

as basically a staff officer—I never put myself in the category of those who rightfully claim combat status, but I did stay in the same tents, eat in the mess, slept in the bunkers with them—they are a very special breed, these young men and women who fought wars in harm's way to preserve our freedom.

Today I do my very best as a member of the Armed Services Committee to provide for a means of showing my respect for them and, indeed, my gratefulness to the American military for training me as a young person and for providing me with the GI bill of rights.

I have many emotions as I stand before the Senate tonight to express these views. I got to know Jim Webb well when he was in the office of the Navy Secretary and I tried to counsel him as best I could on his decision to leave active duty—which largely was not of his choosing but was dictated by facts very personal to him. Had he stayed in the Marine Corps I think he was destined to the highest of rank and the greatest of responsibility. He had to make a tough decision to leave the Corps and pursue other challenges. I mentioned, of course, for a brief period he became Secretary of the Navy. I was very proud of his service as Navy Secretary.

Several facts which I note from these articles and which I note from my own observation, again, are unquestioned. So many statements have been made by my distinguished colleagues about the honor and integrity of Bob Kerrey. His bravery and valor have been recognized many times, including being awarded the Congressional Medal of Honor.

I know during the Vietnam war we asked many young men—I repeat that, we, the United States of America, we the Congress of the United States and the President, the Presidents of the United States—asked many young men, and some women in a combat support status, to undertake very difficult missions under the most extreme and dangerous of conditions. They put their lives at risk to accomplish sometimes unclear missions while trying to minimize casualties within their own units.

Recently, I discussed this with members of the Armed Services Committee staff, combat veterans from Vietnam. We followed these stories about Senator Kerrey. We sat down and exchanged our own views. I deferred to them because two of them were in the thick of battle and they talked about the number of times throughout that war as veterans of ground combat that they took risks, themselves, personally, and risks to their men who were with them, to provide some measure of protection to the innocent non-combatant persons who had gotten entrapped in those battles in the dark nights and dusty days in that deep canopy.

Yes, they did take personal risks themselves. As near as I can determine, then-Lieutenant Kerrey, Robert Kerrey, took those risks himself.

They did so to protect the civilians in the combat zone. In that period of time, it was very difficult to determine who the enemy was; imagine that—who the enemy was. It was a very complex conflict into which we injected our men and women.

So we will never know exactly what happened that February night in that Thanh Phong, Vietnam, battle. But I respect the word of my former colleague, Robert Kerrey, and I urge other Senators to read these articles and decide for themselves. I believe each of us ought to make our own determination about this situation.

I conclude my remarks with a salute to the men and women who fought in that conflict and share with them my complete understanding, as near as I can base it on my own experiences. I salute them.

RESIGNATION OF DIRECTOR FREEH

Mr. SPECTER. Mr. President, the principal reason for my seeking recognition is to comment briefly on the announced resignation of FBI Director Louis Freeh. He has tendered his resignation effective in June of this year. I believe Director Freeh has done an outstanding job in a very difficult position.

I had considerable opportunity to work with Director Freeh in my capacity as chairman of the Subcommittee on the Judiciary and when I chaired the Senate Intelligence Committee. The Judiciary Subcommittee on Terrorism in 1996 had extensive hearings on Ruby Ridge, with Randy Weaver isolating himself, and action by the Alcohol, Tobacco and Firearms units and FBI that led to a shootout which regrettably caused the death of a U.S. Marshall, Randy Weaver's wife, and Randy Weaver's young son.

During the course of that investigation, FBI Director Freeh had the courage to stand up and change very deeply ingrained policies in the FBI, changing their rules of engagement and their use of deadly force. I think that took some doing in the face of institutional opposition.

He led an outstanding FBI investigation into the bombing on Khobar Towers, personally making a number of trips overseas. That is a matter which has yet to see a final resolution, but there has been very able and excellent investigative work done by the FBI in that matter in a very difficult circumstance, working with officials from Saudi Arabia.

Director Freeh did a good job in campaign finance reform, taking positions which were sometimes in conflict with the Attorney General, technically his superior, in the Department of Justice, although the FBI Director has unique status, really, in that he has a 10-year appointment. So there were times when Director Freeh found it necessary to take stands in opposition to the Attorney General of the United States

and sometimes even in opposition to the President of the United States. While I didn't always agree with some of the details, it was my view it was a strong performance on the part of FBI Director Louis Freeh.

I think the Director also did an outstanding job in expanding the FBI's role in combating organized crime internationally, and his tenure has seen a vast expansion of FBI offices around the world carrying on very important counterespionage work and counterterrorism work. There has been an excellent level of cooperation established between the FBI and the CIA under the CIA leadership of George Tenet and, before that, John Deutch, with the FBI directorship under Louis Freeh.

There have been difficulties during Director Freeh's tenure with the FBI crime lab and with the investigation of Dr. Wen Ho Lee—on that subject, the Judiciary Subcommittee on Administrative Oversight and the Courts is continuing the inquiry—and also with the allegations as to the Hanssen case, the alleged spy.

But I think, overall, Director Freeh's tenure with the FBI has been outstanding. He brought to the position unique credentials, having been an FBI agent and assistant U.S. attorney, a Federal judge, and he had the capacity to know law enforcement while also understanding civil rights. When the problems arose in Ruby Ridge, he did not hesitate to change the long-standing FBI policies on the use of deadly force in recognition of civil rights, at the same time maintaining very strong law enforcement standards.

I think the President will have a difficult replacement assignment in finding another Director who can measure up to what Director Freeh has done. It is certainly a fact when law enforcement has faced tough issues, they have moved ahead and made many assignments to the FBI. Director Freeh's response on changing the FBI's use of deadly force was in sharp contrast to the refusal of the Alcohol, Tobacco and Firearms units, and even the Secretary of the Treasury, to make changes when there had been clear-cut fault established as to the Alcohol, Tobacco and Firearms unit.

I salute Director Freeh on the announcement of retirement and note his very excellent work and say we will have a tough time finding someone to fill those big shoes.

MIDDLE EAST PEACE

Mr. SPECTER. Mr. President, I ask unanimous consent to have printed in the RECORD a "Commentary" on the mideast peace process.

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

[From the Philadelphia Inquirer, Apr. 27, 2001]

MIDEAST PEACE PROCESS MUST RESUME
(By U.S. Sen. Arlen Specter)

Escalating violence has deadened the Middle East peace process. As usual, all sides look to the United States to influence the parties to end the violence and resume the quest for peace.

In mid-April, at the request of Egyptian President Hosni Mubarak, I met with Palestinian Chairman Yasir Arafat in Cairo. When I arrived for our 10:30 p.m. meeting, Arafat said that as we spoke, Israeli helicopters and missiles were attacking Palestinians in Gaza. He did not mention that the Israeli action was in retaliation for mortars fired into Israel earlier that day.

Our discussion, which lasted until nearly midnight, was interrupted every few moments by aides bringing him the latest dispatch on the fighting. I told Arafat I was convinced Israeli Prime Minister Ariel Sharon would not resume the peace process until the violence ended.

Since the sequence of events demonstrated that Israel was responding to Palestinian provocation, it was up to Arafat to demonstrate his best efforts to stop the violence. After all, it was Arafat's famous letter of Sept. 9, 1993, that induced then-Prime Minister Yitzhak Rabin and Foreign Minister Shimon Peres to shake Arafat's hand at their historic meeting with President Clinton on the White House lawn four days later. In that letter, Arafat renounced violence and promised to punish any Palestinian who violated that commitment.

Arafat responded that he had made an unequivocal declaration at the recent Arab summit. When his statement was examined, it was obvious it was so conditional as to be meaningless. I then asked Arafat why he had rejected former Prime Minister Ehud Barak's generous settlement offer on major concessions on Jerusalem and additional territory on the West Bank. Arafat said he had accepted the Barak proposal. Again, on examination, there were so many ifs, ands and buts that his response was meaningless. Our meeting ended with no realistic hope that any significant action could be expected from Arafat.

The situation was equally bleak when I traveled on to Beirut and Damascus. Hezbollah, backed by Iran and Syria, had continued to attack Israeli border settlements from Southern Lebanon, leading Israel to bomb Syrian radar. Beirut once touted as the Paris of the Middle East, has not recovered from Lebanon's civil war because of factional quarrels and Syria's continuing dominance of the country.

In Damascus, Syria's foreign minister Farouk Shara agreed with Sharon that Israeli-Syrian peace talks on the Golan Heights would be pointless at this time. Before President Hafez al-Assad's death, the parties had come very close to a settlement but were now back to square one.

Notwithstanding the bleak prospects, the Bush administration, aided by Congress, must push the parties back to the bargaining table. There is no doubt that the countries involved listen to Uncle Sam. When Secretary of State Colin Powell criticized Sharon's tough retaliation as "excessive and disproportionate," Israel modified its tactics.

Congress has spoken emphatically: 87 senators and 209 House members wrote on April 6 to the President calling for the closing of the Palestinian office in Washington if the Palestinians did not stop inciting violence. I have urged President Bush to appoint a special envoy for the Middle East just as President Richard Nixon used Henry Kissinger for

shuttle diplomacy and Presidents Jimmy Carter, Ronald Reagan, George H.W. Bush and Bill Clinton assigned envoys such as Dennis Ross to the peace process. President Bush may soon find it necessary to become personally involved like his predecessors.

The escalation of Israeli-Palestinian violence may encourage other terrorist groups, such as Hamas and Islamic Jihad, to attack not only Tel Aviv and Jerusalem, but also U.S. interests around the world. The peace process cannot be abandoned; one way or another, a way must be found for Israelis and Palestinians to live together on that tiny parcel of hallowed and historic land. Our vital national interests in the region make it imperative that the United States actively pursue a resumption of the Middle East peace process.

TRIBUTE TO BILLIE PENN

Mr. NICKLES. Mr. President, I rise today to recognize Billie Penn, a friend and member of my staff for the last 18 years. Billie is one of the most energetic, friendly and sweet people I know. Today this bundle of energy with a heart of gold is retiring.

Billie opened my Lawton office and has managed it for the last 18 years. As my field representative for Southwestern Oklahoma, she has worked diligently for the people of Beckham, Washita, Caddo, Greer, Kiowa, Harmon, Jackson, Tillman, Comanche, Cotton, Stephens, and Jefferson counties.

Billie's enthusiasm is contagious. I think we'll have to hire four or five people just to fill her spot. Besides working for me, Billie finds energy to golf with Bill, her husband of 41 years, visit her kids—William and Allison—and spoil her grandkids, Alisa, Skyler, Nathaniel and Ashlyn. She's active in Lawton's Chamber of Commerce, her church, Grace Fellowship, and probably any other cause that asks for a helping hand.

Today, there was a surprise retirement party for her that I'm sorry I could not attend. I can only imagine the numbers of people that showed up to celebrate the great job Billie has done. There is no one else like her and she will be missed.

Billie is a true friend and a real treasure. I am grateful for her outstanding service to the people of Oklahoma. We all have benefited from her hard work.

Today, I wish her all the best as she begins her retirement.

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 last month. 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.

Today, Mr. President, I would like to detail a heinous crime that occurred July 29, 2000 in Mahwah, New Jersey. A man who allegedly attacked two men

after calling them gay was arrested and charged with aggravated assault, bias harassment, and bias assault. Witnesses told police that the alleged perpetrator, William Courain, 26, was at an apartment complex party when he began making remarks to several of the guests about their sexual preferences. He left the party and confronted two men in the parking lot, making obscene comments about their sexual orientation, before attacking them. Witnesses say he began punching and kicking the two victims, one of whom suffered bleeding from the mouth and eyes and was treated at a local hospital. (The RECORD, August 1, 2000)

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.

JOINT TASK FORCE FULL
ACCOUNTING

Mr. BINGAMAN. Mr. President, recently, in a remote area of Vietnam, a helicopter with 16 passengers and crew aboard went down in a central Vietnamese jungle. Vietnamese officials reported that there were no survivors. The passengers on this aircraft included seven American heroes. One of those heroes, I am sad to report, was from New Mexico, Major Charles Lewis II. Major Lewis was an Air Force ROTC graduate of Mayfield High School and New Mexico State University in Las Cruces, NM. He was an outstanding student and deeply committed to his country through his service with the Air Force. We are shocked and saddened at the loss of Major Lewis and these American heroes.

In connection with the recent "National Former Prisoner of War Recognition Day", I salute Major Lewis and his downed colleagues. Moreover, I salute the heroic contributions of all those who serve in the Joint Task Force Full Accounting, JTFFA, and the U.S. Army Central Identification Laboratory Hawaii, CILHI, whose noble mission is to resolve the cases of Americans still unaccounted for during America's wars. We especially honor the unsung victims of this tragic accident who were carrying out our nation's abiding commitment to account for and honor the lives of POW-MIAs lost in the conflict in Southeast Asia three decades ago. They were part of an advance team scheduled to begin recovery work at six MIA sites in Vietnam beginning this month.

Since 1973, the JTFFA and CILHI have conducted investigations and excavations that have accounted for 603 American POW-MIA personnel. Since 1985, with the full support of cooperative Vietnamese assistants, members of the Joint Task Force and the Central