 65,000 lawsuits is more than the total

number of Federal prosecutions initiated in 1995. In other words, prisoners incarcerated in various prisons brought more cases in the Federal courts than all Federal prosecutions last year combined.

The vast majority of these lawsuits are nonmeritorious. The National Association of Attorneys General estimated that 95 percent of them are dismissed without the inmate receiving anything.

Let me just list a few examples.

First, an inmate claimed \$1 million in damages for civil rights violations because his ice cream had melted. The judge ruled that the right to eat ice cream was clearly not within the contemplation of our Nation's forefathers.

Second, an inmate alleged that being forced to listen to his unit manager's country and western music constituted cruel and unusual punishment.

Third, an inmate sued because when his dinner tray arrived, the piece of cake on it was "hacked up."

Fourth, an inmate sued because he was served chunky instead of smooth peanut butter.

Fifth, two prisoners sued to force taxpayers to pay for sex change surgery while they were in prison.

On and on the list goes, Mr. President, with more and more ridiculous lawsuits brought by inmates in penitentiaries. A prisoner who sued demanding LA Gear or Reebok "Pumps" instead of Converse tennis shoes.

These kinds of lawsuits are an enormous drain on the resources of our States and localities, resources that would be better spent incarcerating more dangerous offenders instead of being consumed in court battles without merit.

Thirty-three States have estimated that they spend at least \$54.5 million annually combined on these lawsuits. The National Association of Attorneys General has extrapolated that number to conclude that the annual costs for all of these States are approximately \$81 million a year to battle cases of the sort that I have just described.

In addition to the problems created by the lawsuits the courts have dismissed, we have what is, if anything, a more serious problem—lawsuits the courts have not dismissed that have resulted in turning over the running of our prisons to the courts.

In many jurisdictions, including my own State of Michigan, judicial orders entered under Federal law have effectively turned control of the prison system away from elected officials accountable to the taxpayers and over to the courts. The courts, in turn, raise the costs of running prisons far beyond what is necessary and undermine the very legitimacy and deterrent effect of prison sentences. Judicial orders entered under Federal law have even resulted in the release of dangerous criminals from prison. Thus, right now, our existing Federal laws are actually wasting the taxpayers' money and creating risk to public safety.