

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 751

Mr. SMITH. Mr. President, we have an amendment offered by Senator KEMPTHORNE. I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. SMITH], for Mr. KEMPTHORNE, proposes an amendment numbered 751.

Mr. SMITH. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 69, line 13, strike the word, "remote".

On page 69, line 19, after the word, "infeasible", insert the word, "or".

On page 69, lines 21 and 22, strike the words, "the unit shall be exempt from those requirements" and in lieu thereof insert the words, "the State may exempt the unit from some or all of those requirements".

On page 69, line 22, add the following new sentence: "This subsection shall apply only to solid waste landfill units that dispose of less than 20 tons of municipal solid waste daily, based on an annual average."

Mr. SMITH. Mr. President, this amendment offered by the Senator from Idaho has been agreed to on both sides.

There is no objection on either side. It is a technical amendment to title III and it deals with ground water monitoring.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 751) was agreed to.

Mr. SMITH. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Rhode Island [Mr. CHAFEE] is recognized.

Mr. CHAFEE. I thank the Chair.

(The remarks of Mr. CHAFEE pertaining to the introduction of S. 786 are located in today's RECORD under "State-

ments on Introduced Bills and Joint Resolutions.")

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEWINE. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Ohio is recognized.

CRIME IN AMERICA

Mr. DEWINE. Mr. President, in the coming weeks the Senate will once again turn to the very important issue of crime. Within the next few days I will be introducing on this floor a crime bill of my own. Over the next 4 days I intend to discuss on each one of those 4 days a different aspect of the crime bill that I will be introducing.

Today, I would like to start by talking about two truly fundamental and basic issues and questions. First, what is the proper role of the Federal Government in fighting crime in this country? Second, despite all of the rhetoric, what really works in law enforcement? What matters? What does not matter? What is rhetoric and what is reality? What can the Federal Government do to help local law enforcement? Because, Mr. President, the fact is that over 90 percent of all criminal investigations, prosecutions, and trials do not occur at the Federal level. Rather, they take place at the local and State level.

This means that one of the criteria for any crime bill has to be the impact that bill will have on the ability of local communities themselves to fight crime. Of any crime bill, we have to ask this question: Does it help or does it hurt the local crimefighters, the men and women who are on the front line every single day? Mr. President, if it does help, does the help it gives help permanently or just over the short run? In other words, are we going to get any lasting impact in our battle against crime for the billions of dollars that we are talking of spending at the Federal level?

Mr. President, the role of the Federal Government first and foremost is to do those things that the local community cannot do for itself. I believe the Federal Government has to provide the tools to a local community to fight crime, tools that they could not have but for the help of the Federal Government.

One major Federal responsibility that I would like to discuss today is the creation and maintenance of a national criminal records system. The idea is really very basic and very simple. We need to make it possible for any police officer anywhere in the country to access a national data base, a fully automated data base, data bank, which includes information on

fingerprints, DNA, ballistics, outstanding warrants, and complete criminal record history of suspects and of those who have previously been convicted of crimes.

I believe that this system will be an absolutely essential component of local law enforcement in the 21st century. We already have much of this technology in place today, but, quite frankly, it will only become more important in the years ahead. That is why we need to focus on it today, this year, this crime bill. We have to build this system correctly from the beginning.

Mr. President, we will soon be considering the single largest crime fighting bill in the history of this country. If we do not focus on this technology issue now as part of this crime bill, we never will again have the opportunity to do it and to do it correctly. I think that would be tragic, because if we do not do this it will be much more difficult later on for police to fight crime. Conversely, if we do do it, we will solve crimes. We will save people from becoming victims. Yes, we will save lives. I think that really is what is at stake.

Mr. President, if we do not do this now, it will be more difficult for the police to solve crimes committed by the same individual in different cities—to catch, for example, a criminal who used the same gun to commit crimes in both Washington, DC, and Baltimore, MD. It will be more difficult to keep track of sex offenders and to prevent them from repeating their offenses.

Mr. President, when a felon is fleeing from justice and inadvertently falls into the hands of law enforcers in some other jurisdiction, those arresting officers will not know through fingerprints that that person is wanted, let us say, for kidnapping or a terrorist act—kidnapping a child.

Mr. President, when a brave police officer pulls someone over on a deserted highway in the middle of the night, that police officer will not know the kind of person he is pulling over, will not know that the person he has pulled over is a convicted criminal, maybe a fugitive from justice.

Local police work hard and do a great job. They deserve much better than this. They deserve to have the best technology that we can give them.

To do that they need national help. They need the technological backup that only a fully functioning national—national—system can provide. For local law enforcement to get the maximum benefit from a national system, we have to grow this national system locally.

The unique thing about law enforcement in the United States, a country with a Federal system, not a top-down system, of government, is that you can only have a national system if the local law enforcement people build it up themselves. To attempt to create a national system from the top down is like trying to create a TV network if nobody has a television.

We can have all the Federal technology in the world in Washington, DC, but if a police officer in Tennessee or in Ohio or in Massachusetts cannot pull it up in his or her squad car or at the police station, what in the world use is it?

To make a national system, we really need two things. We need the local people to collect data and put it into the national system. And then we need to make sure the men and women scattered throughout this country, tens of thousands of them, who need this information have the ability to get the data back and to use it and to solve crimes and to convict criminals. Unless we invest in local technology, the local data collection, and retrieval, this just will not happen.

When I was in Cleveland recently, I saw the future of law enforcement. I saw police officers punch a name into a laptop computer, no bigger than this. The computer then gave them a picture of the individual and a lot of other information, including outstanding warrants and a complete criminal record.

We have the technology today to give this ability to every law enforcement officer in the country. For a system like this to work, Mr. President, we need local police all over America to be putting in this information. It is the kind of system we have to grow locally so that it can work nationally. Only the Federal Government can do the national coordination that is necessary for this kind of a system. There is an important and legitimate Federal role in crime technology, and my bill reflects this fact. My bill gives direct assistance to local authorities so that they can contribute their knowledge, their information to a national crime fighting system.

Anyone who visits the laboratories of the FBI, as I have, here in Washington cannot help being impressed by the tremendous capabilities and capacity that they have. Our challenge, though, is to ensure that the hub, the FBI's data base, is both expanded by and is useful to local authorities.

While I was at the FBI headquarters recently, the agents looked me directly in the eye and told me that the awesome technology we have really will not be fully utilized, will not live up to the great potential it has unless the local authorities can collect the information and put it into the system.

They expressed to me quite bluntly a skepticism as to whether or not there are the funds available today in jurisdictions across this country to achieve this type of a national system. They have it here in Washington. The FBI has it. But local law enforcement does not today have the resources.

Talk to the police officers of Lucas County, OH. They will tell you how crucially important access to this technology really is. Let me take one example, something we have heard a lot about in the law the last few months on television—DNA. Let us take DNA in a rape case. The police in Lucas

County have the technology to collect blood and semen in a rape scene. Today, however, the Lucas County police, sheriff's office, Toledo Police Department, if they have no suspect, there is no quick way to match the DNA samples from the crime scene against the DNA samples of past offenders because Lucas County is not on line with an existing national DNA data base that might help them determine who the predator really was. And even if they already have a suspect in Lucas County, proving that the DNA matches that of the suspect is a very slow process. It is slow because of the great backlog that exists today in getting these samples fully analyzed by a competent individual, an expert who later on can come into court and testify.

If we give Lucas County or the Toledo Police Department immediate access to a national DNA data base, they could know pretty swiftly who committed that crime.

The same problem exists in regard to fingerprints. Now, when a suspect is booked, generally, his fingers get rolled in ink onto three or four separate cards which then get headings like name, address, et cetera, which are typed by the county sheriff's department onto the cards. These fingerprints are then mailed—mailed, Mr. President—in 1995, still mailed—to the FBI and into BCI in Ohio, which is our Bureau of Criminal Identification.

The technology, though, Mr. President, already exists for the computerized fingerprinting of suspects. All they have to do now is place their hands onto a computer imager—the technology is available today—and the fingerprints go then directly into a data base, what could be a national data base.

That would be a tremendous improvement. But, you know, the folks in Lucas County tell me that what they and other police officers nationwide really need is a national computer linkup for fingerprints.

I think that is absolutely correct. If you look at the technology they are trying, let us say, in Cleveland Heights, laptop computers in a squad car, and if you look at the incredible technology already available for fingerprinting, for matching bullet fragments and other physical evidence, the conclusion is really inescapable. We need to make technology a truly national priority.

This is something that we in the U.S. Senate can do and, frankly, something that we must do. The time is now. This is our opportunity.

The situation today is almost like a system of stereo components. We have a great receiver; we have a great set of speakers; we even have a world-class selection of CD's. But we have not hooked the system up and we have not plugged it in.

Mr. President, make no mistake: America's police men and women are already the best in the world. If we

give them this equipment, they will solve the crimes; they will get the job done.

The U.S. Senate needs to give these local police officers the tools they really need. The bill that I will introduce in the next several days will accelerate the process of setting up this system of 21st century technology. We really will be going from 19th century technology, which is how many police carry out their functions today, to 21st century technology.

Only if we do this can the State and local authorities make their crime information readily available to the FBI, the national data base, the Federal Bureau of Investigation here in Washington and, frankly, more importantly, vice versa.

My bill makes it possible for States without technology to come on line. And if a State is already on line with the FBI, that State can use the funds to make further improvements to its data collection system.

Let me give you another example. The combined DNA index system, called CODIS, a data base, includes DNA information on criminals convicted of rape, murder, and other violent crimes. Under my legislation, participation in CODIS will be truly national for the first time, and it will be supported by Federal dollars.

In another area that I think is very important, my bill would require convicted sex offenders and other violent criminals to give blood samples as they enter or as they leave prison so that we can develop a truly national sex offender DNA data base.

Mr. President, there exists in this country a class of individuals who I will call, for want of a better term, sexual predators. A predator, as we know, is an animal that preys on other animals, and typically on the weak—sexual predators.

A recent study, Mr. President, found that 28 percent—28 percent—of convicted sex offenders were later convicted of a second sex offense. I will say, Mr. President, based upon my own experience when I was a county prosecutor in Greene County, that that percentage probably is even higher than 28 percent. That is a very high recidivism rate and it shows how serious a problem we are really up against.

And so it makes eminent sense to develop a nationwide system where we can collect systematically the blood, then the DNA, and develop this national DNA data base for sexual predators. If we do this, we will solve crimes; we will prevent crimes; we will prevent tragedies.

I think, Mr. President, we clearly need to do everything in our power to stop these predators. That is why we need to give police access to this national data base.

Mr. President, fingerprints and criminal histories would also be included in this integrated Federal data base.

In addition, my legislation would allocate some of the crime money to fund the FBI's DRUGFIRE program. This is an existing program that, quite frankly, needs to be expanded. We need to help the FBI develop and install computer equipment that would match bullet evidence to information in the FBI's bullet data base.

Today, for example, law enforcement officers in my home county of Greene County, OH, have a filing cabinet full of bullets. These bullets are arranged by caliber—9 mm, .38 slugs, and so on.

Every gun, of course, as we know from watching TV shows, leaves a tell-tale print on a bullet, so police officers in Greene County or any county can take a bullet from the crime scene and compare it to the bullets they have in their bullet file. They take the bullets that look similar and put them under a microscope, quite frankly, in the very distant hope they might get a match.

Tragically, there is absolutely no hope of matching the bullet with bullets from other police departments. That is one reason there are a lot of unsolved gun crimes in this country today.

DRUGFIRE changes this dramatically. DRUGFIRE connects each bullet microscope to a computer, which takes a picture of the bullet and stores an image in its memory. It can then be matched with millions of other bullets from all around the country.

Today, about eight jurisdictions between Baltimore and Washington, DC, are linked up through DRUGFIRE. They have already connected Baltimore crimes to D.C. crimes—the same gun, the same criminals.

Thanks to DRUGFIRE, a search through 10,000 bullets takes about a minute. Without DRUGFIRE, no one knows how long it will take because no one, of course, would even try to do that.

Mr. President, if everyone in local law enforcement were hooked up to each other nationwide, and to the FBI, through DRUGFIRE, they would have a huge new advantage in the fight against criminals with guns. Gun criminals do not respect State borders—very obvious.

Mr. President, a key criterion on which any crime bill should be judged is: Does it do any permanent good? Not just immediately, but does it do permanent good? Does it just spend money, or does it invest in something that has consistent, long-term benefits?

Mr. President, I maintain that the criminal justice records we are talking about—indeed, all the technology we are talking about—are a crucial long-term investment for this country.

We are not really just talking about the next 5 years. We are talking about a cumulative effect, building far out into the future. The efficiency of this system will continue to increase each year. It will have truly a cumulative effect.

We want to do for law enforcement, if I could use this analogy, what the interstate highway system did for U.S. transportation back in the 1950's.

Now, I must admit to my colleagues that this is not a glitzy nor a glamorous issue. The first thing I learned, now almost 20 years ago, as a young assistant county prosecuting attorney, was that law enforcement is very seldom glamorous. It is hard work. What we generally see on TV is not an accurate depiction of police investigations. It is not an accurate depiction of criminal prosecutions.

In fact, Mr. President, what we are seeing or we are hearing about, day after day after day, as the FBI and other law enforcement agencies investigate the horrible tragedy in Oklahoma, what we are seeing unfold is typical law enforcement work, just magnified as they go about their business—their hard, tough, sometimes very boring business—of looking for the lead that will take them to the next lead, the piece of evidence, the shred of evidence that will take them to something else, and on and on until the crime is solved.

Good police work is, if I could use this term, Mr. President, largely grunt work. It can be downright boring hitting the pavement day after day to track down leads. The police in Lucas County, OH, spent a good 8 years trying to track down a grandfather who abducted his granddaughter. They followed his trail from State to State. They finally found him, after 8 years, in California.

Mr. President, a national, easily accessible database would have made that capture probably a lot easier and maybe, just maybe, that little girl would have been reunited with her parents a lot sooner than 8 years after her disappearance.

The Oklahoma City bombing case, as I mentioned a moment ago, demonstrates the real value of a usable national database. A scrap of metal that was blown 2 blocks away from the crime scene by the bomb blast had a vehicle identification number on it. The FBI fed the number into the computerized rapid start system. The vehicle identification number then led the FBI to the rental company in Junction City, and that is where they got the description of the suspect.

Then it took more legwork around Junction City to match a name to the suspect. When the suspect's name was fed into the FBI's national computer database, that is how the FBI found that the terrorism suspect actually had been arrested earlier in Perry, OH, that he was actually in custody.

Mr. President, local law enforcement officers really need access to that kind of technology. The measures I am talking about will help provide them with these tools. This technology may not be glamorous—it is not glamorous—but believe me, it matters, it makes a difference. It will make a huge difference in our national fight against crime.

Every single time a police officer pulls someone over, we need that police officer to know that America is with him or with her, not just our encouragement, not just our moral support, but we need to back up that by giving that police officer all the relevant facts we as a nation have compiled about that person, that individual that the police officer has just pulled over.

Last year, we started down the right path. Last year's crime bill did provide some money for this important work. But now we have to concentrate on helping the local—the local—law enforcement community to participate. That is what this year's crime bill absolutely must do, because, Mr. President, if we do not do this, we will be missing a major component of our crimefighting arsenal.

It is no use to have a gold-plated database system in Washington if local crimefighters cannot, do not contribute to it and if they cannot draw out the information, if they cannot use it. Again, back to the statistic that I started this speech with and that is that well over 90 percent of all criminal prosecution is, in fact, local. And so, you have to judge the system you are establishing not just by what it does for the FBI, although that is important, you have to judge what it does for its component parts, what it does for the tens of thousands of police officers and law enforcement agencies around this country.

Our challenge, Mr. President, is to prepare America's law enforcement for the 21st century, and we are falling behind in this task. We have the technology, we have the ability to prevent many of the crimes that are being committed today. Think of it, that is in and of itself a crime, that we have the technology to give law enforcement the tools they need to solve crime and to, more importantly, catch criminals and put them behind bars and keep them locked up, criminals who, but for that technology, will continue to go on and continue to commit crimes and continue to prey upon our citizens. We need to get that technology to where it is needed the most, and that is the local law enforcement.

The improvements I am proposing in America's crime information system constitute a basic investment in the security of American families well into the next century. It is time to move out of the stone age on law enforcement. That is the principle behind my crime technology proposals.

I look forward to working on this in our Judiciary Committee process and on the floor of this Senate in the next few weeks. I think the work we do on this truly has the potential to make a major difference in the lives of ordinary Americans for decades to come. I am proud to be a part of this effort.

I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.