

voluntary and spontaneous instead of a compulsory routine is to make an unflattering estimate of the appeal of our institutions to free minds.” Patriotism is flourishing in ways that no one could have predicted. Americans are rallying around the flag in a voluntary show of strength that demonstrates America’s commitment to freedom and liberty.

Respect cannot be coerced or compelled. It can only be given voluntarily. Some may find it more comfortable to silence dissenting voices, but coerced silence can only create resentment, disrespect, and disunity. You don’t stamp out a bad idea by repressing it; you stamp it out with a better idea.

My better idea is to fly the flag, not because the law tells me to; not because there is something that says this is what I have to do to show respect; I do it because, as an American, I want to. That is why the American flag has always flown at the Leahy home. The extraordinary display of patriotism we have witnessed over the past 9 months is evidence that the American public agrees.

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#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam 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 December 6, 2000 in Placer County, CA. A 37-year-old African American woman was attacked at a roadside rest stop. The perpetrators, two men, were hiding in a restroom stall when they attacked, bound and gagged the victim with duct tape, sexually assaulted her, and wrote racial slurs all over her body. Police investigated the assault as a hate crime.

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.

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#### MISSED OPPORTUNITIES IN BURMA?

Mr. MCCONNELL. Madam President, leave it to the repressive generals in Rangoon to miss an opportunity to secure peace and reconciliation in Burma. I am referring to today’s BBC article entitled “Burma Renews Suu Kyi Isolation.”

I want to be very clear to the repressive State Peace and Development Council (SPDC), the Administration, and the international community—particularly Japan—that the level of engagement with the hard liners in Ran-

goon should be conditioned on concrete, political progress following Daw Aung San Suu Kyi’s release. Intimidating and punishing any Burmese who meets with democracy leader Suu Kyi—as has already occurred—or continuing to restrict her movements is wholly unacceptable and must not be tolerated.

The State Department made a grave mistake in allowing a Burmese colonel to visit Washington last month. The regime exploited this mistake when it touted in a press statement: “This was our first conversation at this level with American authorities since 1988.” We should not allow an illegal military junta to spin our intentions—or our policy.

It is my expectation that the junta will allow Suu Kyi and the National League for Democracy to conclude its assessment of Burma’s humanitarian needs before moving forward on any new programs or initiatives. Restricting Suu Kyi’s access to U.N. offices in Rangoon serves no logical purpose.

Those of us who have long championed freedom and democracy for the people of Burma must be vigilant in the days, weeks, and months ahead. It is premature for the Washington—or any other foreign capital—to be considering “rewards” for the SPDC: 1,500 political prisoners have yet to be released; forced labor continues unabated; ethnic nationalities suffer horrific human rights abuses; and, dialogue between the NLD and the regime has not resumed.

The State Department would be wise to withhold requests to Congress for expanding narcotics cooperation with the Burmese—including the use of training facilities in Thailand—lest they be guilty of premature jubilation in Burma.

As I wrote to President Bush last month, the SPDC should be judged not by what they say, but rather by what they do. It does not look like the tiger in Burma has changed its stripes.

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#### THE DEATH OF S.SGT. ANISSA A. SHERO IN AFGHANISTAN

Mr. ROCKEFELLER. Madam President, for many generations, the people of West Virginia have distinguished themselves by their willingness to serve their country in the armed forces. West Virginians understand the cost of freedom and have always been willing to pay it when called. Today, we are reminded again just how great that cost can be, as we mourn the loss of Air Force Staff Sgt. Anissa A. Shero, of Grafton, WV, who died in a tragic airplane crash near the town of Gardez, Afghanistan.

Sgt. Shero was a volunteer, who chose to serve her country in the face of grave danger. When terrorists struck, she left behind the mountains of West Virginia for the mountains of Afghanistan, to risk her life so that we might live ours in freedom and safety. She was part of an extraordinarily suc-

cessful effort to crush the Taliban, disrupt and demoralize al-Qaeda, and free the people of Afghanistan from two decades of war and despotism. Men and women in both nations are safer now because of her work, and all of us who value freedom owe Sgt. Shero a profound debt of gratitude and honor. I know that the thoughts and prayers of many people are, like mine, with her family and her friends tonight.

Like the two service members who died with her, and the 37 others killed in Afghanistan during this war, including West Virginian Sgt. Gene Vance, Jr., Sgt. Shero bravely did her duty as an American. Now, let us pledge to do ours in her honor. Let us remember always, including on the floor of this Senate Chamber, that wars are about people, and freedom, and lives. Let us make certain that our armed forces have the tools they need to meet any foe, any where, any time. And let us treasure the freedoms we enjoy as Americans and give thanks for the service members who fight to protect them.

Sgt. Shero represented the best of West Virginia and the best of America. She was strong, courageous, and dedicated. She will forever serve as a role model for West Virginians, men and women alike, who loved their country and who, like her, know our ideals are worth fighting for.

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#### THE ABM TREATY

Mr. REED. Madam President, I rise to acknowledge the fact that today, 6 months after President Bush announced the U.S. intention to withdraw from the ABM Treaty, the Treaty lapses. The 30-year old treaty, which most consider to be the cornerstone of arms control, now no longer exists.

The significance of today has gone largely unnoticed. Press coverage has been minimal so most American will likely not realize what happens today. The objections of Russia and China to the withdrawal have been muted. Our European allies have reluctantly accepted the withdrawal. Some would say that this lack of fanfare proves that the ABM Treaty was a relic of the cold war and needed to be renounced. I would argue that while today’s withdrawal seems insignificant at this moment, it has profound implications for the future.

When President Bush announced his intention to withdraw from the treaty, he stated: “I have conclude the ABM Treaty hinders our government’s ability to develop ways to protect our people from future terrorist or rogue-state missile attacks.” I would argue that this statement is incorrect. First, the greatest threat from terrorists is not from a long range missile but from methods we have witnessed and watched for since September 11 conventional transportation like planes and cargo ships, used as weapons.

Secondly, any testing of missile defenses that could be planned for the

next several years would not violate the ABM Treaty. We simply do not have the technology yet to test a system in violation of the treaty. An article in today's New York Times states that on Saturday, ground will be broken for a missile test site in Fort Greely Alaska. The article states that this test site would violate the treaty. That is not correct. Under Article IV of the ABM treaty and paragraph 5 of a 1978 agreed statement, the U.S. simply has to notify Russia of U.S. intent to build another test range. As a matter fact, the fiscal year 2002 Defense authorization act authorized the funding for the Alaska test bed prior to the President's announcement to withdraw from the treaty. As a supporter of the ABM Treaty and a member of the Senate Armed Services Committee, I can assure you that Congress clearly had no intent to authorize an action that would violate the treaty. The technologies which would indeed violate the ABM Treaty, sea-based and space-based systems, are mere concepts that are years away from constituting an action that would violate the treaty. In sum, despite the claims of the President, there was no compelling reason to withdraw at this time.

In addition, today, the United States becomes the first nation since World War II to withdraw from a major international security agreement. In the past 50 years only one other nation has attempted such an action. In 1993 North Korea announced its intention to withdraw from the Nuclear Non-proliferation Treaty which caused an international crisis until North Korea reconsidered. The U.S. withdrawal has not caused an international crisis, but it does send a subtle signal. If the U.S. can withdraw from a treaty at any time without compelling reasons, what is to stop Russia or China from withdrawing from an agreement? Furthermore, what basis would the U.S. have for objecting to such a withdrawal since our nation began the trend? This administration must keep in mind that other nations can also take unilateral actions, but we might not be as comfortable with those decisions. Indeed, as we seek to eliminate the threat of weapons of mass destruction, this withdrawal sends the opposite signal.

As I mentioned before, the ABM treaty was the cornerstone of arms control. With the cornerstone gone, there are worries about an increase in nuclear proliferation. As Joseph Cirincione said, "No matter what some people may tell you, each side's nuclear force is based primarily on the calculation of the other side's force." If China believes its force could be defeated by a U.S. missile shield, China may decide it is in its best interest to increase the number of weapons in its arsenal to overwhelm the shield. If China increases its nuclear missile production, neighboring rival India may find it necessary to recalculate the size of its force. Of course, Pakistan would then increase its inventory to match India.

So, while there seems to be little consequence to cessation of the ABM Treaty today, if we are not careful it could be the spark of a new arms race.

As of today, the ABM Treaty no longer exists. But our work has just begun. Withdrawing from this treaty dictates that we redouble our efforts on other nonproliferation and arms control agreements. Since September 11, every American has become acutely aware of the need to eliminate and secure nuclear materials so that they do not become the weapon of a terrorist. The only way we will not regret today's action is to prove by future actions that the U.S. is truly committed to arms control and nonproliferation. The United States should robustly fund Cooperative Threat Reduction programs. The United States should pursue further negotiations with the Russians and agree to actually dismantle some weapons rather simply place them in storage. The United States should also ratify the Comprehensive Test Ban Treaty.

In his withdrawal announcement last December 13, President Bush said, "This is not a day for looking back, but a day for looking forward . . ." I agree. We cannot look back to a treaty that no longer exists, but we must work diligently from this day forward to ensure that the United States is taking the steps necessary to maintain the peace and security once sustained by the ABM Treaty.

#### ADDITIONAL STATEMENTS

##### APPRECIATION FOR LENEICE WU

• Mr. BIDEN. Madam President, I would like to take this opportunity to extend the appreciation of the Senate to a devoted public servant at the Congressional Research Service. Leneice Wu is retiring from CRS after 34 years of service to the United States Congress, a period spanning 17 Congresses and the tenures of eight Presidents. Only five sitting members of the Senate and three Members of the House of Representatives have longer terms of service to the Nation. This length of service is not only a credit to Ms. Wu, but also a demonstration of the dedication that the staff of the Congressional Research Service bring in their support of our work in Congress.

After graduating from Mary Washington College in 1968, Ms. Wu began her career with the Library of Congress as a research assistant, and is now concluding it as the CRS Deputy Assistant Director of the Foreign Affairs, Defense and Trade Division. During her decades of service, Ms. Wu has provided research and analytical support to Members of Congress on a broad range of international relations issues, with a particular focus upon the difficult challenges of arms control. The Strategic Arms Limitation Talks, START, the Nuclear Test Ban Treaty, nuclear non-proliferation, and chemical-bio-

logical arms control are but a few of the areas in which she has assisted Congress. A list of her reports and analytical memoranda to Congress would run several pages, but a brief survey finds: Congress and the Termination of the Vietnam War, Nuclear Proliferation: Future U.S. Foreign Policy Implications, Congress and Arms Control Policy, and U.S. Foreign Military Sales Legislation. Ms. Wu also coordinated and contributed to the eight-part Fundamentals of Nuclear Arms Control, issued as a Committee Print by the House Committee on Foreign Affairs. On two occasions, Ms. Wu was detailed to the Arms Control and Disarmament Agency to advise in the preparation of Arms Control Impact Statements, ensuring attention to congressional intent and interests.

In addition to her research responsibilities, Ms. Wu has undertaken numerous administrative responsibilities. Prior to her present position, within the Foreign Affairs Division she has served as head of the Central Research Unit, the International Organizations, Development, and Security Section, and the Defense Policy and Arms Control Section. Following these assignments she moved on to become the Foreign Affairs Division's Program Coordinator and later Research Coordinator. Ms. Wu has also overseen a unique and vital resource to the Congress, CRS's Language Services, which provides foreign language translations for both Members and Committees. For the Liberty of Congress as whole, Ms. Wu has served as a member of the Women's Program Advisory Committee, and as both Equal Employment Opportunity Counselor and Officer.

Ms. Wu is a fine example of those many staff in this institution who work in virtual anonymity to support the important work of the Congress. On behalf of my colleagues, I extend our deep appreciation to Ms. Wu for her service, and wish her the very best in her future endeavors. •

##### WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION 2002 NATIONAL COMPETITION

• Mr. LUGAR. Madam President, I am pleased to rise today to recognize the signal accomplishments of students from Castle High School, of Newburgh, IN, who were the Central States Regional Award winners in the 2002 "We the People: The Citizen and the Constitution" national competition.

The "We the People: The Citizen and the Constitution" program, administered by the Center for Civic Education, promotes an understanding of the rights and responsibilities of United States citizens. Students in the elementary, middle, and high school levels learn about the values and principles embodied in the Bill of Rights and the United States Constitution. The Castle High School team competed against fifty classes from throughout the country and testified before a mock