

the Oklahoma bombing and special legislation to ensure their rights in connection with the trial. Last year, working with Katherine Turman, we were able to enact improvements to our 1995 legislation for victims of terrorism in order to double the cap on the Victims of Crime Act emergency reserve fund to \$100 million and provide greater flexibility to the Office for Victims of Crime to use the emergency reserve in carrying out programs that assist victims of terrorism and mass violence.

In addition, over the years I have worked with Senator Specter and others on a series of legislative actions to provide financial and educational benefits to federal and state public safety officers killed or injured in the line of duty, including educational benefits for their dependents.

We will be reviewing all of these provisions in the days and weeks ahead in the wake of the devastation of Tuesday.

Although nominees to head the Office for Victims of Crime traditionally have not always participated in a confirmation hearing, I wanted to include Mr. Gillis at a Senate hearing to highlight the importance of the work of this Office, the critical importance of crime victims' rights, and the assistance and compensation provided by the Federal Government.

Along with other Senators strongly committed to assisting crime victims and protecting their rights, I reintroduced the Crime Victims Assistance Act of 2001 in April of this year. In preparing our bill, we consulted closely with a number of victims organizations and with the Office for Victims of Crime. That legislation, which enhances the rights and protections of victims of crime, establishes innovative new programs to help promote compliance with State victim rights laws and improves the manner in which the Crime Victims Fund is managed and preserved, is an important matter and a high priority for me. I was heartened when Mr. Gillis pledged to work with us on this initiative.

Toward the end of yesterday's hearing, I suggested that I would try to clear the nomination of John Gillis to be Director of the Office for Victims of Crime on an extraordinary and expedited basis. I noted that Attorney General Ashcroft had, on the eve of the nomination hearing, called me at home in support of this nomination. Yesterday I requested that the Majority Leader proceed to the nomination and that the Senate confirm John Gillis. I thank the Majority Leader for taking action and I want to thank all Democratic Members of the Senate and my colleague from Vermont for approving that request. In these difficult days, confirming Mr. Gillis to head the Office for Victims of Crime so that he may lend his hand to the efforts of those working so diligently in that Office and in State and local government and private efforts in New York, Virginia and around the country, is a small but sig-

nificant step that the Senate can and should take.

I am gratified that overnight whatever problem or concern had threatened to delay Senate action on this nomination has been resolved. I thank all Senators for their willingness to move forward under these extraordinary circumstances to confirm John Gillis to be Director of the Office for Victims of Crime. In particular, I thank the senior Senator from Oklahoma (Mr. NICKLES) for his effort to clear this nomination for expedited Senate action today. His personal intervention helped make this possible. I have had the privilege of working over the years with Senator NICKLES on victims legislation. He has shown again today his commitment to the interests of victims of crime and terrorism.

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the following nominations be considered en bloc: Calendar Nos. 363 through 383; that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

##### DEPARTMENT OF JUSTICE

Richard R. Nedelkoff, of Texas, to be Director of the Bureau of Justice Assistance.

##### DEPARTMENT OF EDUCATION

Brian Jones, of California, to be General Counsel, Department of Education.

##### DEPARTMENT OF JUSTICE

Paul J. McNulty, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

Patrick Leo Meehan, of Pennsylvania, to be United States Attorney for the Eastern District of Pennsylvania for the term of four years.

Stephen Beville Pence, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Michael J. Sullivan, of Massachusetts, to be United States Attorney for the District of Massachusetts for the term of four years.

Joseph S. Van Bokkelen, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years.

Gregory F. Van Tatenhove, of Kentucky, to be United States Attorney for the Eastern District of Kentucky for the term of four years.

Colm F. Connolly, of Delaware, to be United States Attorney for the District of Delaware for the term of four years.

Michael G. Heavican, of Nebraska, to be United States Attorney for the District of Nebraska for the term of four years.

Thomas B. Heffelfinger, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years.

Roscoe Conklin Howard, Jr., of the District of Columbia, to be United States Attorney for the District of Columbia for the term of four years.

Mary Beth Buchanan, of Pennsylvania, to be United States Attorney for the Western District of Pennsylvania for the term of four years.

Peter W. Hall, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

##### DEPARTMENT OF STATE

John D. Negroponde, of the District of Columbia, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

John D. Negroponde, of the District of Columbia, to be a Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

Laura E. Kennedy, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkmenistan.

Marcelle M. Wahba, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Arab Emirates.

Ronald E. Neumann, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Bahrain.

Patrick Francis Kennedy, of Illinois, a Career Member of the Senior Foreign Service, Class of Career Minister, to be a Representative of the United States of America to the United Nations for the U.N. Management and Reform, with the rank of Ambassador.

##### DEPARTMENT OF DEFENSE

The following named officer for appointment as the Chairman of the Joint Chiefs of Staff and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 152:

*To be general*

Gen. Richard B. Myers, 0000.

##### NOMINATION OF JOHN NEGROPONTE

Mr. DODD. Mr. President, yesterday the Foreign Relations Committee held a hearing to consider the nomination of John Negroponde to be the U.S. Permanent Representative to the United Nations. I was unable to attend yesterday's hearing because I was with my wife Jackie attending the birth of our daughter Grace.

I believe that it was very important yesterday that the Committee hearing focused in part on a careful review of new information that has come to light related to Ambassador Negroponde's tenure in Honduras during 1981-85 to see whether Congress had been kept fully informed about all aspects of U.S. policy with respect to Honduras during his watch.

I recognize, that this is not a normal week for the Senate or for the American people. President Bush has indicated that he wants the United States to be represented by an Ambassador at the United Nations as quickly as possible, particularly in light of this week's tragic events. I don't disagree with that view.

However, the Foreign Relations Committee did have a responsibility to review the questions raised in connection

with this nomination. They discharged that responsibility yesterday. The Committee has proceeded expeditiously, professionally and fairly with Ambassador Negroponete's nomination. It requested and receive documents from the State Department and CIA. Those documents were reviewed, consisting of several thousand pages, the committee proceeded with the hearing yesterday and today the Senate is ready to act. There have been no undue delays.

Let's review the time line of this nomination to date. The President announced his intent to nominate Ambassador Negroponete for the U.N. post on March 6. The nomination was not submitted to the Senate, however, until May 14, nearly four months into the Administration, by contrast, Madeleine Albright was nominated for the U.N. post on January 20, 1993 and confirmed six days later.

On May 3, over a week before the nomination was submitted, the Committee Democrats wrote the President to request that the Administration provide documents to the Committee so it could review issues related to Negroponete's tenure in Honduras. On May 8, Committee staff submitted a list of requested documents to representatives of the White House and the State Department. The last document responsive to the original request of May 8 was not provided, however, until late July. The Committee staff reviewed several thousand pages of documents responsive to the request and determined that a number of documents which were still classified contained important information on questions raised about Ambassador Negroponete's tenure in Honduras.

The chairman of the committee then requested that the State Department and CIA undertake a review of documents within the committee's possession that remained classified with a goal of making public as much information as possible in order to shed additional light on what role if any the United States played in the human rights abuses that were perpetrated against the Honduran people in the first half of the 1980s, and specifically what knowledge or involvement the United States Ambassador, at the time Mr. Negroponete, had in those abuses. The committee also offered to begin hearings prior to the August recess on U.N. issues, with another hearing to follow in September on issues related to Negroponete's service in Honduras. The administration chose to wait until September to begin the hearing process. So we are talking about a period of approximately fourteen weeks of working days of the Senate from the time the nomination was submitted until today. This compares quite favorably when compared to the Holbrooke nomination which took from February 1999 to August 1999.

Some conservative columnists have suggested that I and others are trying to re-fight the Central America con-

flict of the 1980's. Nothing could be further from the truth. Rather, I would argue that there is an effort underway in some quarters to rewrite the history of U.S. involvement in that conflict and sweep under the rug how politically painful and damaging that policy was. In the early 1980's, the Congress and the American people were told that the United States had no involvement in using Honduras in as a staging ground for a covert Contra program to overthrow Nicaragua's Sandinista government. Later, when the so called second Boland amendment cutting off assistance to the Contra was passed we were told that the United States was not violating that provision of law. That of course proved to be untruth as the Iran Contra Investigation demonstrated. Similarly we were told that the Honduran military was not as a matter of policy violating human rights of its citizens or that the Salvadoran High Command had no known or culpability for the torture and murder of the American church women or the Jesuit priests. Of course we now know that none of that was in fact true. It is indisputable that this fabric of untruths and half truths caused deep fissures in the Congressional-Executive branch relationship and in the trust of the American people in their government. Those fissures will only be fully healed if there is honesty and full candor between the Executive and the Congress.

Our policy was also controversial throughout Central America. Tens of thousands of Central Americans lost their lives during the 1980's, many at the hands of their own governments. Tens of thousands more had their lives permanently marred by losses of loved ones. Fortunately, in 1987 Central American leaders took their fate into their own hands and crafted the Central America Peace Agreement. President George H. Bush, upon coming to office in 1989 embraced the peace agreement and reached out to the Congress in order to de-politicize Central America. Elections followed in Nicaragua, as did a negotiated settlement to the civil conflict in El Salvador. Honduras ceased to be a staging area for the U.S. backed contras. El Salvador and Honduras have undertaken to come to grips with the past by attempting to investigate and assign responsibility for the atrocities that occurred in their respective countries as an important step in the process of peace and reconciliation.

Since Ambassador Negroponete was last confirmed by the Senate as Ambassador to the Philippines in 1993, a great deal of new information has come to light about the nature and extent of human rights abuses during his tenure in Honduras. This information also raised questions about the appropriateness of the U.S. Embassy's response and about whether Ambassador Negroponete had been forthright with the Committee in 1989 when I asked him questions about these matters.

How has this new information come to light? It is the result of a number of investigations into this subject from 1992-1998: First in 1992, Leo Valladares, the Honduran National Commissioner for the Protection of Human Rights undertook to catalog the disappearances and other human rights abuses that occurred in Honduras in the eighties. That investigation is still ongoing. Prompted by the Valladares investigation the Baltimore Sun's undertook its own year long investigation which resulted in 1995 in a four part series detailing human rights abuses by a special Honduran military intelligence unit, the so called Battalion 316, and U.S. embassy links to that unit, and knowledge thereof. In 1996, this led CIA Director John Deutch to establish a Special Working Group within the agency to assess whether the allegations raised by the series were valid. Finally, the CIA Director tasked the CIA's Inspector General to resolve specific questions raised by the Working Group as it related to the death of an American citizen, Father James Carney, and about the CIA's relationship with members of the Honduran military who may have committed human rights abuses before or doing that relationship.

The picture that emerges in analyzing this new information is a troubling one. Some of the key facts that the Committee put on public record during yesterday's hearing thanks to the cooperation of the State Department and CIA are the following: One, during 1980-84, the Honduran military committed most of the hundreds of human rights abuses reported in Honduras. These abuses were often politically motivated and officially sanctioned; two, Honduran military units were trained by the U.S.—members of these units have been linked to death squad activities such as killings, disappearances, and other human rights abuses; three, the CIA's reporting of human rights abuses was inconsistent. Reporting inadequacies precluded CIA headquarters from understanding the scope of human rights abuses; four, the responsibility for monitoring and taking action against domestic subversion in Honduras was first the responsibility of a special unit of the Public Security Forces, FUSEP; five, at the recommendation of a joint U.S./Honduran military seminar, this responsibility was transferred in early 1984 to a new unit (which came to be known as Battalion 316) under the supervision of the Military Intelligence Division of the Armed Forces General Staff; and six, the FUSEP special unit and Battalion 316 counter terrorist tactics included torture, rape and assassination against persons thought to be involved in support of the Salvadoran guerrillas or part of the Honduran leftist movement; seven, as many as 250 instances of human rights abuses in Honduras are officially documented, including disappearances, torture, extra judicial killings; and eight, at least one death

squad was known to have operated during 1980-84. This death squad was called ELACH, The Honduran Anti-Communist Liberation Army. There is information linking this death squad to chief of the National Intelligence Directorate of the Honduran Public Security Forces.

When Ambassador Negroponte came before the committee in 1989 in the context of his nomination to the position of US Ambassador to Mexico, I asked him a number of questions related to his tenure in Honduras, two questions dealt with human rights. Given what we know about the extent and nature of Honduran human rights abuses, to say that Mr. Negroponte was less than forthcoming in his responses to my questions is being generous. I would ask that the my exchange with Ambassador Negroponte during that hearing in printed in the RECORD at this point.

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

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

EXCERPT FROM HEARING RECORD

Senator DODD. That Battalion 316, I said "alleged," but, in fact, was that a death squad? Was that the name of a death squad operating either within the Honduran military or with their approval?

Ambassador NEGROPONTE. I do not recall knowing it as the 316th Battalion. In fact, some of what I am saying now may be based on trying to reconstruct events after having discussed this issue with individuals long after the fact, for example, when Mr. LeMoyné wrote his story. But I recall it to have been an intelligence unit.

Again, I have never seen any convincing substantiation that they were involved in death squad type activities.

Mr. DODD. I know there will be those who say, that it isn't terribly important that the Honduran military committed human rights abuses more than fifteen years ago in some cases. Moreover, in relative terms those abuses in Honduras paled in comparison to what to else where in Central America. My response to that is that the Senate has a duty and responsibility to be a partner in the fashioning of U.S. foreign policy, and the only way it can be a full partner is if we in this body are kept fully informed. When it came to our ability to be full partners with respect to U.S. toward Honduras or elsewhere in Central America, I would tell you that we were unable to do that because we were flying blind.

It gives me great pause as I ponder how to vote on this nomination to think that someone as intelligent and capable as Ambassador Negroponte would treat this committee and this body so cavalierly in his responses to my questions. I wonder who he thinks he works for?

I was also troubled by Ambassador Negroponte's unwillingness to admit, that as a consequence of other U.S. policy priorities, the U.S. embassy, by acts of omissions ending up shading the truth about the extent and nature of

ongoing human rights abuses in the 1980s. Moreover, in light of all the new information that I have just mentioned, I do not know how Ambassador Negroponte can continue to believe that it was simply "deficiencies in the Honduran legal system coupled with insufficient professionalism of law enforcement authorities that "led at times to abuses of authority by Honduran police officials." And, quoting his written answer to a committee question on this subject that, "I did not believe then, nor do I believe now, that these abuses were part of a deliberate government policy."

The InterAmerican Court of Human Rights had no such reluctance in assigning blame to the Honduran government during its adjudication of a case brought against the Government of Honduras by the InterAmerican Commission on Human Rights in 1987. In deciding the case of Honduran citizen Velasquez Rodriguez the Court found that "a practice of disappearances carried out or tolerated by Honduran officials existed between 1981-84." And, as I mentioned earlier, based upon an extensive review of U.S. intelligence information by the CIA Working Group in 1996, the CIA is prepared to stipulate that "during the 1980-84 period, the Honduran military committed most of the hundreds of human rights abuses reported in Honduras. These abuses were often politically motivated and officially sanctioned."

Moreover, Mr. Negroponte should have been forewarned to look for signs of government sponsored human rights abuses in light of concerns that his predecessor Ambassador Jack Binns, a career foreign service officer, had raised with the State Department concerning the mind set of the architect of Honduras' domestic countersubversion program with respect to a willingness to extrajudicial means in the context of such programs. Ambassador Binns was speaking about General Gustavo Alvarez who became Commander in Chief of the Honduran Armed Forces in 1982, and who had been Commander of Honduran Public Security Forces, FUSEP, from 1980-82.

Based upon the Committee's review of State Department and CIA documents, it would seem that Ambassador Negroponte knew far more about government perpetuated human rights abuses than he chose to share with the committee in 1989 or in Embassy contributions at the time to annual State Department Human Rights reports. For example, a Negroponte cable summarizing meetings between Congressman Solarz and Honduran government officials in January 1985 makes note of a Honduran official's concerns about future human rights abuses due to "fears that there might still be some "secret operating cells" left from the Alvarez era," here referring to General Alvarez who had headed the Honduran armed forces until he was removed in 1984 by his fellow officers.

I don't quite know the difference between a "death squad" and "secret op-

erating cells", but since Ambassador Negroponte is officially on record as saying that no death squads existed in Honduras during his tenure, there must be some difference.

There are also discrepancies with respect to when he became aware of certain cases where Honduran authorities were secretly detaining and torturing Hondurans suspected of subversion. And how he chose to report those cases to Washington. The case of dual national Ines Consuelo Murillo comes most readily to mind. Her detention and torture was described in detail on April 15, 1995 in the Baltimore Sun.

These are but a few examples. There were others which taken together, paint a very mixed picture of whether the U.S. embassy was doing much to discourage Honduran government practices or how comprehensively it was collecting and reporting on such abuses. Having said that, there were no "smoking guns" in the documents that have been provided to the Committee.

I know that this week is not just any week. I also know that the President is anxious to have an ambassador at the United Nations is a high priority, particularly in light of recent events. I will not stand in the way of the Senate moving forward with this nomination. I believe that yesterday's decision by the Committee on Foreign Relations to put on the public record all the additional declassified information that it has compiled in reviewing this nomination will contribute to the healing and reconciliation that is still ongoing in Honduras.

Finally I would say a word of caution to other career foreign service officers, particularly junior officers, that they not consider this nominee's lack of candor before the committee as a model to be emulated. A United States Ambassador is a representative of the United States Government and ultimately works for the American people. That means that our ambassadors have an obligation to be truthful and forthcoming in relations with Congress as we are the people's representatives. If they are under instruction to withhold information as a matter of policy they should say so. Then, we can take it up with their superiors if we choose to do so. In my estimation, Mr. Negroponte did neither in his dealings with the Congress. I am deeply saddened to come to that judgement. Having said that Ambassador Negroponte has had a distinguished career and on balance has discharged his responsibilities ably and honorably. For that reason, I intend to give him the benefit of the doubt in light of how extremely polarized relations between the Congress and the Executive were over U.S. policy in Central America when he was serving as Ambassador in Honduras. I will therefore support his nomination to the position of the U.S. Permanent Representative to the United Nations.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

**NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK**

Mr. REID. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from consideration of S. Res. 159, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 159) designating the week beginning September 16, 2001, as "National Historically Black Colleges and Universities Week."

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution and preamble be agreed to en bloc and that the motion to reconsider be laid upon the table, with no intervening action.

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

The resolution (S. Res. 159) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 159**

Whereas there are 105 historically black colleges and universities in the United States;

Whereas black colleges and universities provide the quality education so essential to full participation in a complex, highly technological society;

Whereas black colleges and universities have a rich heritage and have played a prominent role in American history;

Whereas black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically black colleges and universities are deserving of national recognition: Now, therefore, be it

*Resolved,*

**SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.**

The Senate—

(1) designates the week beginning September 16, 2001, as "National Historically Black Colleges and Universities Week"; and

(2) requests that the President of the United States issue a proclamation calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically black colleges and universities in the United States.

**ORDER THE RECORD REMAIN OPEN UNTIL 3:30 P.M.**

Mr. REID. Mr. President, I ask unanimous consent that the RECORD remain open today until 3:30 for statements and introduction of bills.

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

**MEASURE INDEFINITELY POSTPONED—S. 1426**

Mr. REID. Mr. President, I ask unanimous consent that once H.R. 2888, the emergency supplemental appropriations bill, is enacted into law, action on S. 1426 be vitiated and the bill then be indefinitely postponed.

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

Mr. REID. Mr. President, on behalf of Senator DASCHLE, I would like to extend my appreciation to everyone who allowed us to complete these nominations.

Mr. LEVIN. Mr. President, on behalf of myself and Senator WARNER, pursuant to section 3(b) of S. Res. 400 of the 94th Congress, we ask unanimous consent that S. 1428, the Intelligence Authorization Act for Fiscal Year 2002, be sequentially referred to the Committee on Armed Services for a period not to exceed 30 days.

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

**TRIBUTE TO TERRY LYNCH**

Mr. SHELBY. Mr. President, I rise today in remembrance of a long-time former employee of mine, Terry Michael Lynch. Terry was killed Tuesday morning at the Pentagon in the tragic and senseless events of a day that will never be forgotten in America. Terry worked for me for over 15 years, both in the House of Representatives and the U.S. Senate, and I would like to take this opportunity to reflect on the life of a dedicated family man and a true patriot.

Terry was born in 1952 in Youngstown, Ohio, Terry grew up as the son of a steel-factory administrator. He graduated from high school in Youngstown, and received both his bachelor's and master's degrees in history from Youngstown State. It was there that Terry met his wife of 24 years, Jackie.

Terry worked on Capitol Hill as an aide to former Alabama Republican Congressman Albert Lee Smith. Some of you might remember the Congressman. He began working for me in 1983, when I was a Member of the U.S. House of Representatives. When I entered the race for the United States Senate in 1986, Terry was one of the first volunteers to take personal time away from his family here in Virginia and travel throughout Alabama doing any task that was needed. Terry came over to the U.S. Senate with me as my Legislative Assistant assigned to the Armed Services Committee and continued in that position from 1987 through 1994. In 1995, Terry became a professional staff member of the Senate Intelligence Committee and for two years brought his expertise to the Intelligence Committee. He subsequently worked as a member of the professional staff of the Senate Veterans' Affairs Committee

chaired by Senator SPECTER. Terry was most recently employed by the consulting firm of Booz Allen and Hamilton.

To say and give you all of this background does not touch the essence of Terry Lynch. He was one of the most loyal, caring, unpretentious, and compassionate human beings I have ever had the privilege of knowing. Terry was a foundation of strength and stability for everyone that knew and loved him. He was the kindest soul and the most dedicated and loving father to his two daughters, Tiffany and Ashley. Terry's passion for helping others, especially the men and women in uniform with which he so closely worked, was always evident over the course of his career. This week, former staff members have called from all over the world to express their deep grief. And, although they had not seen Terry in many years, he made such a strong impact on all of us that to this day, he still lives on in each of our hearts in some way. Terry Lynch's spirit and his memory will forever be with us—the people who worked with him and knew him in the House of Representatives, who worked with him and knew him in the Senate, and who worked with him and knew him in the Pentagon where he died.

We are all, I believe, better people for having known Terry Michael Lynch.

Terry was an intelligent man with a heart of gold. He was also a great American. His life should not have ended in this unfortunate and premature manner, because he had so much ahead of him. But I promise you I will do everything in my power to ensure that Terry's life, and the lives of all Americans affected by this terrible tragedy, did not end in vain.

Mr. President, 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 19, 1997 in Stockton, CA. A high school student was allegedly beaten by a group of youths who believed he was gay. Two youths, ages 16 and 17, were charged with civil rights violations.

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.

Mr. MCCAIN. Mr. President, I want to thank the managers of this bill for their hard work in putting forth this