

Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

In Baltimore, MD, in 1999, a group of six people went on a crime spree that included over a dozen armed robberies and four car-jackings. While most of the victims were threatened at gunpoint and otherwise not injured, one man was hit in the head with a baseball bat and Tacy Ranta, a prominent transgender activist, was fatally shot in the chest. When one of the assailants asked the shooter why he had shot "that lady," the shooter replied "that was no lady—that was a faggot." Some transgender activists believe that since Ranta was the only one killed, the murder was a hate crime based on her status as a transsexual.

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

#### 10TH ANNIVERSARY OF THE VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994

Mr. BIDEN. Mr. President, today marks the 10-year anniversary of the Violent Crime Control and Law Enforcement Act of 1994. The bill, which was the product of bi-partisan compromise, took a balanced position to criminal justice policy, strengthening many Federal penalties, providing funding to build prisons and promoting truth-in-sentencing. Most importantly, the act made important investments in programs designed to prevent crime in the first place, including putting 100,000 community policing officers on the street and reducing violence against women and children.

To ensure this bill's passage, I worked harder than I ever had in the U.S. Senate. Prior to the final vote, in August of 1994, I stated that "I will vote for this bill, because, as much as anything I have ever voted on in 22 years in the U.S. Senate, I truly believe that passage of this legislation will make a difference in the lives of the American people. I believe with every fiber in my being that if this bill passes, fewer people will be murdered, fewer people will be victims, fewer women will be senselessly beaten, fewer people will continue on the drug path, and fewer children will become criminals."

Fortunately, this turned out to be right. With the passage of the Biden crime bill we were able to form a partnership amongst Federal, State, and local law enforcement and create programs that helped drive down crime rates for 8 consecutive years. In 1994 we had historically high rates of violent crimes, such as murders, forcible rapes,

and aggravated assaults. We were able to reduce these to the lowest levels in a generation. We reduced the murder rate by 37.8 percent; we reduced forcible rapes by 19.1 percent; and we reduced aggravated assaults by 25.5 percent. Property crimes, including auto thefts, also were reduced from historical highs to the lowest levels in decades.

How were we able to achieve such great results? Well, we all know it was a combination of factors, but most law enforcement officials credit the Office of Community Oriented Policing with a pivotal role. Indeed, in the words of Attorney General Ashcroft, the Community Oriented Policing program has been "a miraculous success." COPS has funded over 118,000 local officers to patrol our neighborhoods and towns and help drive down crime rates. Because of COPS, the concept of community policing has spread to cities and towns across the country.

A testament to the success of the program is the fact that it has been endorsed by every major law enforcement group in the country, including the International Association of Chiefs of Police (IACP), the National Association of Police Organizations, the National Sheriff's Association, the International Brotherhood of Police Organizations, the National Organization of Black Law Enforcement Officials, the International Union of Police Associations, the Fraternal Order of Police, and others.

Completely disregarding the overwhelming success of COPS, the Bush administration and Republican leadership have set their sights on eliminating this program. President Bush has proposed cuts each year he has been in office, and while we have fought to maintain funding for COPS, we are fighting an uphill battle. Funding for 5 State and local law enforcement programs run out of the Department of Justice is down 75.6 percent since fiscal year 2002. To me, this approach is inexplicable, particularly because the need for Federal assistance remains pressing.

Recent articles from USA Today and the New York Times highlighted the fact that many cities are being forced to eliminate officers because of their woeful local budgets. In fact, New York City has lost 3,000 officers in the last few years. Other cities, such as Cleveland, OH, Milwaukee, MN, and Houston, TX, are facing similar shortages. As a result, local police chiefs are reluctantly pulling officers from the proactive policing activities that were so successful in the nineties. This has not been a choice taken lightly. Police chiefs understand the value of proactive policing; however, they simply don't have the manpower to do it all. Basically, we have been asking them to do more with less, and responding to emergency calls must take precedence over proactive programs. However, I fear that we are starting to see the results. Local chiefs are report-

ing increased gang activity. Murder rates and auto thefts—two very accurate indicators of crime trends—have gone up for 3 consecutive years.

The Bush administration's response to these criticisms is that funding for first responders is way up. Undoubtedly, these are critical, necessary expenditures, and I believe that the administration has not invested enough for our first responders. However, this argument misses the point entirely. We have an obligation to do both. We must fund our first responders and invest in the programs that help reduce traditional crime and prevent terrorism. As the President has stated on many occasions, it is the solemn duty of the Federal Government to keep Americans safe. We simply can't achieve this goal without investing in our State and local law enforcement partners. The COPS office has been a critical lynchpin in the Federal, State, and local partnership that has been effective since the passage of the 1994 Biden crime bill, and I hope that the Bush administration and this Congress will reverse its current course and provide critical funding for this program.

Another component of the 1994 Biden crime bill was the Violence Against Women Act. With the passage of the Violence Against Women Act we started talking about that dirty little secret that no one wanted to say out loud, and as a result women and children have become safer. Instead of suffering alone, a rape victim or battered wife can now turn to a trained police officer, an emergency room nurse, or a 1-800 telephone operator. We've transformed so-called "family matters" into public crimes that hold the offender accountable and provide the victim with meaningful services.

Since fiscal year 1995, nearly \$3.8 billion has been appropriated for the programs created by the Violence Against Women Act. In Delaware alone, the Office on Violence Against Women has overseen 21 grant awards totaling \$9.5 million. These investments have paid off. Domestic violence has dropped nearly 50 percent. Incidents of rape are down by 60 percent. The number of women killed by an abusive husband or boyfriend is down 22 percent. Today, more than half of all rape victims are stepping forward to report the crime, and over a million women have found justice in our courtrooms and obtained domestic violence protection orders.

Of course, we need to do more. As more and more brave women step forward to report a rape or seek a restraining order, more demands are placed on women's shelters, State prosecutors, victim advocates, and other resources. As we encourage victim reporting and swift responses by our criminal justice system, we must continue to create and support services for families in distress. We cannot let the Violence Against Women Act become a victim of its own success.

To ensure that VAWA is passed on to the next generation, we have begun

working on the next version of the act. This is a collaborative effort. We are listening closely to those on the front lines—police, trial judges, emergency room nurses and many others—and making targeted improvements to existing grant programs and tightening up criminal laws. We are learning about the new challenges and the persistent problems of old. Frankly, there are still far too many women and their children vulnerable to cowardly abusers. As such, the new act may include heightened penalties for repeat Federal domestic violence offenders, and update the Federal stalking statute to incorporate new technologies that can terrorize women.

This past spring, I was in my home State at an event honoring the winners of our high school poster contest. To enter this first-ever "Teens Against Sexual Assault" contest, any Delaware high school student could submit a poster that somehow visually depicted the message "no means no." The two young winners were quite shy, but they both joined me at the podium in front of 200 people. They stunned the audience, admitting that they both had been victims of rape and hoped that through their efforts they could help other young women find the courage to report their attacker and seek help. As I listened to these courageous young women, I was reminded of the essential purpose of the Violence Against Women Act. We simply can't stop now.

Prior to the enactment of the 1994 crime bill, many doubted that the Federal Government could have a measurable impact on crime in the United States. Programs such as COPS and VAWA proved the critics wrong. COPS and VAWA have made Americans safer and changed fundamental societal attitudes about domestic violence and sexual assault.

In this new age of terrorism, we simply cannot lose site of traditional crimes in our neighborhoods and homes. While the threat of terrorism is very real, the likelihood of becoming a victim of a "traditional" crime is exponentially far greater than becoming a victim of a terrorist attack. Last year, there were over one million incidents of violent crime and over 16,000 murders reported to the police. If we are going to continue to progress and make this country safer, we must continue to invest in the programs that have proven successful, and during the last few weeks of this legislative session, I hope Congress and President Bush will do just that.

#### HONORING OUR ARMED FORCES

SPECIALIST DUSTIN S. COLBY

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to SP Dustin S. Colby, a fellow Iowan from the Mason City/Clear Lake area. The Iowa National Guard regrettably announced the death of Specialist Colby when he was killed on August 27, 2004, along with fellow soldier SSG Bruce J. Pollema,

when their military motor vehicle rolled over into a ditch near Camp Dodge. Specialist Dustin Colby was a member of the 2168th Transportation Company based in Sheldon, IA. SP Colby is survived by his mother, Misty L. Thoe, and his father, Jerry L. Colby, as well as numerous siblings. This brave young soldier was only 20 years old.

The family of Dustin Colby issued the following statement in response to the news of their son's death:

Dustin was a dedicated son, grandson, brother, cousin, nephew, boyfriend, friend and Soldier. He loved life, his family, and being a soldier.

My deepest sympathy goes out to his family and friends. Specialist Colby brought happiness to many people, and his memory will never die because of the impact he had on the people he knew. It is fitting that we pay tribute to his life and his service to his country.

SGT. JAMES DANIEL FAULKNER

Mr. BAYH. Mr. President, with a heavy heart and deep sense of gratitude I honor the life of a brave young man who grew up in Clarksville, IN. Sgt. James Daniel Faulkner, 23 years old, died on September 8 when the armored personnel carrier he was driving at the head of a convoy was struck by enemy fire in Baghdad. With his entire life before him, James chose to risk everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

James graduated from Clarksville High School in 1999. He attended Indiana University Southeast for 1 year before deciding that he wanted to seek different opportunities. Shortly thereafter James, along with a longtime friend from high school, joined the Army in November of 2000. James was a combat engineer who served his country with pride. He was assigned to the 1st Cavalry's 20th Engineer Battalion, based in Fort Hood, TX. Just a few weeks ago, James visited with his family for the last time while on leave before returning to Iraq to fulfill his tour of duty, which started in March of this year.

James was the 34th Hoosier soldier to be killed while serving his country in Operation Iraqi Freedom. This brave young soldier leaves behind his fiancée, Lisa Moreno, whom he was set to marry in July; his mother, Pam Gilkey; his father, James Faulkner; his stepfather; his three sisters; and his two brothers.

Today, I join James' family, his friends and all Americans in mourning his death. While we struggle to bear our sorrow over this tremendous loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of James, a memory that will burn brightly during these continuing days of conflict and grief.

According to Clarksville High School's director of counseling Pat

Hunt, James had enjoyed athletics and was a strong student. James starred on the track and cross-country teams and was a member of the National Honor Society. He was known by all for his dedicated spirit and his love of country. His mother, Pam, recounted a conversation she had with her son to the Louisville Courier-Journal, remembering when she questioned her son's reasons for his recent re-enlistment. She said James replied by simply saying he was "proud to serve his country."

As I search for words to do justice in honoring James' sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of James' actions will live on far longer than any record of these words.

It is my sad duty to enter the name of James Daniel Faulkner in the official record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like James' can find comfort in the words of the prophet Isaiah who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with James.

#### OUT OF TIME

Mr. LEVIN. Mr. President, in a matter of hours, the assault weapons ban will expire. That moment will mark a turning point—to the wrong direction—in our effort to reduce gun violence. Criminals, and potentially terrorists, will once again have easy access to 19 of the highest powered and most lethal firearms produced. I am disappointed that, despite broad bipartisan support for the ban, the Republican congressional leadership opposes it and President Bush has done little or nothing to support this important legislation.

At midnight tonight, 19 currently banned assault weapons will become legal once again, as well as firearms that can accept detachable magazines and have more than one of several specific military features, such as a folding/telescoping stock, protruding pistol grip, bayonet mount, threaded muzzle or flash suppressor, barrel shroud or grenade launcher. Common sense tells us that there is no reason for civilians