

Sports Agent Act, and assisted countless state, federal and local investigators in important investigations. In addition, he has helped develop and plan the investigative priorities of the Attorney General's office. Jesse also served as a certified instructor for Peace Officer Standard and Training program for Alabama.

I, and Senator RICHARD SHELBY, were pleased to recommend him to President Bush and I am certain that these qualities will make him a great Marshal.

When I became Attorney General, the office faced a serious budget crisis. Indeed, it was a disaster. The office was forced to reduce its size by one-third and to completely reorganize to meet our challenges with less personnel. That is when I saw Jesse Seroyer rise to the challenge. He took on many challenges and extra duties. Most importantly, as the investigator with the most institutional knowledge, he was invaluable to me and others in the office. It was a difficult time and he was a tower of strength. Without his leadership and cooperation we could not have been successful.

More than just a respected law officer, Jesse Seroyer is a man of faith and family. He married a very special lady, Novelette K. Ward, in 1973 not long after graduating from Opelika High School. Their marriage has produced two children, Steve and Jessica.

His faith is central to his life. He and his wife are active members of Greater Peace Baptist Church where he serves as a Deacon. He also serves as a Director for Boy Scout Troop 373, Opelika, Ala., and is a member of the National Organization of Black Law Enforcement Executives.

Novelette is extremely talented in her own right. She is also a state employee with the State Department of Education. She is a woman of rich Christian faith. At Jesse's investiture, she blessed the large crowd beautifully singing "America." It was a special way indeed for Jesse to start his new work.

Jesse Seroyer loves his God, his family and his country. He is trained and ready for this new step in his career. I extend my special appreciation to President Bush for this nomination and to the Senate for its unanimous confirmation. He will serve superbly.●

#### THE DEATH PENALTY AND THE INNOCENT

● Mr. CORZINE. Mr. President, Monday, a man named Ray Krone was released from prison. Ray Krone had been convicted of murder. He had already served 10 years behind bars. And he had been sentenced to die.

But Ray Krone is and always has been an innocent man. New DNA evidence proved that conclusively. He was convicted for a crime he did not commit. And prosecutors now acknowledge that. As the local county attorney put it, "He deserves an apology from us, that's for sure."

To put it mildly, that is an understatement.

How would any of us feel if we were charged, tried and convicted by a jury of our peers for a crime we did not commit? And then, to top it off, sentenced to die?

Ray Krone knows what that feels like. And, unfortunately, he is not alone. In fact, he was the 100th person to be released from death row with proof of his innocence.

These 100 innocent people have experienced nothing short of a living hell. And the outrageous injustice of their convictions and their sentences should be a wake up call for all of us.

I take second place to nobody in my determination to fight the scourge of crime. As part of that effort, I believe we need to be very tough on violent criminals, including imposing long sentences with little or no opportunity for parole.

But while we get tough on crime, we also need to recognize that our criminal justice system makes mistakes. Sometimes very serious mistakes.

Until recently, it was virtually impossible to know when innocent people were wrongfully convicted. But with the advent of DNA technology, at least some of these cases finally are coming to light.

Why are innocent people convicted and sentenced to death? To a large extent, it is because our criminal justice system has serious systemic flaws.

Capital defendants often have lawyers who do a terrible job. Sometimes, their failure is simply a result of carelessness and lack of preparation. They fail to find or interview key witnesses. They fail to thoroughly read the case law. They fail to object to unreliable evidence. They make a variety of mistakes.

I don't say this to criticize all defense attorneys. Most try to do a good job. But too many are inexperienced, overworked and underpaid. Even if they worked 24 hours a day, 7 days a week, they're just too overwhelmed to provide effective representation.

But ineffective assistance of counsel is just one reason why innocent people find themselves on death row. Sometimes eyewitnesses make honest mistakes. Sometimes, witnesses give false testimony, such as jailhouse informants seeking reduced sentences. Sometimes, prosecutors engage in misconduct by, for example, withholding evidence that could help a defendant's case.

Any of these factors can lead to a wrongful conviction. And we now have 100 examples to prove it.

A system that sends 100 innocent people to death row can be called a lot of things. But fair, equitable and just are not among them.

In fact, our criminal justice system is badly broken. And before we send any more innocent people to death row, we need to fix it.

That is why I am joining with Senator FEINGOLD in cosponsoring legisla-

tion to establish a moratorium on all Federal executions until a commission can be established to review the death penalty system and propose meaningful reforms.

This wouldn't lead to the release of any convicted criminals, or threaten public safety in any way. It would simply help ensure that innocent people are not put to death.

I urge my colleagues to support this legislation. And I want to express my sincere appreciation to Senator FEINGOLD for his leadership on this critically important matter.●

#### 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 last 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 in January 1996 in Houston, TX. A gay man was brutally murdered. The assailant, self-proclaimed white supremacist Daniel Christopher Bean, 19, was sentenced to life in prison for the murder.

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 and changing current law, we can change hearts and minds as well.●

#### RECOGNITION OF LOILA HUNKING, CHILDCARE SERVICES COORDINATOR FOR THE STATE OF SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor a very special South Dakotan who has made a real difference in the lives of women, children, and families across my home State. Today is Loila Hunking's last day as Childcare Services Coordinator for the State of South Dakota. While I'm sure this is not the last we have seen of Loila, I wanted to use the occasion of her retirement to honor her tireless work in many capacities for the people of the State of South Dakota.

After some time as a reporter and editor for our State's largest newspaper, the Sioux Falls Argus Leader, Loila turned to a career as a high school English and Journalism teacher in Brandon, SD. During this time, Loila was an active member in the South Dakota Education Association, and also served in the South Dakota House of Representatives. Her time in the South Dakota Legislature is marked by her strong support for equal rights for women, enactment of a spousal rape law, credit regulation, and human rights issues. After leaving the

legislature, Loila continued her work as an advocate in many capacities, truly leading the charge for issues important to women.

In 1976, Loila developed the first tool to measure community child care needs in South Dakota. Together with the Augustana Research Institute, Loila worked to put together a survey questionnaire and process of statistical computation that would assess child care needs and the causation of those needs in communities across South Dakota. Because of this survey, communities were able to explore the availability and scope of services and suggested relationships between women's career mobility, educational advancement, and child care opportunities.

As Chair of the South Dakota Commission on the Status of Women, Loila worked on a landmark publication that brought the serious issue of domestic violence into the light of day in South Dakota. The report published in 1979, and titled "A Conspiracy of Silence: A Report on Spouse Abuse in South Dakota" exposed the high occurrence of domestic violence in our State for the first time. State officials and the general population were stunned by the dramatic statistics the report revealed. The report offered important data and information to lawmakers who soon realized that this was not an issue that could be ignored.

Over the next two decades, Loila served as a member of the Sioux Falls School Board, the Sioux Falls City Commission, and as Chair of the South Dakota Democratic Party. Her tenure in all these positions was always marked by her devotion to the needs of children and families in South Dakota communities. In 1996, Governor Janklow appointed Loila as Childcare Services Coordinator for the state of South Dakota. He made an excellent choice. Throughout her years in that office, Loila has been dedicated to expanding, developing and improving childcare services in our state. She will be greatly missed.

Over the years, I have known that I can always count on Loila to give me the story, straight. I have always appreciated her no-nonsense approach to policy, government, and politics. It's my hope that Loila will find time in her retirement to continue to serve women, children, and all of South Dakota. She has always been a strong voice for those who were in need of one. She truly has made South Dakota a better place to live. I offer her my whole-hearted congratulations and thanks upon her retirement, and wish her all the best in her future endeavors.●

#### TAIWAN RELATIONS ACT

● Mr. SMITH of New Hampshire. Mr. President, April 10 marked the 23d anniversary of the Taiwan Relations Act, signed into law by President Jimmy Carter in 1979. The Taiwan Relations Act has enabled Taiwan to build suc-

cessfully a democratically governed society and an economy by which the Taiwanese people prosper.

However, for Taiwan to continue its economic and political development under the ominous threats posed by Communist China, the United States must remain committed to the Taiwan Relations Act. The United States must ensure Taiwan possesses a capable military deterrent until a peaceful settlement of cross-straits relations with the People's Republic of China is realized.

The United States cannot allow the People's Republic of China to bully Taiwan, as it did during the 1995 Taiwan legislative elections and in the 1996 and 2000 Presidential elections. I am quite pleased to see the Bush administration's strong support for Taiwan. In particular, I was delighted to hear that the Bush administration would do "whatever it takes" to defend Taiwan.

Taiwan has proven itself a worthy friend. Its dedication to democratic freedoms, processes and institutions, attention to human rights, and adherence to rule of law, as well as its words and deeds after the events of September 11, 2001, have helped it gain strong political support in the United States. We must continue to assist such a worthy friend by honoring the Taiwan Relations Act in its totality and making sure that mainland China does not misunderstand our intention of maintaining peace and stability in the Taiwan Strait.●

#### VOTE EXPLANATION

●on Wednesday, April 10 on the rollcall votes regarding the amendments offered by the distinguished Senator from California, Senator FEINSTEIN, and the distinguished Senator from Idaho, Senator CRAIG. Unfortunately, I was absent for medical reasons and was unable to vote.

I wanted to express my support for Senator FEINSTEIN's amendment and had I been here, my intention was to vote "yes" on the motion to invoke cloture on her energy derivatives amendment. I understand that this body specifically exempted over-the-counter trading in energy derivatives from anti-fraud, anti-manipulation and other oversight regulation by the Commodities Futures Trading Commission back in 2000. However, I believe the Enron collapse, and the dramatic energy price spikes we saw last year in California and the Northwest, including in my State of Montana, tell us that we should take a closer look at energy markets and make sure we are catching market manipulators. I was disappointed that cloture was not invoked on this amendment.

I also wanted to express my support for Senator CRAIG's amendment, and had I been here, my intention was to vote for the Craig amendment to strike title II of S. 517. With so much uncertainty in today's energy markets. I was

not convinced that the modified electricity restructuring provisions in S. 517 did enough to protect the best interests of consumers. This is a complicated area of Federal law, and I think the Senate needs more time to get it right. For that reason, I would have supported Senator CRAIG's amendment.●

#### BILL TAYLOR

● Mr. SESSIONS. Mr. President, the office of United States Marshal is one of the great and historic law enforcement positions in America. This honor carries with it the responsibility of protecting the Federal judiciary, tracking down fugitives from justice, delivering defendants to trial, ensuring safety of witnesses, leading and coordinating with local law enforcement and, in general, helping the entire federal legal system work together harmoniously and effectively to fight crime. Because Marshals often come from State and local law enforcement to their federal position, their experience helps further communication among all criminal justice agencies. This is critical today in fighting crime.

I was therefore extremely pleased William S. Taylor and that President Bush has chose him to be the U.S. Marshal for the Southern District of Alabama. He has all the qualities necessary to be a great success. First and foremost he is a good man. He loves his God, his family and his country. He has served each with distinction and fidelity. Bill is known for his honesty. He is always a gentleman, always courteous, always cooperative with the public and his superiors, but you may be sure he will not do things that he does not believe is right. On that point, he is rock solid.

I came to know Bill and his superior reputation when he served as Police Chief of Jackson, AL, while I served as U.S. Attorney for the Southern District of Alabama. During that time, we got to know each other well, working together on important criminal cases and even fishing together periodically. My mother, originally from Choctaw County, AL, later told me about his fine parents. Bill's father was a fine carpenter and brick mason respected throughout that area of the State. In 1994, I was elected to the office of Attorney General for Alabama and I prevailed upon Bill to join me as Alabama's Law Enforcement Coordinator. Bill was superb in that position and won the respect of law enforcement personnel all over the state. He understood their needs and problems and worked to help them. Law enforcement officers trusted him. In addition, I would call on him periodically to help us investigate difficult cases. He was a great asset as an investigator also. For more than a year, the chief of staff of my Senate office who was then the administrative officer of the Attorney General's office, Armand DeKeyser, State Trooper Mike Barnett, Bill and I