

too often children who live in these areas are caught in a tragic web of gang violence simply because they can envision no other alternative.

It is in these circumstances, where a 15-year-old child sees life in a gang as not just their best option, but often their only option—that gang membership thrives. It is in these circumstances, where children do not anticipate living to celebrate their 30th birthday—that gangs flourish. Not only does this environment destroy the life of the individual recruited—it also serves to strengthen the gang, further reinforcing a vicious cycle.

Thus, any effort undertaken to combat gang violence must address the environment that transforms promising, young adolescents into ruthless tools of a criminal enterprise. While we will probably never be able to completely eliminate all acts of violence from our society, there is much we can do to instill in our children the skills they need to pursue a law abiding life. To this end, my legislation would authorize funds for afterschool and community-based programs designed to economically empower young people. Disadvantaged students will be given the opportunity to realize their potential, through tutoring, mentoring, and job training programs as well as college preparation classes and tuition assistance. Additionally, millions of dollars would be authorized to enhance and expand anti-gang and anti-violence programs in elementary and secondary schools, ensuring that students can focus solely on learning, without having to be concerned for their personal safety. By providing “at-risk” youth with the resources and opportunities necessary to succeed in life, they will be far less susceptible to the pressures to join a criminal gang.

This bill would also attack one of the roots of gang violence—gang recruiters, who seek out young, economically disadvantaged, at-risk youth and pressure them to join. Currently, there is no Federal law specifically forbidding gang recruitment. This legislation would change that—making it illegal for a gang member to solicit or recruit others into a gang—and would incarcerate an offender for up to 10 years if the person being recruited was 18 or older, or up to 20 years if the individual was under the age of 18. This provision would effectively target the kingpins of gangs, who cowardly order younger members to do their violent bidding, callously sacrificing their lives like pawns on a chessboard.

For those who have made wrong choices in life, but are still capable of rehabilitation, this bill would expand adult and juvenile offender reentry demonstration projects to help with post-release and transitional housing, while promoting programs that hire former prisoners, and establish reentry planning procedures within communities. To be eligible for early release, prisoners with drug addictions would be required to participate in treatment

programs both while they are imprisoned as well as during their transition period back into society. All offenders would be encouraged to participate in educational initiatives such as job training, GED preparation, and a myriad of other programs designed to provide offenders with the skills necessary to become legally employed when they are released from prison. By providing such individuals with an alternative choice to a life of crime, lives can be transformed and recidivism rates amongst ex-convicts will be reduced.

In addition to programs focused on gang violence prevention, we must provide law enforcement officials at every level of government with all of the tools and resources necessary for them to safely and effectively protect and serve their communities. All too often these heroic officers are caught in the crossfire of gang violence, and all too often they make the ultimate sacrifice so that others may live.

One tragic example involves the late Detective Kiernan Shields from East Orange, New Jersey. Detective Shields was a rising star in the East Orange Police Department, living his lifelong dream of serving his community as an officer of the peace. He was a devoted, loving husband and proud father of three children, who was remembered by his peers and colleagues not just as a multi-talented person with a great sense of humor, but as the epitome of a role model in an area that desperately needed one. Unfortunately, New Jersey lost one of its bravest and finest sons on the evening of August 7, 2006, when Detective Shields was ruthlessly shot-gunned to death by a reputed member of the Bloods gang, as he valiantly ran toward the sound of echoing gunfire—Ran toward the gunfire.

This single act of heroism is consistent with the way police officers across this Nation live their daily lives. These are the people who are fighting day in and day out to keep our communities safe. The best way to honor the victims of gang violence and those who are still fighting it is to fully commit ourselves to eradicating this cancer.

To assist our frontline warriors in their daily struggle against gang violence, my proposal would provide law enforcement officials on every level of government with the resources and information they need to accurately track and effectively neutralize criminal gangs. Specifically, this legislation would establish a program similar to the current Community Oriented Policing Services (COPS) program to augment the number of police officers combating gangs in our local communities, and would authorize \$700 million annually for it. Additional funds would be used to provide more forensic examiners to investigate, and more attorneys to prosecute, gang crimes. These measures would show that we pay homage not just with our words, but more importantly, with our actions, as we recognize the heroic deeds performed

by law enforcement officials every single day.

As is true with almost all problems, a better understanding of how gangs operate translates into a better understanding of how best to counter them. That is why this bill would authorize additional funding for the National Youth Gang Survey to increase the number of law enforcement agencies whose data is collected and included in the annual survey and provide money to upgrade technology to better identify gang members and include them in the National Gang Database. Additionally, this legislation would expand the Uniform Crime Reports (UCRs) to include local gang and other crime statistics from the municipal level, while also requiring the Attorney General to distinguish those crimes committed by juveniles. The bill also requires consolidation and standardization of criminal databases, enabling law enforcement all across the country to better share information.

For those who still choose a life of crime, this proposal would increase the penalties for crimes committed in the furtherance of a gang. Gangs are dependent on committing crimes such as witness intimidation, illegal firearm possession, and drug trafficking—implementing these violent instruments to augment their power. Subsequently, when these crimes are committed in the furtherance of gang activity, they can be more detrimental to society than if they were committed in isolation. Thus, these tougher sentencing requirements for crimes committed in the furtherance of a gang are not only appropriate, but necessary to deter gang violence and shield society from its most dangerous and unremorseful criminals.

Taken together, the provisions of this bill develop a comprehensive approach to gang violence by focusing on prevention, deterrence, and enforcement. Failure to address all of these gang violence catalysts in their entirety would leave us with an incomplete approach that would do little to quell the scourge of gang violence. Therefore, I urge my colleagues to support the Fighting Gangs and Empowering Youth Act, and by doing so, give law enforcement and our communities the means to thoroughly and comprehensively counter the growing specter of gang violence that afflicts our great Nation.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 123—REFORMING THE CONGRESSIONAL EARMARK PROCESS

Mr. DEMINT submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 123

*Resolved,*

##### SECTION 1. CONGRESSIONAL EARMARK REFORM.

The Standing Rules of the Senate are amended by adding at the end the following:

## "RULE XLIV

## "EARMARKS

"1. It shall not be in order to consider—

"(a) a bill or joint resolution reported by a committee unless the report includes a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the bill or joint resolution, of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

"(b) a bill or joint resolution not reported by a committee unless the chairman of each committee of jurisdiction has caused a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the bill or joint resolution, of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill (and the name of any Member who submitted a request to the committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits to be printed in the Congressional Record prior to its consideration; or

"(c) a conference report to accompany a bill or joint resolution unless the joint explanatory statement prepared by the managers on the part of the House and the managers on the part of the Senate includes a list, which shall be made available on the Internet in a searchable format to the general public for at least 48 hours before consideration of the conference report, of congressional earmarks, limited tax benefits, and limited tariff benefits in the conference report or joint statement (and the name of any Member, Delegate, Resident Commissioner, or Senator who submitted a request to the House or Senate committees of jurisdiction for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits.

"2. For the purpose of this rule—

"(a) the term 'congressional earmark' means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process;

"(b) the term 'limited tax benefit' means—

"(1) any revenue provision that—

"(A) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

"(B) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

"(2) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986; and

"(c) the term 'limited tariff benefit' means a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

"3. A Member may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner.

"4. (a) A Member who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chairman and ranking member of the committee of jurisdiction, including—

"(1) the name of the Member;

"(2) in the case of a congressional earmark, the name and address of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity;

"(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member;

"(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

"(5) a certification that the Member or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.

"(b) Each committee shall maintain the written statements transmitted under subparagraph (a). The written statements transmitted under subparagraph (a) for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chairman of the committee or any subcommittee thereof shall be published in a searchable format on the committee's or subcommittee's website not later than 48 hours after receipt on such information.

"5. It shall not be in order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless the bill, resolution, or conference report includes to the greatest extent practicable, consistent with the need to protect national security (including intelligence sources and methods), in unclassified language, a general program description, funding level, and the name of the sponsor of that earmark."

# SENATE RESOLUTION 124—CONGRATULATING THE EUROPEAN UNION ON THE 50TH ANNIVERSARY OF THE SIGNING OF THE TREATY OF ROME CREATING THE EUROPEAN ECONOMIC COMMUNITY AMONG 6 EUROPEAN COUNTRIES AND LAYING THE FOUNDATIONS FOR PEACE, STABILITY, AND PROSPERITY IN EUROPE

Mr. BIDEN submitted the following resolution; which was considered and agreed to:

S. RES. 124

Whereas after a half century of war and upheaval, and in the face of economic and political crises and the threat of communism, European visionaries began a process to bring the countries of Europe into closer economic and political cooperation to help secure peace and prosperity for the peoples of Europe;

Whereas, on March 25, 1957, 6 European countries—the Federal Republic of Germany, France, Italy, Belgium, the Netherlands, and Luxembourg—signed the Treaty of Rome, creating the European Economic Community;

Whereas the Treaty of Rome established a customs union between the signatory countries, but also did much more, creating a framework that has broadened and deepened over time into the European Union, promoting the free movement of people, services, and capital, and common policies among the countries in important areas, and that has helped secure the spread of peace and stability in Europe;

Whereas the European Economic Community expanded to bring more European countries into closer union, with the United Kingdom, Denmark, and Ireland joining in 1973, Greece joining in 1981, and Spain and Portugal joining in 1986;

Whereas the member countries of the European Economic Community agreed to the Single European Act in 1987, paving the way for a single European market, and on February 7, 1992, the member countries of the European Community signed the Treaty of Maastricht, furthering the economic and political ties among the member countries and creating the European Union;

Whereas the European Union has continued to grow so that the European Union now comprises 27 countries with a population of over 450,000,000, after the successful unification of Germany in 1990 and the joining of Austria, Finland, and Sweden in 1995, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia in 2004, and Bulgaria and Romania in 2007, and the European Union continues to consider expanding to include other countries central to the history and future of Europe;

Whereas the European Union has developed a broad *acquis communautaire* covering policies in the economic, security, diplomatic, and political areas, has established a single market, has built an economic and monetary union, including the Euro currency, and has built an area of freedom, security, peace, and justice, extending stability to its neighbors;

Whereas the European Union played a key role at the end of the Cold War in helping to spread free markets, democratic institutions and values, and respect for human rights to the former central European communist states;

Whereas the United States and the European Union have shared a unique partnership based on a common heritage, shared values, and mutual interests, and have worked together to strengthen international cooperation and institutions, to create a more open international trading system, to ensure transatlantic and global security, to preserve and promote peace, freedom, and democracy, and to advance human rights; and

Whereas the United States has supported the European integration process and has consistently supported the objective of European unity and the enlargement of the European Union to promote prosperity, peace, and democracy: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the European Union and the member countries of the European Union on the 50th anniversary of the historic signing of the Treaty of Rome;

(2) commends the European Union for the critical role it and its predecessor organizations have played in spreading peace, stability, and prosperity throughout Europe; and

(3) affirms the desire of the United States to strengthen the transatlantic partnership with the European Union and with all of its member countries.