colleagues will join me in honoring her dedication to improving the quality of life for area residents. We all owe an enormous debt of gratitude to Kathryn for such an invaluable contribution to the Northern Black Hills and the entire State of South Dakota. We wish her well as she begins her well-deserved retirement.

BROWNFIELDS REVITALIZATION AND ENVIRONMENTAL RESTORATION ACT OF 2001

Mr. DOMENICI. Mr. President, today I want to take a moment to share some thoughts on the Brownfields Revitalization and Environmental Restoration Act. I believe that this act is important and can do positive things in communities across America.

Laws related to brownfields were the result of a much broader Act, which we commonly refer to as Superfund. Superfund was intended to bring about the clean up of some of the most contaminated sites in our nation. As Superfund has been implemented in our society we have found that it is often too cumbersome to bring about clean up and restoration of many brownfield sites. When we talk about brownfields we are not talking about the most contaminated sites in our communities, but about sites that are less contaminated and could realistically be bought, cleaned up, and developed thus bringing economic and other benefits to American citizens. Therefore, I share the thoughts of many of my colleagues and support removing the barriers to brownfields redevelopment.

When the average person wishes to invest in something such as an abandoned gas station, they are often discouraged from doing so for fear of the strict liabilities that could be imposed on them by Superfund. Attempting to relax the daunting liability provisions for those willing to buy brownfields sites for the purpose of cleaning and upgrading them is a huge step in the right direction.

I believe that enactment of this brownfields legislation, will provide a significant foundation for rebuilding many of our communities. Many of these sites are located in downtown areas and often serve as the breeding grounds for crime, drug trafficking and contamination. I am hopeful that passing this legislation will help restore downtown communities making them once again attractive to business, industry and prospective residents.

Many of us have watched these downtown areas slowly die. I know that in Albuquerque, NM, the largest city in the State, we have seen a huge shift away from the downtown area. Local businesses that once thrived were forced to close and slowly, what was once the metropolis of Albuquerque, began to seem like a ghost town.

I support this legislation because of the potential it brings to restoring places like downtown Albuquerque. As I briefly touched on, some of the most important benefits of the bill are its liability and finality provisions. The bill specifies that prospective purchasers, innocent landowners, and contiguous property owners, who exercise due diligence in purchases, are not responsible for paying cleanup costs. The stringent liability scheme under Superfund hinders those who want to invest in these sites for fear of liability. These barriers are unnecessary and do not foster development and growth in our inner cities. Additionally, the bill precludes EPA from taking action on a site that a State has already placed in a cleanup program, unless there is an imminent and substantial endangerment to the environment or public health, and some additional work must be completed.

Finally, the bill authorizes $150 million per year to help State and local governments perform assessments and cleanup at brownfields sites. Further, $50 million per year is also authorized to establish and enhance brownfields programs, more than double the current level of funds available through the current EPA program.

Pumping federal tax dollars back into localities and fostering partnerships with States and their local communities can help rid our communities of the negatives such as crime and contamination while rejuvenating downtown economies.

Economics and Environmental health are not mutually exclusive. This bill would allow these types of areas to be cleaned up, thus providing both economic and environmental benefits. It is a win-win for everyone—cities and citizens alike.

I am hopeful that New Mexico, as well as many other communities across the nation, will see great benefits as a result of this legislation. I hope that we are successful at reviving the ghost towns that currently exist in many downtown areas and that they will once again come alive with prosperity.

CRIME VICTIMS' ASSISTANCE ACT OF 2001

Mr. KENNEDY. Mr. President, victims of crime deserve to have their voices heard and to be notified of important events in the criminal justice system relating to their cases, and they deserve enforceable rights under the law.

Today, this is why my colleagues and I are re-introducing the Crime Victims Assistance Act. It is especially appropriate that we do so this week, which is National Crime Victims' Rights Week. Our bill defines the rights of victims and establishes an effective means to implement and enforce these rights. Equally important, it does so without taking the drastic, unnecessary, and time-consuming step of amending the Constitution.

Our bill provides enhanced protections to victims of both violent and non-violent federal crimes. It assures victims a greater voice in the prosecution of the criminals who injured them and their families. It gives victims the right to be notified and consulted on detention and plea agreements; the right to be heard at sentencing; the right to be notified of the escape or release of a criminal from prison or a grant of executive clemency; and the right to a speedy trial and prompt disposition, free from unreasonable delay.

The rights established by this bill will fill existing gaps in federal criminal law and will be a major step toward guaranteeing that victims of crime receive fair treatment. Our bill achieves these goals in a way that does not interfere with the efforts of the States to protect victims in ways appropriate to each State's unique needs.

Rather than mandating that States modify their criminal justice procedures in particular ways, our bill authorizes the use of federal funds to establish effective pilot programs to promote victim-rights compliance. It increases resources for the development of state-of-the-art systems for notifying victims of important dates and developments in their cases. It provides funds for the development of community-based justice programs relating to those rights. Finally, it creates and funds additional personnel in federal law enforcement agencies to assist victims in obtaining their rights. These initiatives will provide victims with the counseling, information, and assistance they need in order to participate in the criminal justice process to the maximum extent possible.

There is no need to amend the Constitution to achieve these important goals. The Constitution is the foundation of our democracy. It reflects the enduring principles of our country. The framers deliberately made the Constitution difficult to amend, because it was never intended to be used for normal legislative purposes. If it is not necessary to amend the Constitution to achieve particular goals, it is necessary *not* to amend it. Our legislation is well-designed to establish effective and enforceable rights for victims of crime, and I urge my colleagues to support it.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH or Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. 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.

Today, I would like to detail a heinous crime that occurred Nov. 7, 1998 in Easton, MA. An Easton teenager threw a large rock at a 17-year-old boy he thought was gay, kicked him in the head and yelled, swore and called the victim a ''fag.'' The victim suffered a broken nose and a concussion. A week before the assault, the perpetrator told friends he hated gay people and thought they should be beaten up.