

emergency vacancies and were perpetuated as emergency vacancies by the Republican majority's refusal to act on President Clinton's nomination over the last 6 years. Indeed, the Republican Senate over the last several years refused to take action on no fewer than a dozen nominees to what are now emergency vacancies on the Courts of Appeals. I remind my colleagues of their failure to grant a hearing or Committee or Senate consideration to the following: Robert Cindrich to the Third Circuit; Judge James A. Beaty, Jr. and Judge James A. Wynn, Jr. to the Fourth Circuit; Jorge Rangel, Enrique Moreno and H. Alston Johnson to the Fifth Circuit; Judge Helene White, Kathleen McCree-Lewis and Kent Marcus to the Sixth Circuit; Bonnie Campbell to the Eighth Circuit; James Duffy and Barry Goode to the Ninth Circuit. Those were 12 Court of Appeals nominees to 10 vacancies who could have gone a long way toward reducing the level of judicial emergencies around the country.

So when others talk about the progress we are finally making in Senate consideration of judicial nominations, I hope that in the future they will recognize our accomplishments, understand our circumstances, and consider our record in historical context. I have yet to hear our Republican critics acknowledge any shortcomings among the practices they employed over the last 6 years. When they have done that and we have established a common basis of understanding and comparison, we will have taken a significant step forward. As it is, I must sadly observe that partisan carping is not constructive. It seems part of an unfortunate pattern of actions this week that are a conscious effort to increase the partisan rhetoric. I would rather we work together to get as much accomplished as we possibly can.

QUESTIONS FOR PARENTS

Mr. LEVIN. Madam President, according to a study by the Brady Center to Prevent Gun Violence, in 1998, there was a gun in more than four out of every ten households with children and a loaded gun in one in every ten households with kids. These numbers are frightening. While most parents think to ask where their kids are going, who they are going with and when they will be home, how many think to ask the parents of their children's friends whether they keep a gun in their home and whether they keep it locked?

Unfortunately, the Brady Center's study reports that more than 60 percent of parents have never even thought about asking other parents about gun accessibility. If we want to protect our children from gun violence, these are questions we probably need to start asking. After all, while in 1 year firearms killed no children in Japan, 19 in Great Britain and 153 in Canada, guns killed 5,285 children in the United States. Asking another par-

ent whether they keep a gun in their home is tough. But the question could save a child's life.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of this year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred in April of 1996 in Myrtle Beach, SC. A man was beaten by a group of men yelling "we're going to get you, faggot" and left for dead in a trash bin under the body of his friend who had his throat slashed by the men. The attack occurred outside a primarily heterosexual bar. As a result of the attack, the man lost his hearing in one ear, suffered broken ribs and required 47 stitches in his face.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

TRIBUTE TO SENATOR MOYNIHAN AND HIS LEGACY OF DEFENDING ZIONISM

Mrs. CLINTON. Madam President, I rise today to honor one of the extraordinary legacies of my predecessor, Senator Daniel Patrick Moynihan, who served in this body for 24 years representing the people of New York.

With some seeking to insert contentious language regarding Zionism into declarations emerging from the upcoming United Nations World Conference Against Racial Discrimination, Xenophobia, and Related Intolerance in Durban, South Africa, I am reminded of Senator Moynihan's courageous statesmanship, when he condemned the 1975 U.N. resolution 3379 which infamously declared "Zionism is a form of racism and racial discrimination."

We should never forget the historic battle my predecessor waged to defeat this outrageous effort to de-legitimize the state of Israel and defame the Jewish people. Over 25 years ago, Senator Moynihan boldly called this hate-filled language "criminal." It was criminal then and it's still criminal today.

On the day the resolution passed, Senator Moynihan declared, "the United States . . . will never acquiesce in this infamous act . . . A political lie of a variety well known to the twentieth century and scarcely exceeded in all the annals of untruth and outrage. The lie is that Zionism is a form of racism. The overwhelming truth is that it is not."

From the moment he entered the Senate in January 1977, Senator Moy-

nihan dedicated much of his energy to repealing this despicable attack on Israel and the Jewish people, delivering passionate speeches on the Senate floor. As chair of the Senate Foreign Relations Subcommittee on Near Eastern and South Asian Affairs, Senator Moynihan introduced Joint Resolution 246, which called on the U.N. to repeal the 1975 resolution.

It took 17 long years to remove this stain from the United Nations' reputation. And as we begin this new century, nothing could be more damaging to the promise and integrity of the U.N. than to revive to this ignominious statement. In order to help prevent the U.N. from reviving one of the moments of its greatest shame, Senators SCHUMER, SMITH, LUGAR and I have written the following letter to Kofi Annan, the Secretary General of the United Nations, condemning any attempts to include inflammatory anti-Israel language into declarations associated with the World Conference Against Racism in Durban.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 27, 2001.

Hon. KOFI A. ANNAN,
Secretary General of the United Nations, The United Nations, New York, NY.

DEAR SECRETARY GENERAL ANNAN: We are writing to express our serious concern regarding recent efforts to insert contentious language into declarations emerging from the upcoming United Nations World Conference Against Racism in Durban, South Africa. Such language, such as "the racist practices of Zionism," undermines the goals of the conference to eradicate hatred and promote understanding. This meeting of the international community should not be a forum to encourage divisiveness, but a time to foster greater understanding between people of all races, creeds, and ethnicities.

As you know, on November 10, 1975, the United Nations General Assembly designated Zionism a form of racism. It took sixteen long years for the United Nations to acknowledge that this offensive language had no place at such an important world body. In March of 1998, you appropriately condemned this ugly formulation when you noted that the "lamentable resolution" equating Zionism with racism and racial discrimination was "the low-point" in Jewish-UN relations. Our former colleague Senator Daniel Patrick Moynihan called this designation by the United Nations "criminal."

Though this "Zionism equals racism" language was overwhelmingly rescinded in 1991 by the General Assembly, this issue is far from resolved. With the Palestinians and Israelis in the middle of a delicate cease-fire and after months of violence, we believe that gratuitously anti-Israel, anti-Jewish language at a UN forum will serve only to exacerbate existing tensions in the Middle East.

Mr. Secretary, we in Congress applaud your hard work in restoring the reputation of the UN. We urge you to continue your efforts by advocating to all nations of the world the importance of keeping inflammatory language out of this important conference. It is our hope that the Conference on Racism remains only as an opportunity to promote peace and reconciliation among all people, not one to target Israel or Jews. We