

this appropriations bill. I am going to offer it on every piece of legislation until we get people to think more about national security on the other side than they are thinking about committee jurisdiction, and until they understand airplanes should not land in this country unless they have complied with the APIS system, which has been in place since 1988.

Since September 11, we ought to understand the obligation we have to be careful about screening those who are guests in our country. You cannot provide security in this country unless you provide security for our borders. Part of our border security is to deal with those roughly 70 million, 80 million people a year who come into this country on commercial airlines as guests, coming from foreign countries. So I intend to offer that amendment again today. I will offer it to any other legislation we have on the floor. I know people will say that is blue slip, or it is this, or it is that. It is none of that. That is all nonsense.

Mr. BURNS. Will the Senator yield?

Mr. DORGAN. Yes.

Mr. BURNS. I ask the Senator, we passed the airport security law in this body and we changed the authority—moving the authority from the Department of Transportation to the Department of Justice. That was my amendment. I contended at that time that we really don't have a problem with the laws; we have trouble with enforcing the law. I would be interested in seeing what the Senator's thoughts are on keeping the bright line of authority to the Attorney General rather than leaving it with the Department of Transportation.

Mr. DORGAN. This particular issue happens to be the Department of Customs with respect to advance passenger information. They run all of these names against the Justice Department list, the FBI list, and 21 different Federal agencies that keep lists of undesirable people coming into the country. That is a separate issue in conference. I think the Senator from Montana is probably one of the conferees on the aviation security bill. I am going to be one as well. We can talk about all of those issues.

All I really care about—going back to the issue of aviation security—is that we get the job done. The one thing that is clear to me is companies that have been fined for defrauding the Government—in effect, companies that have been put on probation and violate their probation, that hire screeners who leave the company to fry hamburgers because they get more money to do it, and to let somebody come through with nine knives, a stun gun, and a can of mace—those are companies I don't want screening baggage. I want somebody on whom I can rely. All I care about is accountability and results.

Mr. BURNS. We know there are areas of responsibility. Who best can have access and be a model for us, without expending a lot of money or building a

new bureaucracy? We know we have to have passenger lists and we need intelligence. Who best to do that other than the Department of Justice? We need security at the check-in area and also the gate area. Who best, other than the Justice Department, knows how to secure Federal buildings, Federal courts, moving Federal prisoners—all of these things they already do? Some they do themselves and some they contract out to companies that have a very good reputation with them.

I think the conference ought to get underway right away. I am supportive of the Senator's views on that and say we ought to be in the business of protecting the American public as best we know how, instead of writing a law and putting it into the hands of the administrative rule writers, who sometimes write rules for their own benefit and not for the protection of the people.

Mr. DORGAN. In closing, the issue is not so much the jurisdiction of which agency. In fact, we do have a law enforcement function and security functions at DOT. Some say maybe it should be the FAA. But the fact is, the big dispute, the thing that held up forever was that the House of Representatives didn't want to have people who were public employees, Federal employees. So that was the big thing over in the House of Representatives.

I do not think it was in the Senate. We passed the bill in the Senate 100-0 largely because we believed if we had good training and accountability, if we hired good people and had guidelines for them to follow, then we would be able to provide security in our country's airports.

One thing is very clear from all of these reports: We do not have good security with the current system. This system needs changing. This system does not work, and all we need to do is look at O'Hare in Chicago last Saturday and look at the papers on Sunday and Monday and understand how bad the system is and why we have to get at this job now, this week, and get it done.

I yield the floor.

#### EXECUTIVE SESSION

#### NOMINATIONS OF KARON O. BOWDRE TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA AND STEPHEN P. FRIOT TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA

The PRESIDING OFFICER. The hour of 5:30 p.m. having arrived, under the previous order, the Senate will now proceed to executive session to consider two nominations, which the clerk will report.

The legislative clerk read the nominations of Karon O. Bowdre, of Alabama, to be United States District, and Stephen P. Friot, of Oklahoma, to be

United States District Judge for the Western District of Oklahoma.

The PRESIDING OFFICER. There are now 5 minutes evenly divided between the chairman and the ranking member. Who yields time? If no one yields time, time will be charged equally to both sides.

Ms. LANDRIEU. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Madam President, what is the matter now before the Senate?

The PRESIDING OFFICER. The nomination of Karon O. Bowdre is before the Senate.

Mr. REID. Madam President, I ask unanimous consent that all time that has not been used be yielded back and that we vote on the nomination.

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

The question is, Will the Senate advise and consent to the nomination of Karon O. Bowdre, of Alabama, to be United States District Judge for the Northern District of Alabama? The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Virginia (Mr. ALLEN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 326 Ex.]

#### YEAS—98

Akaka	DeWine	Kohl
Allard	Dodd	Kyl
Baucus	Domenici	Landrieu
Bayh	Dorgan	Leahy
Bennett	Durbin	Levin
Biden	Edwards	Lieberman
Bingaman	Ensign	Lincoln
Bond	Enzi	Lott
Boxer	Feingold	Lugar
Breaux	Feinstein	McCain
Brownback	Fitzgerald	McConnell
Bunning	Frist	Mikulski
Burns	Graham	Miller
Byrd	Gramm	Murkowski
Campbell	Grassley	Murray
Cantwell	Gregg	Nelson (FL)
Carnahan	Hagel	Nelson (NE)
Carper	Harkin	Nickles
Chafee	Hatch	Reed
Cleland	Helms	Reid
Clinton	Hollings	Roberts
Cochran	Hutchinson	Rockefeller
Collins	Hutchison	Santorum
Conrad	Inhofe	Sarbanes
Corzine	Inouye	Schumer
Craig	Jeffords	Sessions
Crapo	Johnson	Shelby
Daschle	Kennedy	Smith (NH)
Dayton	Kerry	Smith (OR)



Snowe	Thomas	Warner
Specter	Thompson	Wellstone
Stabenow	Thurmond	Wyden
Stevens	Voinovich	

## NOT VOTING—2

Allen	Torricelli
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The nomination was confirmed.

VOTE ON NOMINATION OF STEPHEN P. FRIOT

The PRESIDING OFFICER. The question now is on the confirmation of the nomination of Stephen P. Friot to be United States District Judge for the Western District of Oklahoma.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from New Jersey (Mr. TORRICELLI) is necessarily absent.

Mr. NICKLES. I announce that the Senator from Virginia (Mr. ALLEN) is necessarily absent.

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 327 Ex.]

## YEAS—98

Akaka	Durbin	Lugar
Allard	Edwards	McCain
Baucus	Ensign	McConnell
Bayh	Enzi	Mikulski
Bennett	Feingold	Miller
Biden	Feinstein	Murkowski
Bingaman	Fitzgerald	Murray
Bond	Frist	Nelson (FL)
Boxer	Graham	Nelson (NE)
Breaux	Gramm	Nickles
Brownback	Grassley	Reed
Bunning	Gregg	Reid
Burns	Hagel	Roberts
Byrd	Harkin	Rockefeller
Campbell	Hatch	Santorum
Cantwell	Helms	Sarbanes
Carnahan	Hollings	Schumer
Carper	Hutchinson	Sessions
Chafee	Hutchison	Shelby
Cleland	Inhofe	Smith (NH)
Clinton	Inouye	Smith (OR)
Cochran	Jeffords	Snowe
Collins	Johnson	Specter
Conrad	Kennedy	Stabenow
Corzine	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
Dayton	Leahy	Voinovich
DeWine	Levin	Warner
Dodd	Lieberman	Wellstone
Domenici	Lincoln	Wyden
Dorgan	Lott	

## NOT VOTING—2

Allen	Torricelli
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The nomination was confirmed.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. NICKLES. Mr. President, I am pleased that the Senate today has confirmed Stephen P. Friot, an outstanding individual and a superb attorney, to be U.S. District Court Judge for Oklahoma's Western District.

President Bush could not have chosen a finer individual to serve our country as a district court judge. Steve Friot is exceptionally well qualified and will prove to be a great asset to the judicial system in Oklahoma and our country.

Steve graduated from the University of Oklahoma School of Law in 1972 and upon his graduation went to work for the firm that now bears his name,

Spradling, Alpern, Friot & Gum. While focusing his practice on corporate, tort defense and aviation litigation, Steve has shown a strong commitment to equal justice for all. He has continually strived to include pro bono cases in his practice.

Steve has been actively involved in the Oklahoma legal community. He has been very active in the Oklahoma Bar Association serving several times as a member of the Association's House of Delegates. He has also served as chairman of the association's committees on Legal Specialization and Administration of Justice. Steve served as president of the Oklahoma County Bar Association and is the current president of the Ruth Bader Ginsburg American Inn of Court. He is described by colleagues as being a "competent, honorable individual who possesses the judicial temperament and intellect we all want on the Federal bench." His colleagues know him as an extremely hard worker with the highest ethical standards.

Steve's commitment to his community is hardly limited to the legal profession. He has been very active in the Boy Scouts of America where he currently serves as Assistant Scoutmaster for Troop 4. Steve has also worked diligently for the Central Oklahoma Habitat for Humanity where he currently serves as vice chairman of the board of directors. In 1995, Gov. Frank Keating appointed Steve to serve on the Board of Trustees of the Oklahoma Housing Financing Authority. Steve currently serves as vice chairman of the board which assures that the agency is serving Oklahomans in need of affordable housing.

Steve and his wife Nancy, a dedicated kindergarten teacher, have been married for more than 25 years. They are particularly proud of their son Andy whose early involvement in the Boy Scouts encouraged Steve's commitment to that organization. Andy is in the Air Force ROTC at Le Moyne College in Syracuse, NY. His dedication to his country is in no doubt a reflection of his parents who have shown a strong sense of community with a commitment to serving the public good in Oklahoma.

I congratulate Steve and his family on his having earned the position for which President Bush has selected him. I thank Chairman LEAHY and Senator HATCH, the ranking member of the Judiciary Committee, for their work on Steve Friot's nomination. I applaud the Senate for confirming him. He will make an outstanding judge who will work diligently to administer justice in the Western District of Oklahoma.

Mr. HATCH. Mr. President, the Senate has had both the honor and the pleasure of considering the nominations of several extremely well-qualified individuals to serve as Federal judges.

Although I was unable to be here due to an unavoidable scheduling conflict, I am pleased that last night the Senate

confirmed Larry R. Hicks to be a Federal district judge for the District of Nevada. He earned a bachelor's degree from the University of Nevada at Reno and a law degree from the University of Colorado School of Law before going to work in 1968 as a Deputy District Attorney in Washoe county, NV. Three years later, he became the Chief Criminal Deputy District Attorney. In 1975, Mr. Hicks was elected the District Attorney for Washoe County, where he gained extensive experience in litigating murder, robbery, and other major felony trials. He remained in that position until 1979. Since that time, Mr. Hicks has been a partner in a private law firm in Reno. He has been chairman of the firm's litigation section since 1985. Mr. Hicks has also served as a settlement judge since 1998 for the Nevada Supreme Court. He has compiled an excellent track record, having successfully achieved settlement in all but 5 of the 40 cases assigned to him.

I am also pleased that Christina Armijo was confirmed today to be a Federal district judge for the District of New Mexico. She earned both her Bachelor of Arts degree and her Juris Doctor degree from the University of New Mexico. After 3 years of practicing law for Sandoval County Legal Services, she started her own private practice in her hometown of Las Vegas, NM. Her practice consisted not only of general civil and administrative law, but also included long-term contracts to defend felony criminal cases as a public defender, litigate child abuse cases on behalf of New Mexico, and serve as a Due Process Hearing Officer for the state Department of Education. After 18 years of private practice, Judge Armijo was appointed to serve on the New Mexico Court of Appeals in early 1996. She was elected to a full 8-year term later that year. In her almost 6 years on the bench, none of her decisions has been reversed.

We now have the opportunity to consider the nomination of Karon Owen Bowdre to be a Federal district judge for the Northern District of Alabama. She received her bachelor's degree cum laude from Samford University and graduated cum laude from the Cumberland School of Law in 1981, where she was associate editor of the Cumberland Law Review and a member of the Moot Court Board. After graduation from law school, Professor Bowdre served as judicial law clerk in the United States District Court for the Northern District of Alabama and then practiced with a private law firm in Birmingham, AL. She handled numerous trials in State and Federal court, primarily involving insurance, product liability, medical malpractice, fraud and bad faith, and discrimination cases. Since 1990, Professor Bowdre has taught at the Cumberland School of Law at Samford University.

We are also considering the nomination of Stephen P. Friot to serve on the Federal bench in the Western District



of Oklahoma. While attending the University of Oklahoma College of Law, Mr. Friot was a member of the Order of the Barrister, and was the recipient of the Law Day Moot Court Award and the United States Law Week Award. Upon graduation in 1972, he joined a private law firm, and has spent the past 29 years practicing civil trial and appellate law in Oklahoma City. In the last 10 years, Mr. Friot has tried cases involving employment law, product liability, aviation product liability, title insurance, slander of title, interference with contract rights, ground water pollution, real property covenants, insurance marketing practices, partnership law, and healthcare law. He has been listed as one of the "Best Lawyers in America" for Business Litigation since 1989.

I have every confidence that these nominees will serve the United States with honor and distinction. I want to thank Senator LEAHY for moving their nominations, and Senator SCHUMER for chairing their confirmation hearing. I fully support the nominations of these candidates, and urge my colleagues to do so as well.

I must note, however, that one nominee for the Federal appellate court, Edith Brown Clement, had her hearing before these nominees, on October 4, and was voted out of committee on the same date as these nominees. She is exceedingly well-qualified for the Fifth Circuit, having served as a Federal district court judge for the past decade. I look forward to the Senate's prompt consideration of her nomination as well.

I must also note that at least one committee member submitted written questions to these nominees on October 30, a mere 2 days before the committee was scheduled to consider their nominations. Another committee member waited until November 1 to submit questions to one of these nominees. This was nearly one month after the nominee's October 4 confirmation hearing, and despite the fact that it was announced at her hearing that the record would remain open for only 1 week. I am concerned that the practice of submitting additional questions to nominees long after their confirmation hearings is becoming a tool to delay consideration of their nominations. I urge my colleagues to give these nominees a fair shot at confirmation by submitting their questions in a timely fashion.

I would also like to respond to remarks made yesterday regarding the Senate's pace of confirming judges. The short answer is that the confirmation of 16 judges when there are 102 vacancies in the Federal judiciary is nothing to brag about. And despite the fact that the Senate has confirmed only 4 Federal appellate court judges this year, the Judiciary Committee refuses to hold any more hearings on appellate court nominees. This pace pales in comparison when you consider that we held hearings on 14 appellate nomi-

nees in 1998, 12 appellate nominees in 1995, and 10 appellate nominees in 1999.

Another point that was made yesterday was the number of nominees whose paperwork was not complete. By my count, the ABA has not submitted ratings on 11 pending nominees. Five of these nominations have been pending for more than 8 weeks. Another has been pending more than 6 weeks. This is despite the ABA's pledge to submit its ratings within 35 days at the least. It seems to me that even if the Democratic members of the Judiciary Committee are willing to give the ABA a preferential role in evaluating judicial nominees, even where the Constitution does not, they should not allow the ABA to hold judges hostage by failing to submit timely ratings.

In sum, we need to take a hard look at the number of judges we have confirmed in light of the astronomical number of vacancies on the Federal judiciary, and judge our progress on confirmations by that standard. The fact remains that the pace of vacancies has exceeded the pace of judicial confirmations. We in the Senate must do our part to address the real and serious vacancy crisis that threatens to clog our nation's Federal courts and deny the administration of justice to American citizens. We can only do this by speeding up the pace of confirmations before the end of this session.

Mr. LEAHY. Mr. President, today the Senate confirmed M. Christina Armijo of New Mexico to be a United States District Judge for the District of New Mexico. We now have the opportunity to act on the nominations of two additional judicial nominees. When we vote to confirm Karon Bowdre of Alabama and Stephen Friot of Oklahoma, the Senate will have confirmed 16 judges since July 20 of this year. When we confirm these District Court nominees, the Senate will have confirmed more District Court judges this year than were confirmed in the entire first year of the first Bush administration in 1989.

In addition to our work on the antiterrorism legislation since September 11, the Senate Judiciary Committee has persevered in the wake of the terrible events of September 11 and will by tomorrow have held 5 hearings for 21 judicial nominees.

Within 2 days of the terrible events of September 11, I chaired a confirmation hearing for the two judicial nominees who were able to drive to Washington while interstate air travel was still disrupted.

At our committee meeting on October 4, 2001, we reported those two judicial nominees and held another confirmation hearing on five judicial nominees that same day.

On October 18, 2001, in spite of the closure of Senate office buildings in the wake of the receipt of a letter containing anthrax spores and Senate staff and employees testing positive for anthrax exposure, the Committee proceeded with its previously scheduled

business meeting under extraordinary circumstances in the United States Capitol and reported four judicial nominees favorably to the Senate. On that same day, despite the unavailability of the Judiciary Committee hearing room and the closure of Senators' offices, we proceeded with another confirmation hearing for an additional five judicial nominees.

Two weeks ago, while the Senate Republicans were shutting down the Senate with a filibuster preventing action on the bill that funds our nation's foreign policy initiatives and provides funds to help build the international coalition against terrorism, the Judiciary Committee nonetheless proceeded with yet another hearing for four more judicial nominees on October 25, 2001, our third hearing involving judicial nominees in October.

Tomorrow morning we are holding another hearing for five more judicial nominations.

The facts are that since the committee was assigned its members on July 10, 2001, the committee will have held nine hearing involving 28 judicial nominees. By tonight the Senate will have already confirmed 16 judges, including four to the Courts of Appeals. These numbers show that there have been more hearings for more nominees, more confirmations of more judges to the District Courts, and more confirmations of more judges to the Courts of Appeals this year than by the same date in either the first year of the first Bush administration or the first year of the Clinton administration. The facts are that the Judiciary Committee and the Senate are ahead of the confirmation pace for judicial nominees in the first year of the first Bush administration or the first year of the Clinton administration.

I know that Karon Bowdre has the strong support of the senior Senator from Alabama who came to introduce her at her hearing. I am told that Senator SESSIONS came to the floor earlier today to speak in support of this nomination. I recall that the senior Senator from Oklahoma came to the hearing to speak in favor of Stephen Friot and that he has the support of Senator INHOFE, as well.

Both these nominees were among those District Court nominations sent to the Senate just before the August recess. They had to be returned to the White House without action when the Republican leader objected to retaining them here over the recess. They were nominated in early September and the Committee received their ABA peer review ratings in early October. They were then scheduled to participate in a hearing on October 18, considered by the committee at last week's business meeting and are being confirmed today, November 6, which is approximately 1 month after receiving the ABA ratings.

I congratulate the nominees and their families on these confirmations.

Mr. REID. Mr. President, I suggest the absence of a quorum.



The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### UNANIMOUS CONSENT AGREEMENT—H.R. 2944

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of H.R. 2944, the D.C. appropriations bill, tomorrow at 10 a.m., Wednesday November 7, after the bill is reported, Senator ALLEN be recognized to offer an amendment regarding needle exchange; that there be 60 minutes for debate prior to a vote in relation to the amendment, with the time equally divided and controlled in the usual form; that no amendment be in order to the amendment prior to a vote in relation to the amendment; that upon the use or yielding back of the time, the Senate vote in relation to the amendment; that upon the disposition of the Allen amendment, Senator HUTCHISON be recognized to offer an amendment relating to attorneys fees; that there be 60 minutes for debate with respect to the amendment; that no second-degree amendment be in order; that upon the use of 15 minutes each for proponents and opponents of the Hutchison of Texas amendment, the amendment be set aside until 2:30 p.m. the same day, with the remaining 30 minutes of debate equally divided; that upon the use or yielding back of the time, the Senate proceed to vote in relation to the Hutchison amendment, with no further intervening action.

I further ask unanimous consent that upon the use of 30 minutes of debate on the Hutchison amendment, there then be a period of morning business until 2:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the majority and Republican leaders or their designees.

We have a very important briefing by one of the President's Cabinet Members tomorrow afternoon. That is the reason for the extended morning business time.

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

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent to proceed in morning business.

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

(The remarks of Mr. SESSIONS pertaining to the introduction of S. 1641 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SESSIONS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### MORNING BUSINESS

Mr. DASCHLE. Mr. President, I ask unanimous consent that there now be a period for morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. BAUCUS. Mr. President, I would like to take this opportunity to explain my absence during yesterday's roll call vote on the nomination of Larry Hicks to be U.S. District Judge of the Nevada District. I do not dissent on Mr. Hick's nomination and if I had been present, I would have voted aye.

Unfortunately I was absent during yesterday's rollcall vote because my attendance was necessary at a meeting to discuss the economic future of my home State of Montana. I discussed the State of Montana's timber industry with Plum Creek Timber Co., the largest wood products business in Montana. To be specific, we discussed what tools are necessary to ensure that business in Montana survives our Nation's current economic downturn.

The future of a specific industry in my State brings me to a larger point, the economic state of rural America after September 11, 2001. Much attention has been paid, as it should, to the economic effect of the terrorist attacks on our major centers of commerce. Primarily America's largest cities and the coasts. However, the impact has been felt equally as hard in rural America where the economy was already slowing.

In addition to the wood products industry, agricultural commodities which are the lifeblood of Montana and rural America are hurting worse than ever before. The past 3 years have been disastrous due to drought. Now Montana's farmers are faced with sharply escalating operating costs due to higher energy and fertilizer prices. According to the most recent projections provided by the U.S. Department of Agriculture, total farm expenses are expected to rise again this year, right on the heels of a \$10 billion increase last year.

As costs spiral out of control, farm income has not kept pace. Last year net farm business income was at a decade low according to USDA. Unless Government assistance is continued,

net farm income in 2001 is projected to be even lower.

The downturn in rural America is especially calamitous because prolonged economic depression often means extinction for these rural communities. A few bad years forces everyone out of business, not just those that sell commodities for a living. The very people and places that make up the fabric of the American economy are forced to seek opportunity elsewhere. This is a price that I am not willing to pay.

As we consider economic recovery measures we cannot forget rural America. We must not let the immediate damage that we see every night on the evening news blind us to the crisis that is happening in rural communities across America. We simply do not have a choice. The cost is simply too high.

#### 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 May 30, 1993, in Concord, CA. A gay man was sprayed with mace and threatened with a golf club by a neighbor who used an anti-gay slur. The assailant, Gilbert Lucero, 37, was arrested on assault charges.

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.

#### ADDITIONAL STATEMENTS

##### IN RECOGNITION OF THE GOLDEN ANNIVERSARY OF THE JEWISH BOOK FAIR

• Mr. LEVIN. Mr. President, I ask that the Senate join me today in congratulating the Jewish Community Center of Metropolitan Detroit on the occasion of the golden anniversary of the Jewish Book Fair. Since 1951, the book fair has nourished the literary appetite of the metropolitan Detroit community.

Along with the Book Fair, the Jewish Community Center of Metropolitan Detroit has enriched Jewish life and supported Jewish unity in and around the Detroit area for 75 years. The Community Center also strives to enhance life in the general community and welcomes all those in southeast Michigan to take advantage of the Center's facilities and programs.

The Jewish Community Center's Annual Book Fair is the largest and oldest in the country, and its programs