

Wyden, Cleland, Boxer, Edwards, Carnahan, and Bill Nelson.

ENERGY

Senator Bingaman, Chairman; Senators Akaka, Dorgan, Graham, Wyden, Johnson, Landrieu, Bayh, Feinstein, Schumer, Cantwell, and Carper.

ENVIRONMENT

Senator Jeffords, Chairman; Senators Reid, Baucus, Graham, Lieberman, Boxer, Wyden, Carper, Clinton, and Corzine.

FINANCE

Senator Baucus, Chairman; Senators Rockefeller, Daschle, Breaux, Conrad, Graham, Jeffords, Bingaman, Kerry, Torricelli, and Lincoln.

FOREIGN RELATIONS

Senator Biden, Chairman; Senators Sarbanes, Dodd, Kerry, Feingold, Wellstone, Boxer, Torricelli, Bill Nelson, and Rockefeller.

GOVERNMENT AFFAIRS

Senator Lieberman, Chairman; Senators Levin, Akaka, Durbin, Torricelli, Cleland, Carper, Carnahan, and Dayton.

HEALTH, EDUCATION, LABOR AND PENSIONS

Senator Kennedy, Chairman; Senators Dodd, Harkin, Mikulski, Jeffords, Bingaman, Wellstone, Murray, Reed, Edwards, and Clinton.

JUDICIARY

Senator Leahy, Chairman; Senators Kennedy, Biden, Kohl, Feinstein, Feingold, Schumer, Durbin, Cantwell, and Edwards.

BUDGET

Senator Conrad, Chairman; Senators Hollings, Sarbanes, Murray, Wyden, Feingold, Johnson, Byrd, Bill Nelson, Stabenow, Clinton, and Corzine.

RULES

Senator Dodd, Chairman; Senators Byrd, Inouye, Feinstein, Torricelli, Schumer, Breaux, Daschle, Dayton, and Durbin.

SMALL BUSINESS

Senator Kerry, Chairman; Senators Levin, Harkin, Lieberman, Wellstone, Cleland, Landrieu, Edwards, Cantwell, and Carnahan.

VETERANS

Senator Rockefeller, Chairman; Senators Graham, Jeffords, Akaka, Wellstone, Murray, Miller, and Ben Nelson.

INTELLIGENCE

Senator Graham, Chairman; Senators Levin, Rockefeller, Feinstein, Wyden, Durbin, Bayh, Edwards, and Mikulski.

SPECIAL COMMITTEE ON AGING

Senator Breaux, Chairman; Senators Reid, Kohl, Jeffords, Feingold, Wyden, Lincoln, Bayh, Carper, Stabenow, and Carnahan.

JOINT ECONOMIC

Senators Reed, Kennedy, Sarbanes, Bingaman, Corzine, and Torricelli—subject to statutory change.

INDIAN AFFAIRS

Senator Inouye, Chairman; Senators Conrad, Reid, Akaka, Wellstone, Dorgan, Johnson, and Cantwell.

ETHICS

Senator Reid, Chairman; Senators Akaka, and Lincoln.

Mr. LOTT. On behalf of the Republican members of the Senate, I submit the following committee assignments for the Republican party and ask unanimous consent they be printed in the RECORD.

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

AGRICULTURE, NUTRITION AND FORESTRY

Senators Lugar, Helms, Cochran, McConnell, Roberts, Fitzgerald, Thomas, Allard, Hutchinson (AR), and Crapo.

APPROPRIATIONS

Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Burns, Shelby, Gregg, Bennett, Campbell, Craig, Hutchinson (TX) and DeWine.

ARMED SERVICES

Senators Warner, Thurmond, McCain, Smith (NH), Inhofe, Santorum, Roberts, Allard, Hutchinson (AR), Sessions, Collins, and Bunning.

BANKING

Senators Gramm, Shelby, Bennett, Allard, Enzi, Hagel, Santorum, Bunning, Crapo, and Ensign.

BUDGET

Senators Domenici, Grassley, Nickles, Gramm, Bond, Gregg, Snowe, Frist, Smith (OR), Allard, and Hagel.

COMMERCE

Senators McCain, Stevens, Burns, Lott, Hutchison (TX), Snowe, Brownback, Smith (OR), Fitzgerald, Ensign, and Allen.

ENERGY

Senators Murkowski, Domenici, Nickles, Craig, Campbell, Thomas, Shelby, Burns, Kyl, Hagel, and Smith (OR).

ENVIRONMENT AND PUBLIC WORKS

Senators Smith (NH), Warner, Inhofe, Bond, Voinovich, Crapo, Chafee, Specter, and Campbell.

FINANCE

Senators Grassley, Hatch, Murkowski, Nickles, Gramm, Lott, Thompson, Snowe, Kyl, and Thomas.

FOREIGN RELATIONS

Senators Helms, Lugar, Hagel, Smith (OR), Frist, Chafee, Allen, Brownback, and Enzi.

GOVERNMENTAL AFFAIRS

Senators Thompson, Stevens, Collins, Voinovich, Domenici, Cochran, Bennett, and Fitzgerald.

HEALTH, EDUCATION, LABOR AND PENSIONS

Senators Gregg, Frist, Enzi, Hutchinson (AR), Warner, Bond, Roberts, Collins, Sessions, and DeWine.

JUDICIARY

Senators Hatch, Thurmond, Grassley, Specter, Kyl, DeWine, Sessions, Brownback, and McConnell.

RULES

Senators McConnell, Warner, Helms, Stevens, Cochran, Santorum, Nickles, Lott, and Hutchison (TX).

SMALL BUSINESS

Senators Bond, Burns, Bennett, Snowe, Enzi, Fitzgerald, Crapo, Allen, and Ensign.

INDIAN AFFAIRS

Senators Campbell, Murkowski, McCain, Domenici, Thomas, Hatch, and Inhofe.

ETHICS

Senators Roberts, Voinovich, and Thomas.

INTELLIGENCE

Senators Shelby, Kyl, Inhofe, Hatch, Roberts, DeWine, Thompson, and Lugar.

EXPLANATION OF ABSENCE

Mr. DOMENICI. Mr. President, on Friday, June 29, I was necessarily absent because I was needed in New Mexico. Anyone who is familiar to New Mexico knows that water is a matter of life and future for us. On this day, the Department of interior, the Attorney

General for the State of New Mexico, the State Engineer, the Interstate Stream Commission, the Middle Rio Grande Conservancy District and the city of Albuquerque all reached a 3-year agreement regarding one of the endangered species, the Silvery Minnow on the Rio Grande River.

There are many parties interested in the needs and recovery of the minnow and many groups have been working on river and riparian ecosystem restoration efforts upstream. The settlement proposal mentions that naturalized refuges are a necessary component of saving the silvery minnow and I remain committed to helping make that happen over the next three years.

This agreement temporarily solves one of the most difficult to solve water problems on the Rio Grande. I can't think of an issue that affects more New Mexicans, for this reason I decided that it was essential that I be in New Mexico and therefore, necessarily absent.

I would have voted for the First substitute version of the Patients Bill of Rights had I been in Washington.

ON THE FAIRNESS OF THE ADMINISTRATION OF THE DEATH PENALTY

Mr. FEINGOLD. Mr. President, "The system may well be allowing some innocent defendants to be executed."

Were these the words of Governor George Ryan, the Illinois Governor who placed a moratorium on executions last year? They could have been, but they were not. Were these the words of an attorney defending someone facing the death penalty? They could have been, but they were not. Rather, these were the remarkable words of Supreme Court Justice Sandra Day O'Connor—the same Justice O'Connor who has generally supported the death penalty during her twenty years on the Court, the same Justice O'Connor who has championed states' rights, including the right to carry out executions, the same Justice O'Connor who joined or wrote key opinions that made it more difficult for defendants facing the death penalty to have their state sentences overturned in federal court, and the same Justice O'Connor who voted in favor of allowing executions of teenage children who committed crimes at age 16 or 17.

Justice O'Connor said, "After 20 years on the high court, I have to acknowledge that serious questions are being raised about whether the death penalty is being fairly administered in this country." She uttered these words at a meeting before the Minnesota Women Lawyers in Minneapolis last Monday. Coincidentally, Justice O'Connor made these remarks on the 25th anniversary of the Supreme Court's 1976 *Gregg v. Georgia* decision, which reinstated the death penalty as we know it today. Only four years earlier, in 1972, the Court had found the death penalty unconstitutional. But in *Gregg*, the Court found that sufficient safeguards

had been implemented to allow states to resume use of the death penalty.

Since the *Gregg* decision, over 700 people have been executed in the United States and today over 3,700 people sit on death row awaiting execution. Since the *Gregg* decision, the rate of executions have increased: from one execution in 1981 to 98 executions in 1999, 85 in 2000, and 39 so far this year.

Justice O'Connor also said, "Unfortunately, as the rate of executions have increased, problems in the way which the death penalty has been administered have become more apparent." She also said, "Perhaps most alarming among these is the fact that if statistics are any indication, the system may well be allowing some innocent defendants to be executed."

Justice O'Connor now joins Supreme Court Justices Harry Blackmun and Lewis Powell, who also late in their lives came to reconsider their support of the death penalty.

But most importantly Justice O'Connor now joins the growing chorus of Americans who are concerned about the risk of executing the innocent and the fairness of the administration of the death penalty.

Congress can and should play a role in ensuring fairness. We can create an independent, blue ribbon panel to review the fairness of the administration of the death penalty at the state and federal levels. With so many serious concerns about how the death penalty is applied by the States and Federal Government, a simple, yet necessary, step is to create a commission to review these concerns. In addition, the Federal Government and all States that authorized the use of capital punishment should suspend executions while a thorough review of the death penalty system is undertaken.

I am pleased to be a cosponsor of legislation introduced by Senator LEAHY that will take some important steps towards reducing the risk of executing the innocent, the Innocence Protection Act. But more can be done and Congress should do more. Congress should create a national commission on the death penalty and support a moratorium on executions while the commission conducts its work.

If we can agree that the system is flawed and runs the risk of executing innocent people, then we can also agree that we should undertake a thorough top-to-bottom review of the death penalty system. And while we do so, it is simply unjust to proceed with executions. I urge my colleagues to sponsor the National Death Penalty Moratorium Act. Congress should do everything it can to prevent even one innocent person from being sentence to death.

I yield the floor.

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 December 20, 1991 in Russian River, CA. A 45-year-old gay man, Joseph Mitchell, was stabbed to death along Highway 116 by a hitchhiker. Paul Daniel Huyck, 19, was arrested in Springfield, Oregon the first week of January 1992 in connection with the crime. He was charged with murder and violation of parole.

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.

NEW MEXICO FLOOD AND FEMA

Mr. DOMENICI. Mr. President, I rise today to thank my colleagues for acting quickly last summer in sending support to the Los Alamos community following the Cerro Grande fires. This swift response, coupled with the work of County officials, the Federal Emergency Management Agency and the Army Corps of Engineers helped control another act of mother nature that befell Los Alamos this past week.

Torrential rainstorms struck the region resulting in substantial flooding. In some areas the water swelled 60 feet as 1.75 inches of rain fell in less than one hour. Roads flooded and pavement was uprooted. Although at least six homes were evacuated, post-fire flood mitigation efforts prevented a much greater calamity.

Federal and local officials recognized a year ago that some of the fire damage created infrastructure problems that could lead to future flooding. This foresight proved decisive against the rushing floodwaters.

For example, the largest bridge in the town of Los Alamos—which spans the Pueblo Canyon—was saved by Congress' action and the efforts of the Army Corps of Engineers. Last year, recognizing the potential for floods, the Corps extended an 18-inch culvert to 7 feet in record time. I visited the culvert site during construction and was very impressed with the skill, dedication, and professionalism of the Corps of Engineers crew.

During the recent storms, the water swelled 55 feet and was within five feet from the top of the bridge. The bridge withstood the pressure, which it could not have done without the culvert. Without that culvert, the waters would have flowed over the roadway and probably destroyed the road and bridge. It would have cost \$15 million to replace the bridge.

More importantly, if the bridge had been destroyed half of the community

would have been cut off from the laboratories and from all paved access to services and hospital facilities. Instead of direct access to the town, residents north of the bridge would have been rerouted twenty miles on dirt roads that traverse deep canyons.

Fortunately, Mr. President, this culvert and other mitigation measures protected Los Alamos from its second natural disaster in two years. This is in large part due to the actions of my colleagues in Congress, and for this I extend my utmost gratitude. This assistance helped the people of Los Alamos to once again persevere against the odds.

SOUTH CAROLINA PEACHES

Mr. HOLLINGS. Mr. President, I rise to recognize South Carolina's peach farmers for their hard work and their delicious peaches.

Today, peaches from my home State have been delivered to offices throughout the Senate and the U.S. Capitol. Thanks to South Carolina's peach farmers, those of us here in Washington will be able to cool off from the summer heat with delicious peaches.

For a relatively small State, South Carolina is second in the Nation in peach production. In fact, this year farmers across my State planted more than 16,000 acres of peaches. However, a late freeze has reduced this year's crop size by 40 percent. Nevertheless, South Carolina's peach farmers wanted to give us, here in Washington, a taste of South Carolina. And as my colleagues can attest, these are some of the finest peaches produced anywhere in the United States.

As we savor the taste of these peaches, we should remember the work and labor that goes into producing such a delicious fruit. While Americans enjoy peaches for appetizers, entrees and desserts, most do not stop to consider where they come from. Farmers will be laboring all summer in the heat and humidity to bring us what we call the "perfect candy." What else curbs a sweet tooth, is delicious, nutritious and satisfying, but not fattening?

The truth is, our farmers are too often the forgotten workers in our country. Through their dedication and commitment, our Nation is able to enjoy a wonderful selection of fresh fruit, vegetables, and other foods. In fact, our agricultural system, at times, is the envy of the world.

As Senators and their staff feast on these delicious peaches, I hope they will remember the people in South Carolina who made this endeavor possible: The South Carolina Peach Council, David Winkles and the entire South Carolina Farm Bureau. They have all worked extremely hard to ensure that the U.S. Senate gets a taste of South Carolina.

I am sure everyone in our Nation's Capitol will be smiling as they enjoy these delicious South Carolina peaches.