

Second, S. 2742 creates statutory authority for the Court to accept gifts. The scope of this text was narrowed with the Committee on the Judiciary's input and is now limited exclusively to gifts "pertaining to the history of the Court or its Justices." The Court presently may accept gifts based on Comptroller General opinions.

Third, this legislation empowers the U.S. District Court for the District of Columbia, along with the D.C. Superior Court, to adjudicate cases relating to crimes committed in the Supreme Court building and on Court grounds. Under current law, all cases are referred to the D.C. Superior Court. Because some of the crimes committed on Court grounds implicate first amendment rights, the Court and the Department of Justice believe that a Federal court will do a better job of promoting uniform results since it is more experienced in handling constitutional challenges.

Mr. Speaker, the House Committee on the Judiciary, in a bipartisan fashion, worked with the Supreme Court and the other body to ensure that S. 2742 is devoid of controversy.

These changes are important to the operation of the Court. I urge Members to support the bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I might consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me also rise and thank the other body and thank the ranking member and the chairman of the Committee on the Judiciary for legislation that I think is very important. I support the legislation introduced by Senator HATCH and cosponsored by Mr. LEAHY from Vermont.

The goals of this legislation are, namely, to extend to December 29, 2008, the authority of the Marshal of the Supreme Court and the Supreme Court police to protect the Justices and official guests of the Court away from the court building and grounds; add the U.S. District Court to the District of Columbia to venue provisions governing prosecutions relating to the Supreme Court building and grounds, where venue now lies in the Superior Court of the District of Columbia; authorizes the Chief Justice to accept, hold, administer and use gifts of personal property to facilitate the work of the Supreme Court.

As a general matter, I am an advocate of extending the discretion and jurisdiction of the Federal courts. In the midst of this House's consideration and passage of several measures that patently strip the jurisdiction of the courts and the discretion of the judges, it is refreshing that we see a piece of legislation pass that actually works to enhance the Court and its security.

This legislation, S. 2742, is to add protection to the Supreme Court, and

it would renew their authority to provide security for their Justices when they leave the Supreme Court and surrounding area.

On May 1 of this year, Supreme Court Justice David Souter suffered minor injuries when a group of young men assaulted him when he jogged right in this vicinity. Other judges have had some experiences along those lines.

Another provision in this legislation allows the Supreme Court to accept gifts "pertaining to the history of the Supreme Court of the United States or its Justices." The Administrative Office of the Courts currently has statutory authority to accept gifts on behalf of the judiciary. This provision would grant the Supreme Court its own authority to accept gifts that would elevate or enhance its historical presence in this Nation. It would, of course, narrow the type of gift that can be received to historical items. This provision strikes the proper balance of maintaining the very favored place in history that the Supreme Court maintains, and then will improve the Court's overall function and administrative relief or issue and, as well, ensure the ethical considerations be made in order.

Again, prosecution of offenses against the Court now were moved to the district court. I think that is an appropriate way of handling these matters, and I would ask in light of the fact that our Supreme Court, now more than ever, is well-known to the American public, handling any number of controversial issues, I believe that S. 2742 is an appropriate legislative initiative to help us in the administration of justice.

With that, I ask my colleagues to support it.

Mr. Speaker, I rise to support the legislation introduced by the Gentleman from Utah, Mr. HATCH on July 22, 2004 and co-sponsored by Mr. LEAHY from Vermont. The goals of this legislation, namely to:

Extend to December 29, 2008, the authority of the Marshal of the Supreme Court and the Supreme Court Police to protect the Justices and official guests of the court away from the court building and grounds;

Add the U.S. District Court for the District of Columbia to venue provisions governing prosecutions relating to the Supreme Court building and grounds—where venue now lies in the Superior Court of the District of Columbia; and

Authorizes the Chief Justice to accept, hold, administer, and use gifts and bequests of personal property to facilitate the work of the Supreme Court.

As a general matter, I am an advocate of extending the discretion and jurisdiction of the federal courts. In the midst of this House's consideration and passage of several measures that patently strip the jurisdiction of the courts and the discretion of the judges, it is refreshing to see a piece of legislation pass that actually expands the reach of the court.

The Gentlemen co-sponsored S. 2742 at the request of the Supreme Court. This legislation would renew their authority to provide security for their justices when they leave the Supreme Court.

On May 1 of this year, Supreme Court Justice David Souter suffered minor injuries when a group of young men assaulted him as he jogged right in this vicinity. He is not the first justice to be injured in this manner. Justice Stephen Breyer was thrown from his bicycle several years ago and suffered minor injuries. These reports underscore the importance of off-campus security for Justices. If no congressional action is taken, the authority of Supreme Court police to protect its Justices off to court grounds will expire at the end of this year.

Another provision in this legislation allows the Supreme Court to accept gifts "pertaining to the history of the Supreme Court of the United States or its justices." The Administrative Office of the Courts currently has statutory authority to accept gifts on behalf of the judiciary. This provision would grant the Supreme Court its own authority to accept gifts but it would narrow the types of gifts that can be received to historical items. This provision strikes the proper balance and will improve the courts's overall function.

Finally, this legislation also would provide an additional venue for the prosecution of offenses that occur on the Supreme Court grounds. Currently, the DC Superior Court is the only place of proper venue despite the uniquely federal interest at stake. This legislation would allow suit to be brought in United States District Court in the District of Columbia.

Mr. Speaker, I ask that my colleagues join me in supporting this important legislation.

Mr. Speaker, I yield back my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 2742.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

40TH ANNIVERSARY OF SIXTEENTH STREET BAPTIST CHURCH BOMBING

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 389) honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary.

The Clerk read as follows:

H. RES. 389

Whereas the Sixteenth Street Baptist Church of Birmingham, Alabama was constructed in 1911 and served as a center for African-American life in the city and a rallying point for the civil rights movement during the 1960s;

Whereas on Sunday, September 15, 1963, segregationists protesting the mandatory integration of Birmingham's public schools

firebombed the Sixteenth Street Baptist Church;

Whereas the blast killed Addie Mae Collins, age 14, Denise McNair, age 11, Carole Robertson, age 14, and Cynthia Wesley, age 14, all members of the Church, while they were preparing for Sunday service;

Whereas September 15, 1963 has been called the darkest day in the history of Birmingham and one of the darkest days of the entire civil rights movement;

Whereas this act of terrorism raised national and international awareness of the African-American civil rights struggle and galvanized those dedicated to the cause of civil rights;

Whereas Congress passed the Civil Rights Act of 1964 and the Voting Rights Act of 1965 in the wake of the bombing;

Whereas the 4 men suspected of the bombing, Bobby Frank Cherry, Herman Cash, Thomas Blanton, and Robert Chambliss, were not immediately prosecuted because authorities believed it impossible to obtain a conviction in the heated racial climate of the mid-1960s;

Whereas Alabama Attorney General Bill Baxley successfully prosecuted Robert Chambliss 13 years after the bombing;

Whereas after the indictment and conviction of Robert Chambliss the bombing investigation was closed;

Whereas the investigation was reopened in 1995 due to the efforts of Federal Bureau of Investigation Special Agent Rob Langford and local African-American leaders;

Whereas in 2001 and 2002 a joint Federal and State task force, under the supervision of United States Attorney Douglas Jones and Alabama Attorney General William Pryor, successfully prosecuted Thomas Blanton and Bobby Frank Cherry with the assistance of State and local law enforcement personnel; and

Whereas the bombing, the prosecution of the offenders, and the cause of civil rights in general have become national and international concerns: Now, therefore, be it

Resolved, That the House of Representatives, on the occasion of the 40th anniversary of the bombing of the Sixteenth Street Baptist Church of Birmingham, Alabama;

(1) honors the memory of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley;

(2) recognizes the historical significance of the bombing and the enduring impact it has had on the cause of civil rights everywhere;

(3) commends the efforts of the Alabama Attorney General's office for its successful prosecution of Robert Chambliss in 1977, the efforts of the joint Federal and State task force for the successful prosecution of Bobby Frank Cherry and Thomas Blanton in 2001 and 2002, and the efforts of all other law enforcement personnel who worked to bring the persons responsible for the bombing to justice.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 389 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 389, a resolution honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary. This resolution expresses the sense of the House and of all its Members that the bombing brought shame and sadness to the American community.

As we all know, our country has had a difficult history in the struggle to end racial discrimination. Nevertheless, there are some events in our history that are so awful that we must never forget them, even after the racial situation has vastly improved.

We are here today on one of these occasions. On Sunday, September 15, 1963, four little girls, Denise McNair, Cynthia Wesley, Carole Robertson and Addie Mae Collins, went to Sunday School to worship and were senselessly murdered by those who practice hate and bigotry.

In 1977, 14 years after the crime, Robert Edward Chambliss, one of the four suspects, was convicted of murder. In 1994, 31 years after the crime, another of the suspects, Herman Frank Cash, died before he could be prosecuted. In 2001, 39 years after the crime, Thomas Blanton, Jr., was convicted of murder, and in 2002, the last of the suspects, Bobby Frank Cherry, was also convicted of murder.

The law enforcement community deserves to be commended for this 39-year-long investigation that brought justice to the families and friends of Denise, Cynthia, Carole and Addie Mae.

The Sixteenth Street Church bombing did lead to the passage of the 1964 Civil Rights Act. As we remember that tragic bombing, let us also work to meet the goals of the Civil Rights Act so that the deaths of those four girls are not in vain.

I would like to thank the gentleman from Alabama (Mr. DAVIS) and the gentleman from Alabama (Mr. BACHUS) for introducing this resolution. I ask for Members' support in passing it.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I might consume.

First of all, let me rise to give overwhelming support to the gentleman from Alabama (Mr. DAVIS), my friend and distinguished colleague from the 7th Congressional District, and thank him for his leadership in bringing this important resolution to the Committee of the Whole today and to my colleague. Let me also thank his cospon-

sor, the gentleman from Alabama (Mr. BACHUS) for this important legislation.

It is important to note that the gentleman from Alabama's (Mr. DAVIS) leadership was exhibited even in his freshman term. Coming from Birmingham, Alabama, he knew the important crucialness of this particular legislation.

This is, in essence, way before we were calling it such, a hate crime that occurred in Birmingham, Alabama, 40 years ago. In 1963, four young African American girls at the age of no more than 14, their names being Addie Mae Collins, Denise McNair, Carole Robertson and Cynthia Wesley, were bombed senselessly at the Sixteenth Street Baptist Church, and this day is considered the darkest day of history in Birmingham. This happened because there were those who felt the hatred of color was more superior than the respect for human life and human dignity.

This resolution not only pays respect to the young ladies who lost the many years remaining in their lives, but it encourages good law enforcement. It is a testament that there is good law enforcement and that it helps people when it is done thoroughly and with integrity.

The act perpetrated in Birmingham was what we consider a terrorist offense, and the actors were rightly brought to justice some 13 years later. It is important to note that all around the country we look to the depth of the work of law enforcement that occurred after the tragedy of the bombing in Birmingham in that church one Sunday morning as a testament that no act of violence, violation of civil rights or murder of innocent persons should go uninvestigated, no matter how long it takes.

This resolution congratulates all of those who persisted to bring the perpetrators to justice, and it pays tribute to these young girls and their families.

So I ask my colleagues to support this legislation, and I thank the immediate cosponsor, or the author of this legislation, the gentleman from Alabama (Mr. DAVIS), and his cosponsor.

Mr. Speaker, I reserve my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. GOODLATTE) and ask unanimous consent that he be allowed to yield time as he deems fit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Ms. JACKSON-LEE. Mr. Speaker, it gives me great pleasure to yield 7 minutes to the distinguished gentleman from Alabama (Mr. DAVIS), for his leadership and for his vision, allowing us in its 40th year, coming to honor or to acknowledge this historic tragedy in the resolution.

Mr. DAVIS of Alabama. Mr. Speaker, let me thank my good friend from Texas for yielding me time, and let me begin, as is customary, by certainly

thanking the Chair of this committee and the ranking member of the committee, the gentleman from Michigan (Mr. CONYERS).

I am well aware that in these last several days of the session there are a lot of bills competing to make their way onto this floor. There is a lot of potential legislation that could have been offered and put before this body, and I want to certainly thank them for allowing this bill to move forward.

Let me thank my good friend and my colleague, the gentleman from Alabama (Mr. BACHUS), from Alabama's 6th District, for making this commemoration a bipartisan cause.

Finally, let me thank my colleagues from the Senate side, Senator SHELBY and Senator SESSIONS, who have agreed to do everything in their power to move this resolution promptly through the Senate.

□ 1530

Let me begin, Mr. Speaker, by talking for a moment about that day, because it seems so distant and so far away as we stand here in this civilized capitol. It is hard to imagine, as people watch this on the television screens or in the gallery, that we were once a country where four little girls got up one Sunday morning, went to Sunday school wearing their Sunday best and never had a chance to make it home. It is hard to imagine, standing in this civilized place, that we were once a country that was so raw and so full of hate that this kind of crime could happen and that years and years would go by without it being prosecuted.

September 15, 1963, was a very different place. America was a very different land. And it is fitting that we come here today to call attention to these four little girls. Their names, Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, echo across these last decades, and the violence that was inflicted on my city of Birmingham, Alabama, rings across those decades as well.

After I speak today, my good friend and colleague, the gentleman from Georgia (Mr. LEWIS), will stand here, and I am reminded every time I see him of the journey we have made in America in the last 41 years. We have gone from a place where four little girls could not find safety in the sanctuary of a church to the House of Representatives where 40 of us who proudly sit here are African-Americans, and to a U.S. Senate that will soon host another African-American.

We have come a long way from a time where four little girls could not find sanctuary in a church to a place where a native of Birmingham, Alabama, an African-American, is now our National Security Advisor, and another person with Birmingham ties, an African-American, is now our Secretary of State.

But it is still fitting that, as far as we have come, that we take the time to think about the tragedy. And I am

pleased that my colleagues will have an opportunity to pass this resolution that writes this violent act in stone so that all future generations can see it.

Another important part of this resolution is that it honors the law enforcement personnel. The reality is, it took 14 years for the Alabama Attorney General William Baxley to bring the first of the killers to justice. It took 31 years, to 1994, for the Federal Government to reopen its investigation, and it took until the spring of 2001 for the final killer who still lives to be brought to justice.

Without the work of the former United States Attorney Doug Jones and the former Alabama Attorney General William Pryor, this justice would not have been achieved and the indictment and prosecution of these killers would not have occurred. Honoring them is an important part of this resolution.

Let me end with just these two observations. Whenever we think of this kind of sadness in America, we should also still look to the promise in our country. Whenever I hear the eloquence of the gentleman from Georgia (Mr. LEWIS), as this chamber will in a few moments, it ought to remind us of the promise that exists.

It so happens that this September 15, 2004, the gentleman from Georgia (Mr. LEWIS) and I were at this church at a commemorative event. He was there as the keynote Speaker. I was there to introduce him. And during the course of that service something enormously profound happened. We looked up in the balcony, and there was a choir of little black girls from Sixth Avenue Baptist Church in Birmingham, Alabama, and they were standing there singing America the Beautiful, and they were waving American flags as they did it.

I looked over at my colleague and my friend from Georgia, and he had a tear in his eye, as did many people who were in that church. And I have to say to my colleagues today, Mr. Speaker, that to stand in that place, 41 years after four little girls could not even manage to leave there alive, and to see those little black girls singing about the beauty of their country and waving the flag that we so proudly salute, if that does not make you feel proud to be an American, then I do not know what will.

So I conclude today simply by saying that memory is enormously important. Commemoration is enormously important. But the real power of this institution is to take those memories and translate them into contemporary good works; to take the power of those memories and to translate them into an enduring commitment to make this country as just as possible. So in their spirit, I offer this resolution and, in advance, thank this House for passing it.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I

may consume to thank the distinguished gentleman from Alabama and to say to him that I am glad he has reminded this House of the history of Alabama but as well the progeny and the fruits of Alabama that cross America's leadership landscape.

I thank him for paying tribute to these young girls and these families who have long suffered, as well as the law enforcement who did their job.

The gentleman mentioned one of our colleagues, and needless to say, whenever we have the opportunity to introduce the gentleman from Georgia (Mr. LEWIS) in any affiliation with the movement, as we called it, we can say nothing more than to be so grateful that he has graced our presence in this institution by his presence and membership in this body. He speaks the truth, but he has lived it as well.

Mr. Speaker, I am delighted to yield 4 minutes to the distinguished gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague and my friend, the dear gentlewoman from Texas, for yielding me this time. I want to thank my friend and colleague, the gentleman from Alabama, (Mr. DAVIS), for bringing this resolution before us.

Mr. Speaker, 41 years ago last month, domestic terrorists bombed the Sixteenth Street Baptist Church in Birmingham, Alabama, claiming four innocent lives and changing the course of American history. On that Sunday morning, four beautiful young girls, Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley went to church and never came home. Four young lives, so full of promise, cut short by hatred.

Church is usually a safe haven, but it was anything but safe when segregationists who opposed the integration of Birmingham schools, lunch counters, and restaurants targeted the Sixteenth Street Baptist Church on Sunday, September 15, 1963.

As long as I can remember, I will never ever forget that Sunday. It was one of the most painful and one of the darkest hours of the Civil Rights movement. Within 3 hours of the bombing, I made my way to Birmingham. I stood in front of the church and witnessed the devastation, the pain and the hurt. I kept asking myself: What is it, what is it in human beings, what is it in our makeup that would make us so mean, so hateful, and so vicious toward our fellow human beings? What is it, what is it in us that would drive human beings to plant a bomb in a church on Sunday morning knowing that others will be killed?

I recall attending the funerals later that week. There was so much pain, so much sorrow, so much sadness, so much hurt. As horrible and tragic as their deaths were, those four young girls did not die in vain. Their blood has liberated not just the Nation, but a people. Their murders did not stop integration, as the terrorists had planned

it. Instead, their deaths shed new light on the struggle for civil rights and spurred support for the movement.

While we in the Civil Rights movement were profoundly saddened by the loss of four precious flowers from God, we did not despair. Rather, our resolve to continue to fight was solidified. In the words of my friend, my brother, my colleague, and mentor, Dr. Martin Luther King, Jr., their deaths called us to "work passionately and relentlessly for the realization of the American Dream."

In their honor, we persevered. And in their honor, we celebrated the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

So, Mr. Speaker, I think it is fitting that, today, we honor the memory of these four young lives and recognize the importance of this tragedy in the cause of civil rights for all Americans. Like all my colleagues who have spoken before, I ask each of you to join in supporting this long overdue recognition by passing this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, may I ask how much time remains?

The SPEAKER pro tempore (Mr. FOLEY). The gentlewoman from Texas has 6 minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to yield 2 minutes to the distinguished gentleman from Illinois (Mr. DAVIS), and to thank him for his commitment to these issues of civil rights and justice and this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman from Alabama for giving us the opportunity to honor the memories of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley. These four girls were killed over 40 years ago in the firebombing of the Sixteenth Street Baptist Church in Birmingham. I would also like to commend the efforts of the Alabama Attorney General's Office for its role in prosecuting the perpetrators of this evil and cowardly act of terror.

The Sixteenth Street Church, a rallying point for the Civil Rights movement in the 1960s, was firebombed. Let us honor the memory of these girls by ensuring their sacrifice was not in vain. Let us work to bring about Martin Luther King's color-blind America. Let us not forget that although we have come a long way, there is still much further to go.

Since this incident, which occurred in the lifetime of most of my colleagues in the House, our country has changed profoundly. Black parents can thankfully now send their children to church knowing that the chances of them being murdered by segregationists is not that great. Sadly, they cannot send their children to school confident in the belief that they will be educated or safe. Instead, many of them must fear they will fall prey to the drugs and violence that plague our inner city schools and inner city communities. They may fear they will fall

prey to poverty, as 4 million additional families did last year. Or that they, like 45 million Americans, will not have access to health care. I hope that these problems can be addressed as rapidly as earlier problems were during the Civil Rights movement.

So, Mr. Speaker, this day gives us the opportunity to celebrate lives that were lost, but also to ensure and make sure that those lives were not in vain.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume, and let me just say that we hope in this body that tragedies like the bombing in Birmingham would never have to occur again. We thank the gentleman from Alabama (Mr. DAVIS) for honoring us by bringing this to our attention and to the attention again of the Nation.

Just a few years ago, in Texas, something that we now define as a hate crime, occurred in Jasper County. James Byrd, an African-American male, was murdered and, ultimately, his body dismembered. As I close my remarks, I want to insert in the RECORD the words of his daughter, Frances Renee Byrd Mullins, in support of the James Byrd, Jr. Hate Crimes bill passed in Texas and authored by Representative Senfronia Thompson.

□ 1545

I will not read her statement at this time, but I would simply say that this commemorative resolution and statement being made today is not only to pay tribute, as I have already said, to these murdered young girls but to be able to remind us that we must be ever vigilant and diligent in fighting against hatred, hateful acts, murderous acts as we have done today by this statement, continued into the history of the United States, that we never repeat the past.

I ask my colleagues to support H. Res. 389.

Mr. Speaker, I rise to give overwhelming support to my distinguished Colleague from the State of Alabama, its 7th Congressional District, ARTUR DAVIS, and to thank him for his leadership in bringing this important resolution to the Committee of the Whole today.

He will come to the Floor to remind us of the act of terrorism that occurred in Birmingham, Alabama years ago—in 1963. Four young African-American girls, at an age of no more than 14, were murdered in a senseless bombing of the Sixteenth Street Baptist Church, and this day is considered the "darkest day in the history of Birmingham."

This resolution not only pays respect to the young ladies who lost the many years remaining in their full lives, but it encourages good law enforcement. It is the testament that there is good law enforcement and that it helps people when it is done thoroughly and with integrity. The act perpetrated in Birmingham was what we consider a "terrorist offense," and the actor(s) were rightly brought to justice some 13 years later.

In my Congressional District in Houston, I am no stranger to the heinous perpetration of hate crimes and similar terrorist offenses.

On June 7, 1998 in Jasper County—minutes from Houston in Southeast Texas, James Byrd's throat was cut before he was dragged to bits along a lonely country road. I would like to share an excerpt from testimony given by Mr. Byrd's oldest daughter, Francis Renee (Byrd) Mullins in support of the James Byrd Jr. Hate Crimes Bill 87-60 authored by Rep. Senfronia Thompson, D-Houston:

As I come before you today it still sends chills through my body just knowing the reasoning behind my being here. I find it difficult to speak today because moments like these let me know that the fact of the matter is that my father is gone and has been for almost a year. I feel in my heart I am doing the right thing by supporting this bill so that no other family will have to suffer my tragic fate. I do not want to sound rhetorical, but I feel as if I have to tell the story in this way. For a moment, I want you to imagine, if you can, walking home from an anniversary party, when three individuals pick you up, take you to a remote area, beat you repeatedly, then while you are still alive chain you by your ankles to the back of a truck and then proceed to drag you for about two and a half to three miles down a logging road. The point in which you actually die after enduring a tremendous amount of pain and broken bones is when your head and arm are ripped from your body like a piece of paper is torn. Now stop imagining. After coming back from the road my dad was dragged to death on, how can we not want to do the right thing and pass this bill? What if it was your father, mother, sister, brother or even an animal that you love? An animal should not have to undergo what my father went through on the early morning of June 7, 1998.

Mr. Speaker, hate crimes are real, and they affect the lives of real people. This is why I have co-sponsored the Local Law Enforcement Hate Crimes Enforcement Prevention Act 2004.

We must prevent hate crimes from occurring and we must bring justice in a timely fashion. Mr. Speaker, I thank the gentleman from Alabama.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank all the Members who have spoken so eloquently in favor of this resolution and who have helped to remind us of this tragedy of 40 years ago. This devastating event for this church and these families helped bring us together; a wrong put us on the path to doing things right. This is a very worthwhile resolution. I thank everybody who has helped to bring it forward. I thank the chairman of the Committee on the Judiciary; I thank the gentlewoman from Texas and others.

I urge my colleagues to support the resolution.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and agree to the resolution, H. Res. 389.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

INTERNET SPYWARE (I-SPY) PREVENTION ACT OF 2004

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4661) to amend title 18, United States Code, to discourage spyware, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Internet Spyware (I-SPY) Prevention Act of 2004".

SEC. 2. PENALTIES FOR CERTAIN UNAUTHORIZED ACTIVITIES RELATING TO COMPUTERS.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

"§ 1030A. Illicit indirect use of protected computers

"(a) Whoever intentionally accesses a protected computer without authorization, or exceeds authorized access to a protected computer, by causing a computer program or code to be copied onto the protected computer, and intentionally uses that program or code in furtherance of another Federal criminal offense shall be fined under this title or imprisoned not more than 5 years, or both.

"(b) Whoever intentionally accesses a protected computer without authorization, or exceeds authorized access to a protected computer, by causing a computer program or code to be copied onto the protected computer, and by means of that program or code—

"(1) intentionally obtains, or transmits to another, personal information with the intent to defraud or injure a person or cause damage to a protected computer; or

"(2) intentionally impairs the security protection of the protected computer; shall be fined under this title or imprisoned not more than 2 years, or both.

"(c) No person may bring a civil action under the law of any State if such action is premised in whole or in part upon the defendant's violating this section. For the purposes of this subsection, the term 'State' includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States.

"(d) As used in this section—

"(1) the terms 'protected computer' and 'exceeds authorized access' have, respectively, the meanings given those terms in section 1030; and

"(2) the term 'personal information' means—

"(A) a first and last name;

"(B) a home or other physical address, including street name;

"(C) an electronic mail address;

"(D) a telephone number;

"(E) a Social Security number, tax identification number, drivers licence number, passport number, or any other government-issued identification number; or

"(F) a credit card or bank account number or any password or access code associated with a credit card or bank account.

"(e) This section does not prohibit any lawfully authorized investigative, protec-

tive, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States."

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following new item:

"1030A. Illicit indirect use of protected computers."

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

In addition to any other sums otherwise authorized to be appropriated for this purpose, there are authorized to be appropriated for each of fiscal years 2005 through 2008, the sum of \$10,000,000 to the Attorney General for prosecutions needed to discourage the use of spyware and the practice commonly called phishing.

SEC. 4. FINDINGS AND SENSE OF CONGRESS CONCERNING THE ENFORCEMENT OF CERTAIN CYBERCRIMES.

(a) FINDINGS.—Congress makes the following findings:

(1) Software and electronic communications are increasingly being used by criminals to invade individuals' and businesses' computers without authorization.

(2) Two particularly egregious types of such schemes are the use of spyware and phishing scams.

(3) These schemes are often used to obtain personal information, such as bank account and credit card numbers, which can then be used as a means to commit other types of theft.

(4) In addition to the devastating damage that these heinous activities can inflict on individuals and businesses, they also undermine the confidence that citizens have in using the Internet.

(b) SENSE OF CONGRESS.—Because of the serious nature of these offenses, and the Internet's unique importance in the daily lives of citizens and in interstate commerce, it is the sense of Congress that the Department of Justice should use the amendments made by this Act, and all other available tools, vigorously to prosecute those who use spyware to commit crimes and those that conduct phishing scams.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. GOODLATTE).

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4661, the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 4661, the Internet Spyware (I-SPY) Prevention Act. This bipartisan legislation which I introduced with the gentlewoman from California (Ms. LOFGREN) and the gentleman from Texas (Mr. SMITH) will impose tough criminal penalties on the most egregious purveyors of spyware

without imposing a broad regulatory regime on legitimate software providers. I believe that this targeted approach is the best way to combat spyware.

Spyware is a growing and serious problem. The Federal Trade Commission has testified that spyware appears to be a new and rapidly growing practice that poses a risk of serious harm to consumers. Spyware is software that provides a tool for criminals to crack into computers to conduct nefarious activities, such as altering a user's security settings, collecting personal information to steal a user's identity, or to commit other crimes.

The I-SPY Prevention Act would impose criminal penalties on the most egregious behaviors associated with spyware. Specifically, this legislation would impose up to a 5-year prison sentence on anyone who uses software to intentionally break into a computer and uses that software in furtherance of another Federal crime. In addition, it would impose up to a 2-year prison sentence on anyone who uses spyware to intentionally break into a computer and either alter the computer's security settings or obtain personal information with the intent to defraud or injure a person or with the intent to damage a computer. By imposing stiff penalties on these bad actors, this legislation will help deter the use of spyware and will thus help protect consumers from these aggressive attacks.

Enforcement is crucial in combating spyware. The I-SPY Prevention Act authorizes \$10 million for fiscal years 2005 through 2008 to be devoted to prosecutions and expresses the sense of Congress that the Department of Justice vigorously enforce the laws against spyware violations as well as against online phishing scams in which criminals send fake e-mail messages to consumers on behalf of famous companies and request account information that is later used to conduct criminal activities.

In addition, the I-SPY Prevention Act is technology-friendly. It would not interfere with the development of technological solutions to block spyware. Many technologies are currently available to help consumers detect and rid their computers of spyware. As these technologies progress, we must be careful not to impose unnecessary burdens on these innovators who are helping to fight against spyware. Furthermore, by targeting the truly bad actors, this legislation would protect the ability of legitimate software companies to innovate and develop new and exciting products and services in response to consumer demand instead of imposing a one-size-fits-all regulation on the entire industry.

The I-SPY Prevention Act is a targeted approach that protects consumers by imposing stiff penalties on the truly bad actors without imposing excessive red tape and regulations on legitimate technology companies. I