

Title III of this bipartisan legislation authorizes eight new permanent judgeships as follows: five judgeships in the Southern District of California; two judgeships in the Western District of Texas; and one judgeship in the Western District of North Carolina. Section 312 would also convert two temporary judgeships in Illinois into permanent judgeships, create one new temporary judgeship in the Western District of North Carolina, and extend the temporary judgeship in the Northern District of Ohio for five years.

I strongly support Senator FEINSTEIN'S amendment, as do many of my colleagues on the Judiciary Committee on a bipartisan basis, including Senator DEWINE, Senator DURBIN, Senator EDWARDS, and others. I believe that the need for these new judgeships is acute.

Finally, the bill creates a separate Violence Against Women Office to combat domestic violence. This section of the bill was crafted by Senator BIDEN and Senator SPECTER—another bipartisan partnership in this legislation. There is strong bipartisan support in the House and Senate to create a separate Violence Against Women Office within the Department of Justice.

Senator HATCH and I have also worked together to craft a bipartisan floor amendment which compiles a comprehensive authorization of expired and new Department of Justice grants programs and improvements to criminal law and procedures.

For example, our bipartisan floor amendment authorizes Department of Justice grants to establish 4,000 Boys and Girls Clubs across the country before January 1, 2007. This bipartisan amendment authorizes Department of Justice grants for each of the next 5 years to establish 1,200 additional Boys and Girls Clubs across the Nation. In fact, this will bring the number of Boys and Girls Clubs to 4,000. That means they will serve approximately 6 million young people by January 1, 2007.

In 1997, I was very proud to join with Senator HATCH and others to pass bipartisan legislation to authorize grants by the Department of Justice to fund 2,500 Boys and Girls Clubs across the Nation. We increased the Department of Justice grant funding for the Boys and Girls Clubs from \$20 million in 1998 to \$60 million in 2001. That is one reason why we have now 2,591 Boys and Girls Clubs in all 50 States and 3.3 million children are being served. It is quite a success story.

But the authorization for these Department of Justice grants to Boys and Girls Clubs across the country has expired. This bipartisan legislation will renew and expand these grants.

Parents, educators, law enforcement officers, and others know we need safe havens where young people can learn and grow up free from the influence of the drugs and gangs and crime. That is why the Boys and Girls Clubs are so important to our Nation's children.

Our bipartisan amendment also includes the Drug Abuse Education, Pre-

vention, and Treatment Act of 2001. I am pleased that we have included in this package the version of S. 304 that the Judiciary Committee passed unanimously on November 29. This legislation ushers in a new, bipartisan approach to our efforts to reduce drug abuse in the United States. It was introduced by Senator HATCH and I in February. Senator HATCH held an excellent hearing on the bill in March, the Judiciary Committee has approved it, and the full Senate should follow the committee's lead. This is a bill that is embraced by Democrats and Republicans alike, as well as law enforcement officers and drug treatment providers.

This legislation provides a comprehensive approach to reducing drug abuse in America. I hope that the innovative programs established by this legislation will assist all of our States in their efforts to address the drug problems that most affect our communities.

Our bipartisan amendment also includes provisions to protect witnesses who provide information on criminal activity to law enforcement officials by increasing maximum sentences and other improvements to the criminal code.

And our bipartisan legislation contains amendments, authored by Senator SESSIONS, that modify the Paul Coverdell National Forensic Science Improvement Act of 2000 to enhance participation by local crime labs and to allow for DNA backlog elimination. I was proud to cosponsor the Coverdell grants bill last year and support it to help bring the necessary forensic technology to all states to improve their criminal justice systems.

The 21st Century Department of Justice Appropriations Authorization Act should result in more effective, as well as efficient, Department of Justice for the American people. But it must pass the Senate soon and be reconciled with the House-passed bill in a conference.

I urge my colleagues on the other side of the aisle to lift the secret hold on this bipartisan legislation to support the Department of Justice.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. 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.

I would like to describe a terrible crime that occurred January 14, 1993 in Macon, GA. Elizabeth Davidson, a 25-year-old lesbian, was fatally shot in a bar. The attacker, Deion N. Felton was charged with murder in connection with the crime. An accomplice, Shawn Hightower, 16, pleaded guilty to conspiracy to commit aggravated assault.

Felton and Hightower allegedly were engaged in a plan to rob homosexuals at the time of the killing.

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 of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

GUNS AND TERRORISTS

Mr. LEVIN. Mr. President, I am concerned about the Attorney General's decision to deny law enforcement access to the National Instant Criminal Background Check System database. According to a December 6 story in The New York Times, following the events of September 11, FBI officials checked the NICS database for the names of 186 suspects being detained in connection with the terrorist attacks. The search turned up two matches of detained individuals approved to buy guns.

According to the Attorney General, existing law does not give him the authority to approve law enforcement's review of these records. But despite knowledge of this gap, the Attorney General did not request this authority in the comprehensive USA PATRIOT Act signed into law by the President on October 26. Since September 11, over 500 individuals have been detained, but law enforcement has not been able to audit the NICS database for gun purchases by detained individuals. I believe the Attorney General's actions are at odds with his own priorities. That is why I was pleased to cosponsor the Use NICS in Terrorist Investigations Act introduced by Senators KENNEDY and SCHUMER. This bill would establish a 90-day period for law enforcement to retain NICS data. It would also give the FBI the authority they need to review the NICS database. I urge the Attorney General to endorse this legislation and give law enforcement the comprehensive tools they need.

VETERANS EDUCATION AND BENEFITS EXPANSION ACT OF 2001

Mr. DODD. Mr. President, I rise to comment on important legislation passed by the Senate last evening, H.R. 1291, the Veterans Education and Benefits Expansion Act of 2001. This compromise agreement is the product of negotiations between the House and the Senate to craft an agreement between the Senate- and House-passed bills aimed at improving a wide array of benefits affecting veterans and their families. Included in this legislation is funding for improving educational benefits under the Montgomery GI Bill, enhancing veterans' compensation, and increasing home loan guarantees. This legislation also makes important investments in vocational training, education, and outreach programs to improve economic and educational opportunities for veterans who served our

country. And, this legislation expands the definition of service-connected disability to include symptoms associated with "Gulf War syndrome" thereby enabling those veterans suffering from Gulf War-related symptoms to receive the compensation and care they deserve. Our nation's veterans have served our country with distinction and have sacrificed in the defense of our country. These veterans deserve benefits commensurate to their service to our country. In many ways, this legislation recognizes the sacrifices and commitment of our nation's veterans, and rightfully rewards their service and valor.

I wanted to take some time to talk about a very important aspect of this legislation—Section 502—which is a provision pertaining to providing VA grave markers for deceased veterans. On December 7, 2001, the Senate unanimously passed S. 1088, the Veterans' Benefits Improvement Act of 2001. This legislation included a provision which is based on legislation that I introduced this year and in the 106th Congress. It has the support of every major veterans group and a wide array of organizations including the Veterans of Foreign Wars, the American Legion, Disabled American Veterans, Paralyzed Veterans of America, the Air Force Sergeants Association, and the National Funeral Directors Association. It also has strong bipartisan support and enjoys the support of 21 of my Senate colleagues who cosponsored this legislation. The cosponsors include Senators BINGAMAN, BYRD, CONRAD, CRAIG, DEWINE, DORGAN, FEINGOLD, JOHNSON, KENNEDY, KERRY, KOHL, LEAHY, LEVIN, LIEBERMAN, LINCOLN, MILLER, SANTORUM, SESSIONS, STABENOW, STEVENS, and VOINOVICH.

Section 402 of S. 1088 would authorize the Secretary of Veterans Affairs to furnish a grave marker for the grave of a deceased veteran, irrespective of whether the grave has already been marked privately by the family. Current law—which dates back to the Civil War—does not allow the Department of Veterans Affairs to provide such a marker to already-marked graves. This arcane provision of federal law effectively precludes an estimated 25,000 families each year from appropriately commemorating their loved one's service to our country. Sadly, this number will only increase as our nation's veteran population ages. Indeed, according to the Department of Veterans Affairs, some 1,500 American World War II veterans will pass away each day. With our aging population of veterans and with our nation's armed forces currently in harm's way in the war against terrorism, it is critically important to act promptly to secure this final tribute to suitably recognize the service of past and future veterans.

This archaic law was originally intended to ensure that our fallen soldiers were not buried in unmarked graves. Of course, in today's age rarely, if ever, does a grave go unmarked.

Prior to 1990, the surviving family of a deceased veteran could receive from the VA, after burial or cremation, partial reimbursement for a private headstone, a VA headstone, or a VA grave marker. The choice was solely up to the deceased veteran's family. However, budgetary tightening measures enacted in 1990 eliminated the reimbursement component and prevented the VA from providing an official headstone or grave marker when the family had already done so privately. This change in law precludes veterans' families from receiving an official VA grave marker if the family has already made private funeral arrangements.

Suffice it to say, this provision of law is a major source of frustration for veterans families as they seek to honor their deceased loved one's service to our nation. At the time of a veteran's death, grief stricken family members invariably concern themselves with making necessary funeral arrangements and providing comfort and support to loved ones, not investigating the complexities of VA regulations. Nonetheless, for veterans' families that make private funeral arrangements prior to contacting the VA—such as purchasing a private headstone or marker—these families unwittingly forfeit their right to receive an official marker to honor their loved one's military service. This inequity in current law is unfair to those veterans who have served our country. Indeed, the denial of this benefit to veterans' families is one of the major sources, if not the major source, of complaints lodged with the VA.

One of the countless families negatively effected by this provision of federal law is the Guzzo family of West Hartford, Connecticut. Back in the summer of 1998, I was approached by a young man named Tom Guzzo whose father Agostino Guzzo had recently passed away. While Agostino's service in the Army in the Philippines during World War II entitled him to full military honors from the VA, he was not eligible for an official VA marker because the family had already purchased a private marker.

I became involved in this matter to correct what I believed to be a bureaucratic error, and I wrote to the then-Secretary of Veterans Affairs to resolve this matter. However, when the Secretary informed me that he was unable to furnish a VA grave marker to the Guzzos because of federal law, I introduced legislation to correct this inequity. Last year, the VA headstone and grave markers legislation that I authored unanimously passed the Senate as an amendment to the FY 2001 Department of Defense Authorization bill. However, the House-passed version of the Department of Defense Authorization bill did not include a comparable VA grave marker provision, and regrettably this measure was stripped in conference committee. Last week, once again, the Senate passed a provision based on legislation that I in-

troduced in the Senate that would authorize the Secretary of the VA to furnish grave markers to deceased veterans, regardless of whether the grave is privately marked. And, once again, the House failed to adopt this reasonable provision, and this important measure was the subject of negotiations between the House and Senate to resolve this matter.

The legislation before us today allows grave markers for veterans who pass away after the date of enactment. This is good news for veterans today. However, I continue to be concerned about the more than 5 million veterans who passed away over the past decade and whose families have tried in vain to obtain an official commemoration from the VA. My legislation was retroactive and would have assisted all affected veterans families back to 1990—when the aforementioned change in federal law occurred. As part of the compromise agreement between the Senate, House, and the Administration, this legislation would allow for the Secretary of Veterans Affairs to "implement this provision in a flexible manner in light of requests for grave markers pre-dating this provision." While I am pleased that this compromise will allow for the Secretary of Veterans Affairs to help the Guzzo family and may help other families who have struggled to receive official recognition for their deceased loved one's service through administrative means, this problem should have been addressed by a change in law—not through an ad-hoc, case-by-case, administrative procedure. Nonetheless, while this is not by any means a perfect agreement, it will allow deceased veterans' families to obtain this official grave marker in the future.

I would like to take a moment to thank and recognize the tremendous leadership of Chairman ROCKEFELLER with regard to this issue and to veterans issues in general. Chairman ROCKEFELLER and his talented staff, in particular, were extremely helpful in working with me to ensure that the service of our Nation's veterans are suitably recognized. I would also like to commend Congresswoman NANCY JOHNSON and her efforts to reach a workable compromise with respect to this issue. Finally, I would like to commend and recognize the hard work and vigilance of the Guzzo family, particularly Tom Guzzo, in ensuring that Agostino Guzzo's service to our Nation—and the military service of countless other veterans—can from now on be recognized by the U.S. Government with this final, modest gesture from a grateful Nation.

ABM TREATY WITHDRAWAL

Mr. KERRY. Mr. President, I want to take just a few moments today to place President Bush's announcement that he is withdrawing the United States from the 1972 ABM Treaty into a broader context, to try and redefine a debate