

request that consideration be given to [Justice White's dissenting opinion in Johnson] as a factor in the appointment to fill this position of U.S. District Judge."

I want to assure the Missouri Sheriffs Association and all Senators that I took their concern seriously and reconsidered the dissent in that case to see whether I saw in it anything disqualifying or anything that would lead me to believe that Justice White would not support enforcement of the law. I respect them for having contacted us and for the way in which they did so. It is terribly hard to continue to honor those we have loved and lost by respecting the rule of law that guarantees constitutional rights to those accused, tried, and convicted of killing innocent members of our dedicated law enforcement community.

Whether the nomination of Justice White or consideration of the legal issues considered in his opinions "sparked strong concerns" among Missouri law enforcement officers, or whether controversy about this nomination was otherwise generated, I am not in position to know. I do know this: I respect and consider seriously the views of law enforcement officers. As a former State's Attorney and former Vice President of the National District Attorneys Association, I hear often from local prosecutors, police and sheriffs, both in Vermont and around the country. I work closely with local law enforcement and national law enforcement organizations on a wide variety of issues. I know from my days in local law enforcement that there are often disagreements between police and prosecutors and with judges about cases. I respect that difference and understand it.

With respect to the views expressed by law enforcement representatives on Justice Ronnie White's nomination, both for and against, I say the following: I have considered each of the letters produced during the course of the Senate debate and reconsidered the cases to which they refer. I respectfully disagree that those decisions present a basis to vote against the confirmation of Justice Ronnie White to the federal court. Far from presenting a pattern of "procriminal jurisprudence" or "tremendous bent toward criminal activity," they are dissents well within the legal mainstream and well supported by precedent and legal authority. Further, if considered in the context of his body of work, achievements, and qualifications, they present no basis for voting against this highly qualified and widely respected nominee. I conclude, as did the Missouri State Lodge of the Fraternal Order of Police, that "our nation has been deprived of an individual who surely would have proven to be an asset to the Federal Judiciary."

With all due respect, I do not believe that any constituency or interest

group, even one as important as local law enforcement, is entitled to a Senate veto over a judicial nomination. Each Senator is elected to vote his or her conscience on these judicial appointments, not any special interest or party line. When Senators do not vote their conscience, they risk the debacle that we witnessed on October 5th, when a partisan political caucus vote resulted in a fine man and highly qualified nominee being rejected by all Republican Senators on a party line vote.

It is too late for the Senate to undo the harm done to Justice White. What the Senate can do now is to make sure that partisan error is not repeated. The Senate should ensure that other minority and women candidates receive a fair vote. We can start with the nominations of Judge Richard Paez and Marsha Berzon, which have been held up far too long without Senate action. It is past time for the Senate to do the just thing, the honorable thing, and vote to confirm each of these highly qualified nominees. Let us start the healing process. Let us vote to confirm Judge Richard Paez and Marsha Berzon before this session ends.

I ask unanimous consent that a copy of the October 21, 1999 letter from the Missouri State Fraternal Order of Police be printed in the RECORD.

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

FRATERNAL ORDER OF POLICE,
MISSOURI STATE LODGE,
October 21, 1999.

Sheriff PHILIP H. MCKELVEY,
President, National Sheriff's Association,
Alexandria, VA.

DEAR SHERIFF MCKELVEY: I am writing on behalf of the more than 4,500 members of the Missouri State Fraternal Order of Police to express my great consternation at your organization's recent opposition to the confirmation of Justice Ronnie White to the Federal bench, an opposition which I sincerely hope was not simply politically motivated.

The record of Justice White is one of a jurist whose record on the death penalty has been far more supportive of the rights of victims than of the rights of criminals. While in fact voting 17 times for death penalty reversals, he has voted to do so in far fewer instances than the other Justices on the Court. In addition, Justice White has also voted to affirm the death penalty in 41 cases.

The Fraternal Order of Police is no stranger to fighting to see that justice is served for slain law enforcement officers and their families. Our organization has been at the forefront of bringing to justice Munia Abu-Jamal, establishing a nationwide boycott of individuals and organizations which financially support the efforts of this convicted cop killer. In addition, the FOP led the fight against President Clinton's clemency of 16 convicted Puerto Rican terrorists responsible for a wave of bombing attacks on U.S. soil and the wounding of three New York City police officers.

Unfortunately however, nothing can undo the needless injury which has been inflicted on the reputation of Justice White, and our nation has been deprived of an individual who surely would have proven to be an asset to the Federal Judiciary.

On behalf of the membership of the Fraternal Order of Police, I would encourage you to exercise greater judgment in future battles of this sort. It is a great disservice to the members of your organization, and the nation as a whole, to choose to do otherwise.

Sincerely,

THOMAS W. MAYER,
President, Missouri State FOP.

COMMERCE—JUSTICE—STATE AP- PROPRIATIONS CONFERENCE RE- PORT

Mr. JEFFORDS, I rise today to express my profound disappointment that the Conference Report to the Fiscal Year 2000 Commerce, Justice, State and the Judiciary Appropriations bill removed language that was in the Senate passed bill to expand Federal jurisdiction in investigating hate crimes.

The language inserted in the Senate passed bill would expand Federal jurisdiction in investigating hate crimes by removing the requirement in Federal hate crime law that only allows federal prosecution if the perpetrator is interfering with a victim's federally protected right like voting or attending school. It would also extend the protection of current hate crime law to those who are victimized because of their gender, sexual orientation, or disability.

Any crime hurts our society, but crimes motivated by hate are especially harmful. Many states, including my state of Vermont, have already passed strong hate crimes laws, and I applaud them in this endeavor. An important principle of the amendment that was in the Senate-passed bill was that it allowed for Federal prosecution of hate crimes without impeding the rights of states to prosecute these crimes.

The adoption of this amendment by the Senate was an important step forward in ensuring that the perpetrators of these harmful crimes are brought to justice. The American public knows that Congress should pass this legislation, and it is unfortunate that the conferees did not retain this important language.

Congress should pass this legislation, and I will work to ensure that this legislation is enacted into law in the very near future.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Madam President, at the close of business yesterday, Wednesday, October 20, 1999, the Federal debt stood at \$5,669,462,199,918.75 (Five trillion, six hundred sixty-nine billion, four hundred sixty-two million, one hundred ninety-nine thousand, nine hundred eighteen dollars and seventy-five cents).

One year ago, October 20, 1998, the Federal debt stood at \$5,543,686,000,000 (Five trillion, five hundred forty-three billion, six hundred eighty-six million).

Five years ago, October 20, 1994, the Federal debt stood at \$4,709,361,000,000 (Four trillion, seven hundred nine billion, three hundred sixty-one million).

Ten years ago, October 20, 1989, the Federal debt stood at \$2,876,433,000,000 (Two trillion, eight hundred seventy-six billion, four hundred thirty-three million) which reflects a doubling of the debt—an increase of almost \$3 trillion—\$2,793,029,918.75 (Two trillion, seven hundred ninety-three billion, twenty-nine million, one hundred ninety-nine thousand, nine hundred eighty-nine dollars and seventy-five cents) during the past 10 years.

NOMINATIONS

Mrs. BOXER. Madam President, as my colleagues know, I have been urging the Majority Leader to schedule Senate debate and votes on two nominees for the Ninth Circuit Court of Appeals—Marsha Berzon and Richard Paez. Judge Paez was first nominated 45 months ago. Ms. Berzon's nomination has been pending for almost 2 years.

I know that the Majority Leader supports the nomination of Glenn McCullough to the Board of Directors of the Tennessee Valley Authority.

I have no objection to voting on Mr. McCullough. I voted him favorably out of the Environment and Public Works Committee this week.

What I do object to is keeping the nominations of Judge Paez and Marsha Berzon from the Senate floor long after they have been voted out of committee.

So I have no problem with Senator LOTT's nominee, who has been waiting for a Senate vote for two days—as long as Senator LOTT and the Republican majority also consider those who have been waiting years for a vote.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:57 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2670. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

ENROLLED BILL SIGNED

At 3:49 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1663. An act to recognize National Medal of Honor sites in California, Indiana, and South Carolina.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

At 6:54 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

ENROLLED BILL SIGNED

The following enrolled bill, previously signed by the Speaker of the House, was signed on today, October 21, 1999, by the President pro tempore (Mr. THURMOND):

H.R. 2841. An act to amend the Revised Organic Act of the Virgin Islands to provide for greater fiscal autonomy consistent with other United States jurisdictions, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-5724. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Scale Requirements for Accurate Weights, Repairs, Adjustments, and Replacement After Inspection", received October 8, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5725. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the New England and Other Marketing Areas; Final Rule; Delay of Effective Date—(DA-97-12)", received October 7, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5726. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State Designations; California, Pennsylvania, and Puerto Rico" (Docket #99-063-1), received October 19, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5727. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Animal Welfare; Perimeter Fence Requirements" (Docket #95-029-2), received October 19, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5728. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture,

transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Belgium Because of BSE" (Docket #97-115-2), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5729. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Luxembourg Because of BSE" (Docket #97-118-2), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5730. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oriental Fruit Fly; Removal of Quarantined Area" (Docket #99-044-2), received October 14, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5731. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyriproxyfen; Pesticide Tolerance" (FRL #6381-3), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5732. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyriproxyfen; Pesticide Tolerance" (FRL #6386-5), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5733. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebufenozide; Benzoic Acid, 3,5-dimethyl-1-(1,1-dimethylethyl)-2-(4-thylbenzoyl) hydrazide, Pesticide Tolerance" (FRL #6382-6), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5734. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sethoxydim; Pesticide Tolerances for Emergency Exemptions" (FRL #6385-9), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5735. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metolachlor; Extension of Tolerance for Emergency Exemptions" (FRL #6386-1), received October 15, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5736. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision 1 of Regulatory Guide 8.15, 'Acceptable Programs for Respiratory Protection'", received October 15, 1999; to the Committee on Environment and Public Works.