

LOCAL LAW ENFORCEMENT ACT  
OF 2001

Mr. SMITH of Oregon. Mr. 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 January 19, 2000 in Columbus, OH. Scott Roberts, a gay man, told the Columbus Dispatch that he believes he and his partner of six years, Bill Camelin, were attacked because they are gay. After being lured to a remote location, Camelin was shot to death and Roberts was wounded in the knee.

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.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

ENROLLED BILL SIGNED

The following enrolled bill, previously signed by the Speaker of the House, was signed by the President pro tempore (Mr. BYRD) on October 18, 2001:

S. 1465. An act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 18, 2001, she had presented to the President of the United States the following enrolled bill:

S. 1465. An act to authorize the President to exercise waivers of foreign assistance restrictions with respect to Pakistan through September 30, 2003, and for other purposes.

EXECUTIVE REPORTS OF  
COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

James H. Payne, of Oklahoma, to be United States District Judge for the Northern, Eastern and Western Districts of Oklahoma.

Karen K. Caldwell, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

Laurie Smith Camp, of Nebraska, to be United States District Judge for the District of Nebraska.

Claire V. Eagan, of Oklahoma, to be United States District Judge for the Northern District of Oklahoma.

Anna Mills S. Wagoner, of North Carolina, to be United States Attorney for the Middle District of North Carolina for the term of four years.

Margaret M. Chiara, of Michigan, to be United States Attorney for the Western District of Michigan for the term of four years.

Robert J. Conrad, Jr., of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Thomas C. Gean, of Arkansas, to be United States Attorney for the Western District of Arkansas for the term of four years.

James Ming Greenlee, of Mississippi, to be United States Attorney for the Northern District of Mississippi for the term of four years.

Raymond W. Gruender, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Jay S. Bybee, of Nevada, to be an Assistant Attorney General.

Daniel G. Bogden, of Nevada, to be United States Attorney for the District of Nevada for the term of four years.

Thomas M. DiBiagio, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

Thomas E. Johnston, of West Virginia, to be United States Attorney for the Northern District of West Virginia for the term of four years.

Donald W. Washington, of Louisiana, to be United States Attorney for the Western District of Louisiana for the term of four years.

Patrick J. Fitzgerald, of Illinois, to be United States Attorney for the Northern District of Illinois for the term of four years.

John McKay, of Washington, to be United States Attorney for the Western District of Washington for the term of four years.

Karl K. Warner, II, of West Virginia, to be United States Attorney for the Southern District of West Virginia for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND  
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID:

S. 1564. A bill to convey land to the University of Nevada at Las Vegas Research Foundation for a research park and technology center; read the first time.

By Mrs. FEINSTEIN (for herself, Mr. WYDEN, Mr. FEINGOLD, Mr. CORZINE, Mr. HARKIN, and Mr. LEAHY):

S. 1565. A bill relating to United States adherence to the ABM Treaty; to the Committee on Armed Services.

By Mr. REID (for himself and Mr. SMITH of Oregon):

S. 1566. A bill to amend the Internal Revenue Code of 1986 to modify and expand the

credit for electricity produced from renewable resources and waste products, and for other purposes; to the Committee on Finance.

By Mr. ENZI (for himself, Mr. DORGAN, Mrs. HUTCHISON, Mr. KERRY, Mr. THOMAS, Mr. GRAHAM, Mr. VOINOVICH, and Mr. HUTCHINSON):

S. 1567. A bill to foster innovation and technological advancement in the development of the Internet and electronic commerce, and to assist the States in simplifying their sales and use taxes; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH:

S. 1568. A bill to prevent cyberterrorism; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1569. A bill to amend title 49, United States Code, to regulate the issuance of licenses to operate motor vehicles transporting hazardous material, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself, Mr. GREGG, Mr. REED, Mr. JOHNSON, Mr. SESSIONS, and Mr. WARNER):

S. 1570. A bill to provide the Secretary of Education with specific waiver authority to respond to conditions in the national emergency declared by the President on September 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUGAR:

S. 1571. A bill to provide for the continuation of agricultural programs through fiscal year 2006; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND  
SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WELLSTONE:

S. Res. 172. A resolution expressing the sense of the Senate regarding the urgent need to provide emergency humanitarian assistance and development assistance to civilians in Afghanistan, including Afghan refugees in surrounding countries; to the Committee on Foreign Relations.

By Mr. HATCH:

S. Res. 173. A resolution condemning violence and discrimination against Iranian-Americans in the wake of the September 11, 2001 terrorist attacks; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1504

At the request of Mr. DORGAN, the name of the Senator from Nebraska (Mr. NELSON of Nebraska) was added as a cosponsor of S. 1504, a bill to extend the moratorium enacted by the Internet Tax Freedom Act through June 30, 2002.

S. 1552

At the request of Mr. HARKIN, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Idaho (Mr. CRAPO), and the Senator from Alaska (Mr. MURKOWSKI) were added as cosponsors of S. 1552, a bill to provide for grants through the Small Business Administration for losses suffered by general aviation small business concerns as a result of the terrorist attacks of September 11, 2001.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. REID:

S. 1564. A bill to convey land to the University of Nevada at Las Vegas Research Foundation for a research park and technology center; read the first time.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1564

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

**SECTION 1. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds that—

(1) the University of Nevada, Las Vegas, needs land in the greater Las Vegas area to provide for the future growth of the university;

(2) the proposal by the University of Nevada, Las Vegas, for construction of a research park and technology center in the greater Las Vegas area would enhance the high tech industry and entrepreneurship in the State of Nevada; and

(3) the land transferred to the Clark County Department of Aviation under section 4(g) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2346) is the best location for the research park and technology center.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide a suitable location for the construction of a research park and technology center in the greater Las Vegas area;

(2) to provide the public with opportunities for education and research in the field of high technology; and

(3) to provide the State of Nevada with opportunities for competition and economic development in the field of high technology.

**SEC. 2. CONVEYANCE TO THE UNIVERSITY OF NEVADA AT LAS VEGAS RESEARCH FOUNDATION.**

(a) CONVEYANCE.—Notwithstanding section 4(g)(4) of the Southern Nevada Public Land Management Act of 1998 (Public Law 105-263; 112 Stat. 2347), the Clark County Department of Aviation may convey, without consideration, all right, title, and interest in and to the parcel of land described in subsection (b) to the University of Nevada at Las Vegas Research Foundation for the development of a technology research center.

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the parcel of Clark County Department of Aviation land—

(1) consisting of approximately 115 acres;

(2) located in the SW ¼ of section 33, T. 21 S., R. 60 E., Mount Diablo Base and Meridian; and

(3) identified in the agreement entitled "Interim Cooperative Management Agreement Between the United States Department of the Interior—Bureau of Land Management and Clark County", dated November 4, 1992.

By Mrs. FEINSTEIN (for herself, Mr. WYDEN, Mr. FEINGOLD, Mr. CORZINE, Mr. HARKIN, and Mr. LEAHY):

S. 1565. A bill relating to United States adherence to the ABM Treaty; to the Committee on Armed Services.

Mrs. FEINSTEIN, Mr. President, I rise today to introduce legislation regarding the testing, development, and

possible deployment of a National Missile Defense system. This legislation is cosponsored by Senators WYDEN, FEINGOLD, CORZINE, HARKIN, and LEAHY.

I share the concern of many of my colleagues that, in the aftermath of the horrific events of September 11, this is not the appropriate time or place for a divisive debate on the Senate floor on missile defense.

That is why I did not offer this legislation as an amendment on the Defense authorization bill, do not intend to offer it as an amendment on other legislation before the Senate at this time, and do not intend to push this legislation for a vote at this point in time. This is not the time for Senate consideration of this legislation or for a divisive debate on this issue.

But I also believe that it is critical that at the appropriate time, and in the appropriate way, a full public and congressional debate on missile defense must occur. It is simply too important an issue, and too important an issue, to be treated in any other way.

Indeed, National Missile Defense is one of the most serious foreign policy and national security issue that we will face in the coming decades. The administration's decisions on this issue should be made deliberately, in consultation with our allies, and, most importantly, in consultation with the United States Congress.

As one Senator, I myself have spent considerable time over the past several years in meetings, briefings, and discussions on this issue. Earlier this year I had the opportunity to discuss missile defense issues at length with former Secretary Perry.

He suggested to me that the proliferation of nuclear, chemical, and biological weapons of mass destruction, and the increasing availability to other nations as well as transnational groups such as terrorist organizations, of the technology and material necessary to develop and deliver WMD is perhaps the most serious threat to U.S. national security today.

Secretary Perry went on to argue, however, that National Missile Defense is not and should not be seen as a one-size-fits-all substitute for an effective non-proliferation strategy, and that the United States must have a balanced program to effectively safeguard our interests. This includes effective strategies for the prevention of proliferation, deterrence, homeland defense, and counter-proliferation, and clearly calibrating and allocating resources to meet the real challenges that face U.S. national security interests.

I believe that the approach suggested by Secretary Perry makes a good deal of sense.

Based on this approach, I believe that it is therefore important for Congress to ask a number of questions with regard to NMD. Questions such as:

Would missile defense have helped to prevent the events of September 11?

Are there more immediate security needs, such as homeland defense, which

demand priority on our scarce national defense and national security resources?

Is NMD an appropriate to serve as the central axle around which U.S. national security rotates, given the nature of the threats we now face?

Would unilateral U.S. withdrawal from the ABM Treaty hurt U.S. efforts to get international cooperation in the battle against terrorism?

Will acquiring NMD make the United States, and the world, safer and more secure? Or will unilateral U.S. development and deployment of NMD, and unilateral violation, abrogation, or withdrawal from the Anti-Ballistic Missile Treaty, make us less safe and secure?

I am also concerned that with what appears to be a rush toward construction at Fort Greely, AK, the administration has already made a decision on deployment, without having yet answered these bottom line questions.

The legislation that I and my colleagues introduce today seeks to address these questions, and to suggest that the balanced approach suggested by Secretary Perry to safeguarding the United States from the threat of WMD attack might be a wiser policy for Congress to consider, rather than merely rubber-stamping the administration's missile defense policy.

This legislation would: express the Sense of the Senate that U.S. research and development of missile defense remain consistent with the ABM treaty, that the U.S. should pursue good faith negotiations with Russia to make such modifications to the ABM as may be necessary, but that the U.S. should not unilaterally opt-out of the treaty and not deploy a missile defense system that has not met the basic research, testing, and evaluation standards to prove its operational effectiveness.

Place a limitation on funding available for missile defense testing, evaluation, or deployment that would unilaterally abrogate or violate the ABM treaty.

Call on the Secretary of State to report to Congress, if a decision on deployment is made, regarding the nature of the threat that triggered the deployment decision and the likely impact that the deployment decision will have on U.S. national security interests.

Call on the Secretary of Defense to report to Congress, if a decision on deployment is made, on the operational effectiveness of the missile defense system.

Call on the President to make an annual report to Congress on the nature of the WMD threat faced by the U.S. and its allies, evaluate the threat posed by different means of delivery, ranging from ballistic missiles to suitcase bombs, provide an estimation for the total cost of development and deployment of missile defense, and make a determination whether missile defense spending adversely impacts other priority national security programs of the Department of Defense.