

LOCAL LAW ENFORCEMENT ACT
OF 2001

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. In the last Congress Senator KENNEDY and I introduced the Local Law Enforcement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred September 19, 2001 in Teaneck, NJ. An Arab-American was hanging an American flag on his car when a woman approached him and asked if he was an "Arab." He answered, "Yes, why?" to which she responded, "Because I was in the department store buying a rope to hang myself before you kill me." The man ignored her and returned to his task. When he turned his back, the woman assaulted him with her fists and her keys.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

88TH ANNIVERSARY OF THE
ARMENIAN GENOCIDE

Mr. SARBANES. Mr. President, I rise to commemorate the 88th anniversary of the Armenian genocide, in which 1½ million men, women, and children lost their lives as a result of the brutal massacres and wholesale deportation conducted by the Ottoman Turkish rulers against their Armenian citizens. This was the first genocide of the 20th century. Today, as we remember the bravery and sacrifice of the Armenian people in the face of great suffering, we renew our commitment to protecting the fundamental rights and freedoms of all humanity.

As time passes, we must not forget the terrible blows that befell the Armenians in 1915. On April 24 of that year, more than 250 Armenian intellectuals and civil leaders in Constantinople were rounded up and killed, in what was the first stage of a methodical plan to exterminate the Armenian population in the Ottoman Empire. Next, Armenian soldiers serving in the Ottoman army were segregated into labor battalions and brutally murdered. In towns and villages across Anatolia, Armenian leaders were arrested and killed. And then the remaining Armenian population, women, children, and the elderly, were driven from their homes and deported to the Syrian desert.

"Deportation" was merely a euphemism for what were, in reality, death marches. Ottoman Turkish soldiers allowed brigands and released convicts to kill and rape the deportees at will;

often the soldiers themselves participated in the attacks. Driven into the desert without food and water, weakened by the long march, hundreds of thousands of deportees succumbed to starvation. In areas of Anatolia where deportation was not deemed practicable, other vicious means were used. In the towns along the Black Sea coast, for example, thousands of Armenians were packed on boats and drowned.

The efforts to destroy the Armenian population did not pass unnoticed at the time. Leslie Davis, a U.S. diplomat stationed in eastern Anatolia, wrote in a State Department cable of July 24, 1915: "It has been no secret that the plan was to destroy the Armenian race as a race, but the methods used have been more cold-blooded and barbarous, if not more effective, than I had at first supposed."

Henry Morgenthau, the U.S. Ambassador to Turkey at the time and who personally made vigorous appeals to stop the genocide, called it "the greatest horror in history." He later wrote: "Whatever crimes the most perverted instincts of the human mind can devise, and whatever refinements of persecutions and injustice the most debased imagination can conceive, became the daily misfortunes of this devoted people. I am confident that the whole history of the human race contains no such horrible episode as this."

Despite this testimony from U.S. diplomats who were witness to the events, and the abundance of evidence documenting the Armenian genocide, the argument continues to be made in some quarters that it never occurred. Much of that evidence was collected by our diplomats, and along with survivors' accounts, is housed in our National Archives. I have no doubt that if he were told that some continue to reject it, Ambassador Morgenthau would be astonished and outraged. Coming to terms with history is a difficult and painful process, as the experiences of South Africa and the countries of the former Soviet Bloc have shown. But we have also learned how pernicious attempts to falsify history are. Not only do they insult the memory of those who suffered or perished, but they leave us all more vulnerable because they weaken the fabric of our common humanity.

Many survivors of the genocide settled in this country, built new lives for themselves, and raised families here. They have made extraordinary contributions to every aspect of our national life, while preserving their own rich faith and cultural traditions. That Americans of Armenian origin have prospered in so many different ways stands as a rebuke to those who would deny the horrors of 1915. Americans of all backgrounds join them in commemorating the tragedy of the Armenian genocide. Together we must commit to building a world in which history shall not repeat itself.

MEDICAL RECORDS PRIVACY

Mr. JOHNSON. Mr. President, the issue of one's privacy is something that resonates throughout each and every one of our lives on a daily basis. As Americans we enjoy the luxury of certain forms of privacy, while at the same time live within the very constraints of a society that is experiencing an erosion of our privacy rights with each passing day, consequently affecting the boundaries of individual freedoms. Jeffrey Rosen, noted author of the book called "The Unwanted Gaze, The Destruction of Privacy in America," stated that "it is surprising how recent changes in law and technology have been permitted to undermine sanctuaries of privacy that Americans took for granted throughout most of our history." Furthermore, he states that "there is nothing inevitable about the erosion of privacy, just as there is nothing inevitable about its reconstruction."

On April 14, 2003, America experienced the beginning of comprehensive guidelines governing the world of medical privacy. This day marked the final compliance for health care providers who are implementing the new regulations laid out in the Health Insurance Portability and Accountability Act, HIPAA. Originally known as the Kennedy-Kassebaum legislation, passed in 1996, this bill was the result of over a decade's worth of input regarding the privacy of patients' medical records. As we move forward with these changes, it is important to note a few of the significant alterations that will impact both health care entities and consumers.

HIPAA was enacted by the Federal Government to give patients more control over their health information as well as provide greater boundaries for the use and release of health records. As of April 14, hospitals, health care providers, health plans, and clearinghouses will be working under stricter guidelines in regards to patient records. Health care entities will be restricted from releasing information regarding inpatient, outpatient, or emergency room patients unless that patient agrees to such a release in specific written documentation. Federal law, rather than various State regulations, will now protect the confidentiality of medical files. Consumers will be able to find out who has tried to have access to their medical records. This new law will also prohibit marketers from obtaining personal medical information without an individual's consent. These are just a few of the many new regulations set to take place as a result of implementation of HIPAA law.

Health care providers have had to rearrange existing procedures, as well as yield additional funding to meet the April 14 compliance deadline. This has proven to be more challenging for some entities than others especially those in rural areas where financial and workforce constraints are often greater than for their urban counterparts.