

Virginia, whom Mr. Bush made chairman of the Republican National Committee earlier this year, signed a statute to improve access to DNA testing. In Texas, Mr. Bush's gubernatorial successor has also signed DNA legislation, while lawmakers in Austin move forward on improvements in the state's indigent-defense system.

Perhaps most striking, neighboring Oklahoma, the focus of national attention because of the McVeigh execution plans, began taking similar steps four years ago. A state board controlled by Gov. Keating hired Jim Bednar to run the state agency that provides lawyers for poor defendants. Mr. Bednar had formerly sought the death penalty as a state prosecutor and presided over its imposition as a judge.

In the past, if a lawyer assigned to represent an indigent defendant "had vital signs, he was determined to be competent," says Mr. Bednar. "In theory I'm not opposed to the death penalty. But it's the practice we need to look at. The system is flawed."

He began to overhaul the indigent-defense agency by winning funding increases to hire better-quality lawyers. The agency is now sending the message that attorneys for poor inmates "are really going to show up and do our job," Mr. Bednar says.

Because of stiffer opposition, prosecutors are becoming "more hesitant to seek the death penalty," he adds. In fiscal year 1998, as Mr. Bednar was beginning to reorganize his agency, prosecutors in the area served by his Norman office, which covers roughly the western half of the state, sought death sentences in 36 cases. They obtained the punishment in four cases. Last year, prosecutors sought 26 death sentences and obtained only one.

Doubts about the validity of some prosecution evidence—sown most recently by the scandal involving alleged flaws in the work of Oklahoma City police chemist Joyce Gilchrist—may have also made juries more reluctant to impose the death penalty in the state. Oklahoma Attorney General Drew Edmondson, whose office is reviewing the cases of all 121 death-row inmates in the state to see if additional DNA testing is called for, has declined to set an execution date for any of the 12 against whom Ms. Gilchrist had testified. Ms. Gilchrist, who was suspended by the Oklahoma City police department in March and now faces a state investigation of her work, said in an interview, "I stand by my testimony."

Republican Gov. Keating says further steps are needed. He proposes a higher standard of proof—"moral certainty" of guilt—for capital cases, instead of the families' absence-of-reasonable-doubt standard used in criminal trials. "The people now expect moral certainty," says Mr. Keating. "No system can survive if it's fallible."

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 last month. 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 August 19, 2000, in San Francisco, California. Two men

were arrested on charges of stalking, assaulting and robbing men in gay bars in what police say was a "brazen, bicoastal crime spree that included four robberies in Maine and vicious attacks on gays," including slashing one victim's throat, in California. The perpetrators were arrested after a bouncer at a gay bar recognized their distinctive Boston accents after reading about them in a warning flier distributed by police.

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.

TWO-YEAR ANNIVERSARY OF THE BELLINGHAM WASHINGTON PIPE- LINE EXPLOSION

Mrs. MURRAY. Madam President, on June 10th families in Bellingham, WA and throughout my home State will mark the 2-year anniversary of a pipeline explosion that killed three young people.

That tragic explosion changed three families forever. It shattered a community's sense of security. It showed us the dangers posed by aging, uninspected oil and gas pipelines. That disaster in Bellingham led me to learn about pipeline safety, to testify before Congress, to introduce the first pipeline safety bill of the 106th Congress, and ultimately to pass legislation in the Senate in September 2000 and again in February of this year.

The Senate has done its job. Twice the Senate has passed the strongest pipeline safety measures to ever pass either chamber of Congress. Now it's time for the House and President Bush to do their part.

The bill we passed in the Senate is a major step forward. It isn't everything everyone could want, but it is a significant move in the right direction. Specifically, the bill: Improves the Qualification and Training of Pipeline Personnel, Improves Pipeline Inspection and Prevention Practices, Requires internal inspection at least once every five years, Expands the Public's Right to Know about Pipeline Hazards, Raises the Penalties for Safety Violators, Enables States to Expand their Safety Efforts, Invests in New Technology to Improve Safety, Protects Whistle blowers, and Increases Funding for Safety Efforts by \$13 billion.

Here we are, 2 years after that disaster in Bellingham and the legislation we've passed in the Senate still hasn't become law. That is inexcusable. The Bush Administration just issued an energy plan that calls for 38,000 new miles of pipeline. As I told the Vice President in a letter recently, before we build thousands of miles of pipelines through

our backyards, our neighborhoods and our communities, we must make sure those pipelines are safe.

Unfortunately, the President's energy plan offered some rhetoric about pipeline safety, but no clear progress. I believe he missed an opportunity to articulate the Administration's specific proposals to make pipelines safer. I hope President Bush will agree that we shouldn't replace our current energy crisis with a pipeline safety crisis.

Let me offer three ways President Bush can show his commitment to public safety. The first one is simple. We shouldn't backtrack on safety. Comprehensive new legislation which has passed the Senate and is pending in the House should represent the new minimum of safety standards. President Bush should not send us a proposal that is less stringent than this bill. President Bush should not undo the progress we made last year. And I hope he'll show a sensitivity to safety and environmental concerns that have been absent from his discussions on this issue to date.

Second, President Bush should signal his support of pipeline safety legislation, which I hope will ultimately take the form of him signing a bill into law.

Finally, President Bush's Department of Transportation should continue to issue administrative rules to make pipelines safer. The Clinton administration took several important administrative steps. I hope the Bush administration will show the same level of commitment.

We do need to address our energy needs, but not at the expense of our safety. Let's make pipelines safe first, before we lay down more pipelines.

If we learned anything last year, it's that we must not wait for another tragedy to force us to act. We must pass a comprehensive pipeline safety bill this year.

In the coming weeks and months, as a member of Senate Transportation Appropriations Subcommittee, I will continue to do everything I can to improve pipeline safety by making sure that pipeline regulators have the resources they need to do their jobs effectively.

I know that we can't undo what happened in Bellingham, but we can take the lessons from the Bellingham tragedy and put them into law so that families will know the pipelines near their homes are safe. Two years after the Bellingham disaster they deserve nothing less.

NATIONAL CORRECTION OFFICERS AND EMPLOYEES WEEK

Mr. HUTCHINSON. Madam President, I am proud to rise today as an original cosponsor of Senator JEFFORDS' and Senator FEINSTEIN's resolution designating this week as "National Correction Officers and Employees Week." I commend them for their