

have used the help of the Federal Government.

That is the whole point of this. I personally changed my mind on this subject because of the murder of Matthew Shepard. Frankly, I was chagrined that more of my partisans were not at his vigil. I observed it in a hotel room on CNN in Oregon. I was disappointed that more of my folks weren't there.

Hatred doesn't care if you are a Republican or a Democrat. As Americans, we all ought to be willing to stand up and say: Gosh—at every level of government, local, State, and Federal—let us show up for work and prosecute these most heinous kinds of crimes and murders.

I know there are some good, faithful, religious people who believe they should oppose this law because of this one category—the category of sexual orientation. They believe that because of their faith and their religion they cannot support this. But I say you should support this not in spite of your faith, you ought to support it because of your faith.

The example that I find in the Scripture which is so compelling is that of Christ. When confronted with a woman who was about to be stoned because of adultery—he didn't endorse her lifestyle—he saved her life.

Should we do any less? I say to people of faith that I don't care how you pray. But if that story inspires you like it does me, because of your faith support this.

That reflects the best values of the human heart, and the highest values of the American people. We ought to say as a matter of law—law isn't a teacher, and, no, we can't enforce morality—but we can hold up the law and say this is what we believe.

The Ten Commandments are a great example of a law to the children of Israel. They didn't always obey. But it reflected their highest values and caused them to live up, in many cases, to the highest of ideals. We should not do any less.

I am proud to stand here as a supporter of this expansion of an old law that reflects our best values.

I call upon Republicans, Independents, and Democrats to understand the spirit behind what it is we are doing.

Since I have been a U.S. Senator, I have been privileged to serve on the Senate Foreign Relations Committee. Every time I leave the shores of this blessed land and confront conflicts in Europe, conflicts in Eurasia, and conflicts in Asia, I am astounded at the tribal angst and hatred that besets most parts of this world.

I thank God that we live in a land where we have two oceans, two centuries with two relatively peaceful neighbors, and a long time to avoid the development of these kinds of racial, cultural, and other kinds of differences that cause us to want to commit crime, violence, and murder against people because of their differences. That reflects the worst of humankind.

As a member of the Foreign Relations Committee, I have decried hate crimes—however you want to describe them—on many continents on this planet. As a Republican, I believe I cannot be silent about hate crimes committed at home. I think we all ought to step up to the high ideals that this law represents.

When I chaired the Subcommittee on Europe, we held a hearing about anti-Semitism. We were privileged to have Eli Wiesel come and speak to us. In that hearing, he said something about what motivates the kinds of angst and hatred that have beset the Jewish people for a millennia of time. I want to share with you his words.

He said to this committee:

To hate is to deny the other person's humanity. It is to see in "the other" a reason to inspire not pride, but disdain; not solidarity, but exclusion. It is to choose simplistic phraseology instead of ideas. It is to allow its carrier to feel stronger than "the other," and thus superior to "the other." The hater . . . is vain, arrogant. He believes that he alone possesses the key to truth and justice. He alone has God's ear.

This law that we will be privileged to vote on in a few days makes it clear that we include—that we not exclude—what are called hate crimes. Why wouldn't we extend them to other Americans because they are demonstrably more vulnerable?

Gays and lesbians—why wouldn't you extend the protection to them? Do you hate them? I don't.

I believe it is possible on a principled ground to oppose some things that the gay community wants. I am not for gay marriage. But when it comes to public safety, the dignity of a job, the right to have a roof over your head, how can we withhold our help because we don't share a lifestyle?

I withhold those judgments. I say we should help because we are Americans, and because we aspire to the highest ideals of our Constitution and the highest ideals of the religious traditions—as varied as they are—that we hold in this country.

We are privileged to live in a land where we separate church and state.

I have said to people who are opposed to my support of this law, if you want to talk about sin, then go with me to church. If you want to talk about public policy, let us go together to the Senate, and figure out how to protect all people, because that is what our Constitution provides for.

I say to folks on my side, this shouldn't be a Republican-Democrat issue. This is an issue about the heart. In is an issue entirely appropriate to take up in a time and in a war on terrorism. Whether terrorism comes from a bin Laden, or whether terrorism comes from a couple of murderers in Wyoming, it is terror, nonetheless, foreign and domestic.

Our Constitution calls upon us in its Preamble to provide for the common defense, and to ensure domestic tranquility. Hate crime laws, since their origin, have helped us to do that. It

hasn't stopped it. You can't legislate people to change their hearts. But you can help them to by putting up the law, and saying these are our highest values. We will enforce them with the force of law. By holding them up and setting the example, we can help change hearts and minds.

While this law to many is just symbolism, I tell you it can become substantive, if we all show up for work and live up to our best ideals and not fall to the lowest of traits of humankind.

I call upon all our colleagues to support this legislation. Let's do it with an enormous majority, and let's do it regardless of party affiliation. Let's do it because with all of these victims, we share the common thread that we are Americans.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 5 minutes each.

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

THE FBI REFORM ACT, THE TERRORIST BOMBING CONVENTION AND THE SUPPRESSION OF THE FINANCING OF TERRORISM CONVENTION IMPLEMENTATION ACT, THE ANTI-ATROCITY ALIEN DEPORTATION ACT AND THE MYCHAL JUDGE POLICE AND FIRE CHAPLAINS SAFETY OFFICERS' BENEFIT ACT

Mr. LEAHY. Mr. President, I rise today to speak principally on behalf of four important pieces of legislation. Two have important implications for national security, a third would help keep war criminals and those who commit atrocities abroad out of our country and the fourth would add a degree of fairness for law enforcement victims of September 11. All have been cleared on the Democratic side of the aisle.

Three are being blocked by holds placed by anonymous Republican Senators. One has passed the Senate and is being held up by the Republican leadership in the House. I appeal, again, today to our Republican colleagues to stop holding these important bills hostage, remove your secret hold, or at least come forward and identify yourself and your concern so that we may debate and make bipartisan progress on these important legislative matters.

First is S. 1974, the FBI Reform Act, which I introduced with Senator

GRASSLEY in February, after extensive oversight hearings.

This bill would strengthen the FBI in its fight against terrorism, and was reported unanimously by the Judiciary Committee in April of this year.

Since the attacks of September 11, and the anthrax attacks last fall, we have relied on the FBI to detect and prevent acts of catastrophic terrorism that endanger the lives of the American people and the institutions of our country. FBI reform was already important, but the terrorist attacks suffered by this country last year have imposed even greater urgency on improving the FBI. The Bureau is our front line of domestic defense against terrorists.

Even before those attacks, the Judiciary Committee's oversight hearings revealed serious problems at the FBI that needed strong congressional action to fix. We heard about a double standard in evaluations and discipline. We heard about record and information management problems and communications breakdowns between field offices and Headquarters that led to the belated production of documents in the Oklahoma City bombing case. Despite the fact that we have poured money into the FBI over the last 5 years, we heard that the FBI's computer systems were in dire need of modernization.

We heard about how an FBI supervisor, Robert Hanssen, was able to sell critical secrets to the Russians undetected for years without ever getting a polygraph. We heard that there were no fewer than 15 different areas of security at the FBI that needed fixing.

The FBI Reform Act tackles these problems with improved accountability, improved security both inside and outside the FBI and required planning to ensure the FBI is prepared to deal with the multitude of challenges we are facing.

Just over the past month, the FBI Director has referred to the Justice Department inspector general important matters about the handling of probative information like the Phoenix report before the 9-11 attacks. The FBI reform bill expands the Justice Department inspector general's authority to investigate all allegations of misconduct at the FBI. The FBI Reform Act also strengthens whistleblower protections for FBI employees who report misconduct to Members of Congress, as Minneapolis Field Office Agent Coleen M. Rowley did.

The FBI Reform Act also puts an end to statutory restrictions that contribute to the "double standard," where senior management officials are not disciplined as harshly for misconduct as line agents are. Agent Rowley complained about this double standard in her May 21 letter criticizing Bureau Headquarters about its handling of the Moussaoui case.

Just this week the Judiciary Committee held an extensive hearing with the FBI Director, the Department of Justice inspector general and Special

Agent Rowley. Any doubts that this legislation is needed and needed without further delay had to be erased by their candid testimony.

The FBI Reform Act was unanimously reported by the oversight committee for the FBI and reflects our determination to make sure that the FBI is as good and strong as it can be, and, all the more today, given the higher stakes, as good and as strong as America needs the FBI to be. This reform bill is a long stride toward that goal. I urge the Republican Members who have blocked passage of this bill to come forward and identify themselves, to speak to Senator GRASSLEY and me about the importance of this legislation, and to share any concerns they may have so that we may proceed without further delay.

Last December I introduced S. 1770 to implement two antiterrorism treaties, the Terrorist Bombing Convention and the Suppression of the Financing of Terrorism Convention. The antiterrorist bombing bill would bring the United States into immediate compliance with important international conventions signed by the United States under President Clinton's leadership.

The two antiterrorism treaties at issue were transmitted to the Senate for ratification by President Clinton in 1999 and 2000, but not acted upon until the Senate reorganized under a Democratic majority last summer.

The United States signed these treaties after the tragic terrorist bombings at the United States embassies in Kenya and Tanzania. Before control of the Senate changed hands, there was no action taken on these treaties in the Foreign Relations Committee. The antibombing treaty in particular sat in the Foreign Relations Committee for approximately 2 years without action during the Clinton administration when the Senate was under Republican control. Senator BIDEN deserves credit for acting quickly to report these treaties within weeks after he assumed chairmanship of the Foreign Relations Committee.

Yet even as Senator BIDEN was pushing to move the treaties themselves through the Senate, the Bush administration did not transmit proposed implementing legislation to the Judiciary Committee before or during the time that we were working together day and night to write the USA Patriot Act, the bipartisan antiterrorism legislation responding to the events of September 11. I remain puzzled why the administration felt that this measure should be separated from that effort.

Both treaties require the signatory nations to enact certain, precisely worded criminal provisions in their laws in order to be in compliance. That is what S.1770, the Leahy bill, does. I introduced S.1770, on December 5, 2001, shortly after passage of the USA Patriot Act, as a separate bill. This was the same day that the Senate agreed to ratify both treaties. I then tried to

move the bill quickly through the Senate, but an anonymous Republican hold blocked passage.

Again this year I tried to move the bill through the Senate, but again there was an anonymous hold from the Republican side of the aisle which blocked its passage. Had there not been a hold placed on the bill last year, I am quite sure that we could have resolved any remaining issues in conference, as the Republican-controlled House was simultaneously passing its own version of my bill.

After the anonymous hold was placed on S. 1770 at the end of the last session, we received a letter from the Department of Justice in late January of this year about the bill.

The letter stated that the Department "support[ed] the legislation but recommend[ed] several modifications." None of the modifications which the Department recommended dealt with issues that were necessary for compliance with the treaties, the basic purpose of the bill. The Leahy bill would bring us into full compliance with those important obligations and take away an excuse from nations that are hesitant to cooperate in the war against terrorism.

The recent spate of horrible suicide bombings around the world and the fact that the convention prohibiting terrorist financing entered into force on April 10, 2002, demonstrate the pressing need for this legislation. As if that was not enough, last month the FBI Director warned that he believes that suicide bombings in the United States are "inevitable," bringing home the point that this legislation is required both to fight terrorism at home and abroad. Nevertheless, S. 1770 has been subjected to an anonymous Republican hold since December of last year.

In the post-September 11 environment it is almost beyond my understanding why any Member of this body would secretly obstruct passage of an important piece of antiterrorism legislation—yet here we are in June, blocked from compliance with two international terrorism treaties by a secret Republican hold.

The third bill is S. 864, the Anti-Atrocity Alien Deportation Act, which I introduced year and was reported by the Judiciary Committee, with bipartisan support, to close loopholes in our immigration laws that have allowed war criminals and human rights abusers to enter and remain in this country.

I have been appalled that this country has become a safe haven for those who exercised power in foreign countries to terrorize, rape, murder, and torture innocent civilians. A recent report by Amnesty International claims that nearly 150 alleged human rights abusers have been identified living here, but warns that this number may be as high as 1,000.

Observers have noted the irony that in the wake of the September 11, 2001,

attacks, hundreds of foreigners have been rounded up though not charged with any terrorism-related crime.

Yet at the same time, “hundreds, if not thousands, of foreign nationals who have been plausibly accused of the most heinous human rights crimes, including torture and assassination, either have lived or still live freely in the U.S.” [William Schulz, “The Torturers Among Us,” *New York Review*, p. 22, April 25, 2002.]

This bill would not only add the new grounds, but also expand current grounds, for inadmissibility and deportation, by barring those aliens who have engaged, outside the United States, in “torture” and “extrajudicial killing” and removing artificial limitations on the current grounds for exclusion for aliens who commit “genocide” and “particularly severe violations of religious freedom.” This bill is important for the victims of these heinous crimes who seek refuge in this country and important for Americans to show that we will not tolerate perpetrators of genocide, extrajudicial killing and torture, living among us.

I urge the Republican Members who have blocked passage of this bill to come forward and identify themselves, to share any concerns they may have so that we may proceed without further delay.

I was pleased when the Senate did take up and pass the Mychal Judge Police and Fire Chaplains Public Safety Officers’ Benefit Act of 2002 that I sponsored with Senators CAMPBELL, SCHUMER, CLINTON, and BIDEN.

Named for Chaplain Mychal Judge, who was killed while responding with the New York City Fire Department to the September 11 terrorist attacks on the World Trade Center, this legislation recognizes the invaluable service of police and fire chaplains in crisis situations by allowing for their eligibility in the Public Safety Officers’ Benefit Program. Father Judge, while deemed eligible for public safety officer benefits, was survived by his two sisters who, under current law, are ineligible to receive payments through the PSOB Program. This is simply wrong and must be remedied.

Indeed, Father Judge is among 10 public safety officers who were killed on September 11, but who are ineligible for Federal death benefits because they died without spouses, children, or parents. This bill would retroactively correct this injustice by expanding the list of those who may receive public safety officer benefits to the beneficiaries named on the most recently executed life insurance policy of the deceased officer. This change would go into effect on September 11 of last year to make sure the families of Father Judge and the nine other fallen heroes receive their public safety officer benefits.

In addition, this bill would retroactively restructure the Public Safety Officers’ Benefit Program to specifically include chaplains as members of the law enforcement and fire units

they serve, and would make these chaplains eligible for the one-time \$250,000 benefit available to public safety officers who have been permanently disabled as a result of injuries sustained in the line of duty, or to the survivors of officers who have died.

This measure is strongly supported by the National Association of Police Organization, the Fraternal Order of Police, and the American Federation of State, County and Municipal Employees.

Despite its Senate’s passage and in spite of the fact that the House Judiciary Committee has favorably reported the House companion bill with bipartisan support to the House, the House Republican leadership has refused to follow through with passage of these measure. I urge the House Republican leadership to reconsider its decision and allow this important matter to proceed to final passage.

These bills are not alone in being blocked by anonymous Republican holds. Holds have been placed on other important bills that the Judiciary Committee has acted upon and reported favorably to the Senate. Let me just cite a couple examples: S. 2010, the Corporate and Criminal Fraud Accountability Act, which I introduced after the Enron debacle to restore confidence in our securities; S. 2179, the Law Enforcement Tribute Act, which was introduced by Senator CARNAHAN to help State and local police pay for memorials to honor fallen officers; and S. 407, the Madrid Protocol Implementation Act, to help American businesses better protect their intellectual property in the international marketplace.

In addition to the Mychal Judge Police and Fire Chaplains Public Safety Officers Benefit Act, many other Senate-passed are languishing in the House of Representatives. These include the Federal Judiciary Protection Act, S. 1099, which I cosponsored with Senator GORDON SMITH; the James Guelff and Chris McCurley Body Armor Act, S. 166, which was sponsored by Senator FEINSTEIN; and the TEACH Act, S. 487, which I sponsored with Senator HATCH. These bipartisan measures were passed by unanimous consent through the Senate last year, but have been held hostage without action in the House for too many months.

None of these 10 matters should be partisan, yet again and again, anonymous Republican holds have stopped Senate and congressional action. I appeal to my Republican colleagues in the Senate to lift their secret holds and to the Republicans in both Houses to stop obstructing these bipartisan bills, that are intended to protect our national security, our public safety, America’s borders, and American businesses.

ADDITIONAL STATEMENTS

ENTREPRENEURS OF THE YEAR

● Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to Melissa Mabon and Brooke Savage, two of New Hampshire’s Entrepreneurs of the Year. It is doubtless that their success is a tribute to their hard work and dedication.

As cofounders of Pragmatech Software Inc. in Amherst, Brooke and Melissa have built a company from conception into what it is today. Their business knowledge and planning have led them to build a company with no outside investment giving them greater flexibility with respect to management decisions. Pragmatech, which was founded in 1994, offers several services including an expert knowledge base that supports automated responses to “requests for proposals” and “form-based proposals.” They also feature programs that assemble proposals, provide point-by-point responses to specifications, publish on the Web, and gauge the effectiveness of proposals, just to name a few.

It is my great pleasure and honor to represent Brooke and Melissa in the United States Senate and wish them all the best in future endeavors.●

TRIBUTE TO KENTUCKY RURAL HEALTH ASSOCIATION

● Mr. BUNNING. Mr. President, today I pay tribute to the Kentucky Rural Health Association. The Kentucky Rural Health Association recently held its annual conference in Frankfort, and I would like to take a few minutes today to voice my support for this organization. The Association is helping to shape and implement changes to improve the health of rural Kentuckians.

Since 1999, the Kentucky Rural Health Association has worked to create an equitable and effective health care environment, in terms of access and distribution, for rural Kentuckians. Their efforts in educating the public, empowering the people, and positively influencing government policy and legislation have been extremely beneficial to individuals and families throughout the Commonwealth.

While I regret that I was unable to attend their conference this year, I commend all the members of the association for safeguarding Kentucky’s right to affordable and accessible health care. Adequate healthcare is critical to improving an individual’s quality of life, and I urge them to continue their hard work on behalf of rural Kentuckians.●

COMMENDING STUDENTS FROM MASSABESIC HIGH SCHOOL

● Ms. COLLINS. Mr. President, I rise today to recognize the accomplishments of an outstanding group of