

vacancies were 67, which is, as you can see, pretty mainstream. But now we have 110 vacancies without an extraordinary game plan in the Judiciary Committee to have hearings and move judges forward. At the rate we are going, the resignations are going to exceed the nominations and confirmations. That is not a healthy thing for our judiciary.

Mr. President, I feel strongly about the issue. I know there are pressures on all of us. We have groups out there that used to try to pressure Chairman HATCH and tell him how to run the Judiciary Committee. He took the view that: If you want to get elected to the Senate, you can run the committee; otherwise, I am going to give hearings a fair shot and do what I think is right and move nominees.

I know pressure is out there. I think it is time for us to get serious on this matter, to move nominees forward, give President Bush's nominees a fair chance to be confirmed, to reduce this extraordinary backlog of vacancies that are out there—to have hearings on those 11 judges who were nominated in May because they have not even had a hearing yet—and get busy with filling our responsibility to advise and consent or reject President Bush's nominees.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for up to 5 minutes each.

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

#### ON THE ANNIVERSARY OF GOVERNOR MEL CARNAHAN'S DEATH

Mr. DASCHLE. Mr. President, one year ago today, America awoke to the terrible news that we had lost three extraordinary public servants: Governor Mel Carnahan, his son Roger, and their friend and aide Chris Sifford.

Mel Carnahan was a remarkable man—the kind whose work proved that politics and public service can indeed be a noble profession.

Like another man from Missouri, Harry Truman, Mel Carnahan was a man of plain speech and enormous political courage.

Throughout his career, he worked to help people, to make government efficient, and to use the tools at his disposal to make a difference in people's lives.

Whether it was improving public schools, expanding health insurance for children, protecting seniors through stricter safety standards for nursing homes, or making communities safer—Mel Carnahan never stopped working to make a difference.

I have no doubt that he would have been a great Senator, just as he was a

great Governor. Sadly, he never got the chance to show us that—at least, not directly.

But his spirit does live on in this Senate. As JEAN CARNAHAN has said so many times:

Hopes and dreams don't die with people, they live on in all the people we touch.

Today, Mel Carnahan's hopes and dreams live on through all those he touched. But they have their most powerful voice in his wife of 45 years, JEAN CARNAHAN.

It was one year ago that she pledged to keep the fire burning. And every day since—that is exactly what Senator CARNAHAN has done.

In her tireless work to see that the economic victims of September 11 get health care, unemployment benefits, and job training—we feel Mel's sense of justice and compassion. In her work to improve our nation's schools—we see Mel's commitment to the children of Missouri, and America. And when Senator CARNAHAN comes to the Senate floor, and commands here colleagues' attention with her clear and thoughtful arguments—we hear the echoes of Mel's plainspoken sensibility.

One year after that cruel October morning, JEAN CARNAHAN has become the great Senator that Mel Carnahan would have been had he been given the chance. That is one blessing that makes his loss more bearable.

The poet Longfellow wrote:

When a great man dies,  
for years beyond our ken,  
the light he leaves behind him lies  
upon the paths of men.

During his life, Mel Carnahan cast a bright and shining light on his state and our nation. His death did not extinguish that light.

That light continues to shine in the remarkable work and the indomitable spirit of his partner and our colleague, Senator JEAN CARNAHAN.

Today, especially today we thank her for her courage and for our inspiration.

#### JUDICIAL CONFIRMATIONS

Mr. THURMOND. Mr. President, I rise today to express my concern over the slow pace of judicial confirmations in the Senate.

The Bush administration deserves to be treated as fairly by the Democrat majority as the Republican majority treated the Clinton administration. Thus far, the facts show that the pace of confirmations is extremely slow and the number of vacancies is extremely high.

The Senate has confirmed only 8 judges so far this year, compared to 60 who have been nominated. During the Clinton administration, the Senate confirmed an average of 47 judges per year. In the first year of the Clinton administration, the Senate confirmed 28 judges, which is about average when compared to the first year for Reagan and Bush I. In the final year of the Clinton administration, we confirmed 39.

Given these numbers, it should not be surprising that the number of vacancies is much higher today than at the end of the Clinton administration. As of today, there are 109 vacancies for a vacancy rate of 12.7 percent, while at the end of the Clinton administration last year, there were only 67 vacancies for a 7.9 percent vacancy rate.

The Senate confirmed almost the same number of judges for President Clinton as for President Reagan, 377 compared to 384. This is true even though Republicans controlled the Senate for six years of Clinton and six years of Reagan. In fact, while I was Chairman for the first six years of the Reagan administration, I made confirmations arguably my top priority. Yet, the numbers are comparable.

The Democrat majority often notes that it has confirmed more circuit judges this year than the Senate did for the first year of the Clinton administration. While this is true, President Clinton nominated only five circuit judges in his first year in office, compared to 21 for President Bush so far this year. Also, in the first year of Clinton, the Democrats were in charge at the time. Last year, while Republicans were in control and it was an election year, the Senate still confirmed 8 circuit judges, double the number we have confirmed so far this year.

Under any reasonable evaluation, the numbers show that we are far behind this year. However, there is still time to act this session, and make the numbers fair with former Presidents.

In the first year of each of the past three administrations, all judges nominated before the end of the August recess were confirmed that year. The only exception is one judge during the first year of the Clinton administration who received a negative American Bar Association rating, and even he was confirmed the next year. President Bush nominated 44 judges before the end of August, and to be consistent we should confirm these judges before we adjourn this year.

One pending circuit court nominee is Judge Dennis Shedd, who was among President Bush's first set of nominees sent to the Senate on May 9. He has been a very able district court judge for the past decade and was formerly the chief counsel and staff director of the Judiciary Committee. He has bipartisan support. Also, the position for which he has been nominated has been declared a judicial emergency by the Administrative Office of the Courts. In addition, the committee held a hearing in August on the nomination of Terry Wooten for the District Court in South Carolina. I sincerely hope both of these fine judicial candidates can be confirmed this year.

In summary, I hope the Senate can act this year on many pending judicial nominees, and greatly reduce the extremely high vacancy rate that currently faces our Federal courts.

# COMMENDING MR. ISAAC HOOPII FOR HIS ACTIONS AT THE PENTAGON

Mr. INOUE. Mr. President, on September 11, 2001, out of the rubble of destruction, countless Americans rose and demonstrated great courage and selflessness. One such American was Mr. Isaac Hoopii, a Native Hawaiian who resides in McLean, VA, and is a Pentagon police officer and member of a bomb-sniffing canine police unit.

Minutes after a hijacked plane crashed into the Pentagon, Mr. Hoopii raced into the burning building and carried out eight people.

His calm resolve in the face of danger equaled his physical prowess. Unable to see the terrified victims, but knowing that they were amid the debris, smoke, and darkness, Mr. Hoopii repeatedly called out: "Head toward my voice."

Several people followed his voice and crawled to safety. At least one man who was led by Mr. Hoopii's voice called it the "voice of an angel," and credits it for saving his life.

I have had the opportunity to hear Mr. Hoopii's voice. He is a musician with the "Aloha Boys," a Hawaiian musical group that has performed on Capitol Hill. His singing is melodious and resonant, but I believe Mr. Hoopii's voice had never before sounded more beautiful than it did on that September morning. Mr. Hoopii carries with him the true aloha spirit, and I thank and commend him for sharing with the world the aloha of the Hawaiian people, whom I have been privileged to serve.

## TECH TALENT ACT OF 2001

Mr. BOND. Mr. President, I rise to express my strong support for the Technology Talent Act of 2001. As an original co-sponsor, I am pleased to have joined my Senate colleagues, Senators JOE LIEBERMAN, BARBARA MIKULSKI, BILL FRIST, and PETE DOMENICI in introducing an important piece of legislation that will help strengthen the long-term economic competitiveness and health of our Nation. We are here to sound the alarm to the public that our Nation's innovation capabilities are at risk of falling behind other industrial nations if we do not aggressively increase the number and quality of our technologically-trained workforce.

The number of American students receiving degrees in the natural sciences and engineering fields has fallen significantly. This decline has occurred despite the growth in population and increase in undergraduate enrollment. But in other countries, the proportion of degrees in the sciences has grown compared to the United States. As a result, the demand for scientists and engineers in this country is being filled by foreign workers. And with the demand for engineers and computer scientists expected to grow by more than 50 percent by 2008, the high-tech industry is deeply troubled that it will be-

come increasingly difficult to fill this demand and remain competitive in the global economy.

To respond to the shortage of technically-trained workers in this country, the Congress has had to raise the cap on H1-B visas for immigrant workers. Why was this necessary? In the past decade, growth in the number of Asian and European students earning degrees in the natural sciences and engineering has gone up on average by 4 percent per year. During the same time, the rate for U.S. students declined on average by nearly one percent each year. It was startling to learn that the Organization of Economic Cooperation and Development, OECD, ranked the United States 25 out of 26 industrialized nations surveyed in terms of the number of college and university degrees in science. The OECD found that South Korea led those nations surveyed and that we are behind countries like Finland, Japan, the Czech Republic, and Ireland!

In my home State of Missouri, I have seen the same sort of disturbing trends. The University of Missouri has seen an overall decline in science, engineering, and math degrees as a proportion of total undergraduate degrees. For example, undergraduate degrees in engineering have declined by 16 percent over the past 5 years whereas non-science degrees have increased by 14 percent.

Because of these troubling numbers, I am excited to work with my Senate colleagues to come up with a potential solution. I thank Senator LIEBERMAN and his staff for taking the initiative in crafting this bill and working with me. I also thank Professor Romer of Stanford University for his vision and thoughts in developing this bill.

Through the administration of the National Science Foundation, this legislation provides financial incentives to our colleges and universities to expand existing successful programs and create new, innovative ways that encourage our youth to enter and stay in the science and engineering fields. Our bill also encourages schools to develop programs that will attract more minorities and women. This is critical since there are few minorities and women employed in the high-tech sector.

To jumpstart this program, I am pleased to note that we have included \$20 million in NSF's budget as part of the Senate's fiscal year 2002 VA, HUD bill. I hope we can maintain this level in conference and later increase funding for this program to a level of \$200 million if this program is successful and our subcommittee receives the necessary funding.

Along with many of my Senate and House colleagues, I have been trying to increase support for NSF because we recognize the role NSF plays in stimulating our economy and supporting the biomedical work of the National Institutes of Health. That is why we believe in doubling NSF's budget and as part of this effort, increasing the Nation's

technologically-trained workforce is a key element. Clearly, we need to invest in our students because they will be the booster rocket for the future success of our economy and allow this Nation to lead the world in this century.

## 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 June 21, 2001 in Cortez, CO. The body of an openly gay, half-Navajo teen, Fred Martinez Jr., 16, was found south of Cortez 5 days after he left home to go to a carnival. Police have arrested another teen, Shaun Murphy, in the murder and are investigating whether the homicide was a hate crime based on sexual orientation or race. The perpetrator allegedly bragged that he "beat up a fag." Martinez often curled his hair, plucked his eyebrows, wore make-up and toted a purse to school. His mother told the press that she firmly believes her son's slaying was a hate crime based on his gender identity or because he was transgender.

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.

## HONORING TODD BEAMER

Mr. CORZINE. Mr. President, I rise today to pay tribute to a man whose undaunted and determined spirit showed this world the best of humanity. On September 11, Todd Beamer took action against the hijackers on United Flight 93 for the noblest cause, so that others might live.

Todd's spirit proved stronger than the evil that boarded Flight 93 on that infamous day. His spirit of kindness and generosity, of selflessness and bravery never faltered.

Todd embodied that spirit on September 11 and throughout his life. A husband and father, son and brother, friend and volunteer, parishioner and businessman: he played many roles. Our nation will always remember him in the role of hero.

We will never know the number of lives spared by the courage of Todd and others aboard that plane, but his fortitude sent a clear message to all those who seek to harm us: We are not afraid. Todd joined with other passengers on that fateful flight in America's first counterstrike against terrorism and set a dignified example for