

SELECT COMMITTEE ON INTELLIGENCE

Mr. HATCH. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 7, 2004 at 2:30 p.m. to hold a closed business meeting.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND PROPERTY RIGHTS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on the Constitution, Civil Rights and Property Rights be authorized to meet to conduct a hearing on "Examining U.S. Efforts to Combat Human Trafficking and Slavery" on Wednesday, July 7, 2004, at 2 p.m. in SD226.

Witness List

Panel I: The Honorable Michael T. Shelby, United States Attorney, Southern District of Texas, Houston, TX; The Honorable Johnny K. Sutton, United States Attorney, Western District of Texas, San Antonio, TX; Sister Mary Ellen Dougherty, United States Conference of Catholic Bishops, Washington, DC; Joseph Mettimano, World Vision, Washington, DC; Dr. Mohamed Mattar, Co-Director, The Protection Project, The Paul H. Nitze School of Advanced International Studies, Johns Hopkins University, Washington, DC; Charles Song, Coalition to Abolish Slavery and Trafficking, Los Angeles, CA; Wendy Patten, Human Rights Watch, Washington, DC.

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Amanda Samuelson and Amanda Smith from my staff be granted the privileges of the floor for today's session.

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

Mr. KYL. Mr. President, I ask unanimous consent that Ryan Newburn, an intern with the Senate Subcommittee on Terrorism, be granted the privilege of the floor.

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

Mr. DAYTON. Mr. President, I ask unanimous consent that Jordan Dorfman from my staff be granted the privilege of the floor during debate on S. 2062.

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

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2005

On Thursday, June 24, 2004, the Senate passed H.R. 4613, as follows:

The bill, H.R. 4613 will be printed in a future edition of the CONGRESSIONAL RECORD.

REFERRAL OF NOMINATION

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent

that the nomination of David M. Stone, PN1526, be referred to the Commerce Committee for a period not to exceed 30 calendar days. I further ask unanimous consent that if the nomination is not reported after that period, it be automatically discharged and placed on the calendar.

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

MEASURE READ THE FIRST
TIME—S.J. RES. 40

Mr. FRIST. Mr. President, I understand that S.J. Res. 40 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 40) proposing an amendment to the Constitution of the United States relating to marriage.

Mr. FRIST. Mr. President, I now ask for its second reading, and in order to place the joint resolution on the calendar under provisions of rule XIV, I object to further proceedings on this matter.

The PRESIDING OFFICER. Objection is heard. The joint resolution will receive its second reading on the next legislative day.

LAW ENFORCEMENT OFFICERS
SAFETY ACT OF 2004

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 599, H.R. 218.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 218) to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that the Senate is taking up and passing today the Law Enforcement Officers Safety Act, H.R. 218, which was passed overwhelmingly by the House last month by voice vote. I have waited a long time to see this action taken.

I want to pay special thanks to Congressman RANDY "DUKE" CUNNINGHAM, the author of this bill, and my good friend Senator CAMPBELL, with whom I cosponsored the Senate companion bill, S. 253, for their leadership and fortitude while negotiating this legislation. Without their perseverance and commitment, passage of this bill would not have happened. In fact, Representative CUNNINGHAM has been tirelessly working for over a decade to push this legislation, and I commend him for his dedication to making our communities safer and providing better protection for our law enforcement personnel.

During his time in the Senate, Senator CAMPBELL has been a leader in the area of law enforcement and brings with him invaluable experience. As a former deputy sheriff, he knows the difficulties and dangers law enforcement officers face due to the patchwork of conceal-carry laws in State and local jurisdictions. He and I have worked together on several pieces of law enforcement legislation, such as the Bulletproof Vests Partnership Grant Acts of 1998, 2000 and 2003. It has been a privilege working with him on our bipartisan Law Enforcement Officers Safety Act.

Law enforcement officers are never "off-duty." They are dedicated public servants trained to uphold the law and keep the peace. To enable law enforcement officers nationwide to be prepared to answer a call to duty no matter where, when or in what form it comes, I am proud to join Senator CAMPBELL and 69 other cosponsors, including Judiciary Chairman HATCH, Democratic Leader DASCHLE, Assistant Democratic Leader REID, Majority Leader FRIST and Assistant Majority Leader MCCONNELL, on the Senate version of the Law Enforcement Officers Safety Act, S. 253, which was reported out of the Senate Judiciary Committee in March 2003 by a vote of 18 to 1. Both H.R. 218 and S. 253 will permit off-duty and retired law enforcement officers to carry a firearm and be prepared to assist in dangerous situations.

These bills are strongly supported by the Fraternal Order of Police, FOP, the National Association of Police Organizations, NAPO, the Federal Law Enforcement Officers Association, FLEOA, the International Brotherhood of Police Officers, IBPO, the Law Enforcement Alliance of America, and the National Law Enforcement Council.

I was honored to work closely on this measure with the former FOP national president, Lieutenant Steve Young, whose death last year was a sad loss for us all. Steve was dedicated to this legislation because he understood the importance of having law enforcement officers across the Nation armed and prepared whenever and wherever threats to our public safety arise. I have continued my close work with the FOP and current national president, Major Chuck Canterbury, to make this legislation law.

Community policing and the outstanding work of so many law enforcement officers play a vital role in our crime control efforts. Unfortunately, during the past few years the downward trend in violent crime—specifically murder—ended and violent crime rates have turned upward. The FBI has reported that while preliminary numbers show that violent crime overall declined slightly in the first half of 2003, murders increased by 1.3 percent compared with the year before.

There are more than 740,000 sworn law enforcement officers currently serving in the United States. Since the

first recorded police death in 1792, there have been more than 17,200 law enforcement officers killed in the line of duty. Over 1,700 law enforcement officers died in the line of duty over the last decade, an average of 170 deaths per year. Roughly 5 percent of officers who die are killed while taking law enforcement action in an off-duty capacity. On average, more than 62,000 law enforcement officers are assaulted annually.

The Law Enforcement Officers Safety Act creates a mechanism by which qualified active-duty law enforcement officers would be permitted to travel interstate with a firearm, subject to certain limitations, provided that officers are carrying their official badges and photographic identification. An active-duty officer may carry a concealed firearm under this measure if he or she is authorized to engage in or supervise any violation of law; is authorized to use a firearm by the agency, meets agency standards to regularly use a firearm; and is not prohibited from carrying by Federal, State or local law. This measure would not interfere with any officer's right to carry a concealed firearm on private or government property while on duty or on official business.

Off-duty and retired officers should also be permitted to carry their firearms across State and other jurisdictional lines, at no cost to taxpayers, in order to better serve and protect our communities. H.R. 218 would permit qualified law enforcement officers and qualified retired law enforcement officers across the nation to carry concealed firearms in most situations. It preserves any State law that restricts concealed firearms on private property and any State law that restricts the possession of a firearm on State or local government property.

To qualify for the measure's exemptions to permit a qualified off-duty law enforcement officer to carry a concealed firearm, notwithstanding the law of the State or political subdivision of the State, he or she must have authority to use a firearm by the law enforcement agency where he or she works; not be subject to any disciplinary action; satisfy every standard of the agency to regularly use a firearm; not be prohibited by Federal law from receiving a firearm; and carry a photo identification issued by the agency. The bill preserves any State law that restricts concealed firearms on private property, and any State law that restricts the possession of a firearm on State or local government property or park.

For a retired law enforcement officer to qualify for exemption from State

laws that prohibit the carrying of concealed firearms, he or she must have retired in good standing; have been qualified by the agency to carry or use a firearm; have been employed at least fifteen years as a law enforcement officer unless forced to retire due to a service-connected disability; have a non-forfeitable right to retirement plan benefits of the law enforcement agency; meet the same State firearms training and qualifications as an active officer; not be prohibited by Federal law from receiving a firearm; and be carrying a photo identification issued by the agency. Preserved would be any State law that permits restrictions of concealed firearms on private property, as well as any State law that restricts the possession of a firearm on State or local government property or park.

Last month, during the House Judiciary Committee markup of H.R. 218, amendments were accepted to bar officers or retired police from carrying arms in other jurisdictions if they are under the influence of alcohol or other intoxicating or hallucinatory drug or substance, and to require retired police to have proof they received arms training in the previous year before being permitted to carry concealed weapons. The bill was then reported out of Committee by a vote of 23 to 9 and passed overwhelmingly by the House.

Convicted criminals often have long and exacting memories. A law enforcement officer is a target in uniform and out, active or retired, on duty or off duty. The bipartisan Law Enforcement Officers Safety Act is designed to establish national measures of uniformity and consistency to permit trained and certified on duty, off duty or retired law enforcement officers to carry concealed firearms in most situations so that they may respond immediately to crimes across State and other jurisdictional lines, as well as to protect themselves and their families from vindictive criminals.

I urge the Senate to take up and pass the bipartisan, commonsense Law Enforcement Officers Safety Act, H.R. 218, as amended and passed by the House, to make our communities safer and better to protect law enforcement officers and their families.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

The bill (H. R. 218) was read the third time and passed.

ORDERS FOR THURSDAY, JULY 8, 2004

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, July 8. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for morning business for 60 minutes, with the first 30 minutes under the control of the majority leader or his designee and the final 30 minutes under the control of the Democratic leader or his designee; provided that following morning business, the Senate resume consideration of S. 2062, the class action bill.

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

The Senator from Nevada.

Mr. REID. If the distinguished leader would allow me to say a few words, and it will be a few words, as I said earlier today the role of the majority leader is extremely difficult. While I disagree with the action taken of filing the motion for cloture, I understand that. But after having said that, there have been many speeches given today. We have heard enough on this issue and we should move forward.

PROGRAM

Mr. FRIST. Mr. President, tomorrow, following morning business, the Senate will resume consideration of the class action bill. Again, I reiterate my hope that we will make progress on the class action bill on Thursday. We are open for business. We are open for relevant amendments. We ask that those amendments come forward. If they come forward, we can debate them, we can vote on them, and we can complete the bill. We are prepared to consider the amendments and dispose of them. I encourage Members to come forward. Senators, therefore, should expect the possibility of rollcall votes tomorrow.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:17 p.m., adjourned until Thursday, July 8, 2004, at 10 a.m.