



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, TUESDAY, NOVEMBER 12, 2002

No. 145

## Senate

The Senate met at 1 p.m. and was called to order by the Vice President (Mr. CHENEY).

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Serendipitous God who delights to surprise us with interventions of inspiration when we least expect them and most need them, we praise You for enabling this lame duck session to soar like an eagle. We pray that these next days completing the work of the 107th Congress will be expeditious. Following last Tuesday's elections, may a spirit of magnanimity be the ambiance of the Senate family. Help those who lost accept Your comfort and courage with the assurance that when one door closes, You open a new door of opportunity. Enable those who won to reach out with empathy to those who were defeated. Bind the whole Senate family together with the greater ties of dedication to You, patriotism for our Nation, and commitment to excellence in finishing well the work that must be done. With oneness of mind and heart we claim Your promise through Isaiah: "Those who wait on the Lord shall renew their strength; they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint."—Isaiah 40:31. Thank You, Lord, for this eagle session. Amen.

### PLEDGE OF ALLEGIANCE

The Vice President led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a certificate of appointment for Senator DEAN M. BARKLEY of the State of Minnesota.

Without objection, it will be placed on file and the certificate of appointment will be deemed to have been read. The certificate of appointment is as follows:

STATE OF MINNESOTA, EXECUTIVE  
DEPARTMENT

### CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Minnesota, I, Jesse Ventura, the Governor of said State, do hereby appoint Dean M. Barkley a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Paul Wellstone, is filled by election as provided by law.

Witness: His excellency our Governor, Jesse Ventura, and our seal hereto affixed at Saint Paul, Minnesota this fourth day of November in the year of our Lord 2002.

By the Governor:

JESSE VENTURA,  
Governor.

### ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. The Senator will present himself at the desk. The

Chair will administer the oath of office as required by the Constitution and prescribed by law.

Mr. BARKLEY, escorted by Senator DAYTON, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the official oath book.

The VICE PRESIDENT. Congratulations.

(Applause, Senators rising.)

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### SCHEDULE

Mr. DASCHLE. Mr. President, today the Senate will be in a period for morning business wherein Senators will have the opportunity to eulogize our departed colleague PAUL WELLSTONE, the late Senator from Minnesota, and to welcome Senator BARKLEY.

I understand Senator DAYTON and Senator BARKLEY, who was just sworn in, would like to speak. I ask unanimous consent that following my remarks and those of the Republican leader, Senators DAYTON and BARKLEY be recognized to speak.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### NOTICE

Effective January 1, 2003, the subscription price of the Congressional Record will be \$434 per year or \$217 for six months. Individual issues may be purchased for \$6.00 per copy. Subscriptions in microfiche format will be \$141 per year with single copies priced at \$1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S10809

# WELCOME TO SENATOR DEAN BARKLEY

Mr. DASCHLE. Mr. President, Senator LOTT and I would like to begin by welcoming Senator BARKLEY. He is the 39th Senator to represent the great State of Minnesota. He was born in Anandale, MN. He received his undergraduate and law degrees from the University of Minnesota, so he is truly a son of the State.

He ran for the House of Representatives in 1991 and for the Senate in 1994 and then in 1996 as a reform party candidate. He advised the Governor, Governor Ventura, in his successful campaign for the Minnesota governorship in 1998. He was appointed as director of Minnesota's Planning and State Strategic Long-term Planning Agency.

In addition, as a businessman, he brings a great deal of experience and real-life perspective to this Chamber. I congratulate Senator BARKLEY, his wife Susan, and their three children and welcome him to the Senate family.

Before I make my remarks in regard to our dear departed colleague, I yield the floor to accommodate Senator LOTT's interest in welcoming Senator BARKLEY as well.

The PRESIDENT pro tempore. The Senator from Mississippi.

Mr. LOTT. Mr. President, I extend our welcome to our new Senator, DEAN BARKLEY from Minnesota. I congratulate him on his selection and wish him well on behalf of the Members of the Senate on both sides of the aisle. I pledge to him my commitment and our commitment to work with him as he fills this interim appointment on behalf of the people of the great State of Minnesota.

I reviewed his background. I have had a chance to visit with him. I know he is going to be very serious about this opportunity he has to do the right thing for his own State but also for our country.

His experience as director of the Minnesota Planning and State Strategic and Long-term Planning Agency should serve him well in his time in the Senate. His involvement in the effort toward good government in his State, his participation in the reform party and the independence party, and as a matter of fact his friendship and work over the years with members of both parties, Democrat and Republican, will serve him well in this period that he will be in the Senate.

We are looking forward to the opportunity to encourage him, to answer his questions, and to work with him on behalf of the people he will now represent. So I extend our congratulations and our welcome to Senator BARKLEY of Minnesota.

# IN REMEMBRANCE OF PAUL WELLSTONE

Mr. DASCHLE. Mr. President, let me reiterate our welcome to Senator BARKLEY, but no one needs to be re-

minded how it is he is here. I begin our remembrance of PAUL WELLSTONE with the recognition that at times such as this it is more important to celebrate a life than to mourn a death. I will do my utmost in the next couple of minutes to remember my own advice, the importance of celebrating a life.

We mourn the loss of PAUL WELLSTONE, his wife Sheila, their daughter Marcia, the staff, and the pilots who lost their lives. It has been a shock from which we have not yet fully recovered. Sometimes in these difficult moments, I turn to the Bible, sometimes I turn to expressions offered to me by others, and sometimes to poetry.

An old Irish text was found in a Carmelite monastery in Tallow County, Wicklow, Ireland. The text was entitled "Togetherness." I find solace in the words of Togetherness.

Death is nothing at all—

I have only slipped away into the next room. Whatever we were to each other, that we are still.

Call me by my old familiar name, speak to me in the easy way which we always used.

Laugh as we always laughed at the little jokes we enjoyed together.

Play, smile, think of me, pray for me.

Let my name be the household word it always was.

Let it be spoken without effort.

Life means all that it ever meant.

It is the same as it always was:

There is an absolute unbroken continuity.

Why would I be out of your mind because I am out of your sight?

I am but waiting for you, for an interval, somewhere very near, just around the corner.

All is well. Nothing is passed, nothing is lost. One brief moment, and all will be as it was before—

Only better, infinitely happier, and forever—  
We will all be one together . . .

PAUL was all of 5 foot 5. But I remember what someone once told me: someone certainly more than 5 foot 5. He said it is not the size of the man in the fight, it is the size of the fight in the man. PAUL WELLSTONE by that measurement was a giant. He fought. He spoke. He challenged us all. But he did so in a way that made him a friend, not an enemy, a friend with people on this side of the aisle and a friend, of course, with those on this side, too; he had friends.

While he walked in this Chamber small in stature, everyone recognized that if you measure a man and, in so doing, measure the true weight of his being, you don't measure his size, you measure his heart.

PAUL WELLSTONE inspired me. With his physical challenges—his back, his knees, his legs from wrestling injuries, and then later with MS—I never once heard him complain. Never once did he come to me saying, TOM, you have to give me an opportunity to recover, to rest. He had an energy, a dynamism, that overcame all of those ailments. He seemed more well than those who are well. He inspired all with his joy, with his passion, with his energy.

For those of us who believe in public service, there was no greater evidence

of his deep sense of commitment to public service than his advocacy for mental health parity. Again, working across the aisle with Senator DOMENICI, that passion, that energy, that commitment, that determination, that persistence, all that was PAUL WELLSTONE, flowed right up there from that desk. We knew he cared about mental health parity. I can think of no better monument, no better memorial, no better way to honor him than by passing mental health parity soon.

We were all the beneficiaries. Perhaps those who will benefit most by his memory, his example, by his commitment, are our youth. I spoke to his staff on the Sunday following his passing. I reminded them that in the course of 5 years in my early life, I, too, lost heroes. Their names were John F. Kennedy, Robert F. Kennedy, and Martin Luther King. While I recognize their physical being is no longer here, as our poem said, I recognize, too, that they only slipped into the next room, and their spirit was very much alive. And that burns within me with my understanding and my belief in our democracy in this commitment you must make to public service.

In remembering the Wellstones, we must also pay tribute to that remarkable woman, Sheila Wellstone, for her advocacy, her leadership, her commitment to abolishing domestic abuse. The commitment she made, the lives she saved, her willingness to be engaged, the extraordinary effort she made and the example she set, too, is something we will always remember and for which we will always be indebted.

On this new day, let us not think of sadness but of celebration. Let us celebrate the life of PAUL WELLSTONE as we acknowledge the loss of his physical being. Let us extend our heartfelt condolences to David, to Mark, and to Todd, to Cari, Keith, to Joshua and Acacia, Sydney and Matt, his family. The hole in their hearts is large. The hole in their lives may never be fully filled.

To them I ask they, too, find solace in the words of "Togetherness."

Death is nothing at all—I have only slipped away into the next room. Whatever we were to each other, that we are still.

I yield the floor.

The PRESIDENT pro tempore. The Republican leader.

Mr. LOTT. Mr. President, I will begin by thanking Senator DASCHLE for his remarks so well delivered just now and also for conversations that he and I experienced in the aftermath of this tragic loss.

I rise today also to pay tribute to the life and the service of Senator PAUL WELLSTONE of Minnesota. He had a real impact on this institution. He was a committed warrior to things he believed in. He did it not only with compassion but with sincerity and also generousness and geniality. He never failed to take the time to tell a story, to explain why he felt so strongly

about these issues. He was unfailingly willing to be considerate of others, to seek an agreement as to how the process would work, even when it led to a battle of words and of votes. He also had such an upbeat, optimistic view of that process, that battle, and the next one.

He would come over and say: "Good job, I'll get you next time," if he hadn't won. Even when he might be the single vote, or one of a couple of votes—just a few—he was undaunted. You cannot help but admire that approach to life and to the Senate. I not only understand when Senators take a different view, I appreciate it when they take that view—the way PAUL WELLSTONE did.

I have learned over the years that the saying that seems trite is so true in life and in this institution: You can disagree without being disagreeable. He was the master at that.

I appreciated the friendship we developed. I loved to pick at him. I loved to go over and kid him about the little extra face hair that he had for a while, and I would tell him he was my man for the nomination for Presidency. When other potential candidates would come up, I would say: Oh, no, I am already committed to PAUL. He loved it, actually.

He was very kind to me. When I faced difficult tragedies—as with Paul Coverdell, when I stood here with tears rolling down my face, announcing the loss of that great Senator—he would always be one of the first to come over and engage and say how he felt. Sometimes in difficult straits that the Senate has had to go through, when Senator DASCHLE and I had to make difficult decisions, he would be the only one who would come over and say: It was tough, I know, but you did the right thing. I remember that.

So I think the people of Minnesota have an awful lot to be proud of in their Senator. When I went there to pay my respects to the people of Minnesota and to the family and to his friends and supporters, Senator KENNEDY was on the bus as we were leaving the airport. He said: We appreciate the fact that you are here. I know you are here not just because you are the leader of the party, but because you wanted to pay proper respects.

I said: I am here because it is the right thing to do, but also because, if the tables had been reversed and this was for me, PAUL would have been there. I really believe that.

So I take my hat off, I salute the Senator. He will be missed. The Senate will be different. But to the people and his family who are so heartbroken, to his friends and supporters and the people all over his State, our memory of him and his service will not be forgotten. He will go down in history as a truly unique Member of the Senate. I guess we all are in some respects but PAUL more so than others.

I yield the floor.

The PRESIDENT pro tempore. The senior Senator from Minnesota.

Mr. DAYTON. Mr. President, for more than 20 years PAUL and Sheila WELLSTONE were my friends and my political allies, so it is with a heavy heart that I stand here today. For the last 2 years PAUL was my mentor and partner in the Senate, and I will miss him especially, as will Minnesota, as will America.

I thank my many colleagues in the Senate who came to Minnesota just a short time ago for the memorial service commemorating PAUL and Sheila, their daughter Marcia, their staff and friends, Mary McEvoy, the Democratic Party Associate Chair, Tom Lopic, and Will McLaughlin. Over half of the Senate attended that evening. Another dozen former Senators, a dozen or so Members of the House, President Clinton, Vice President Gore, Secretary Thompson, Reverend Jackson. PAUL and Sheila would have been honored.

I especially want to thank my Republican colleagues, Senator LOTT, Senator NICKLES, and the others who attended that evening. I was not aware until the next day that Senator LOTT was treated discourteously by some in the Minnesota crowd. To him and anyone else who suffered that misfortune, I deeply apologize. PAUL and Sheila would have been horrified, as was I when I learned about it, as would the people of Minnesota have been. That is not the way we treat distinguished guests in Minnesota.

As for the rest of the evening, if the eulogists spoke sometimes a little long, they at times became impassioned, political, or even partisan—well, it was a service for PAUL WELLSTONE. The speakers were selected, but they weren't scripted. They were all family and close friends who were still in shock and in great emotional distress and in deep pain.

What was most extraordinary about that service that evening, what hopefully will be remembered now the campaigns have concluded, is that over 20,000 people came to honor the lives and mourn the tragic deaths of PAUL and Sheila and Marcia WELLSTONE, Mary McEvoy, Tom Lopic, and Will McLaughlin—over 20,000 people. That was unprecedented in Minnesota.

Nothing in my lifetime or in my knowledge of the State was even in the same realm of that magnitude of love and gratitude and grief and sorrow. The service was held at the University of Minnesota Basketball Arena which seats over 15,000 people. It was filled an hour before the service was scheduled to begin. The fire marshals closed the doors. Another 6,000 or so arrivals filled an adjacent arena to watch the service on closed-circuit television. It, too, was overfilled by the time the service began. Police and university officials urged late arrivals to go home and watch the service on television, but hundreds, several hundred, remained clustered outside, standing around, wanting to be part of this unprecedented Minnesota congregation. That enormous outpouring of people and

their emotions attested to the breadth and depth of PAUL WELLSTONE's political reach. He had touched so many people so deeply. He had helped them, comforted them, and reassured them. He had inspired so many people. He was their voice, their champion, their hero, their United States Senator. And then suddenly, tragically, cruelly, he was snatched away and gone forever.

It was a service to remember and in part regret. It was a service of remembrance and regret for eight exceptional people who lost their lives flying to a funeral service in northeastern Minnesota.

I knew PAUL, but the first time I saw him in action was in June of 1982 at the DFL State Convention. I was endorsed at that convention to run for the first time for the U.S. Senate, and the first day that 3-day convention opened, PAUL announced—much to everyone's surprise—he was going to run for the endorsement for State auditor 2 days hence.

For the previous 8 months, a very earnest young man had been in every county and every district and political event in Minnesota in Democratic circles, explaining in numbing detail the functions of the office of State auditor and how he was the best qualified to fulfill them. Sunday came around, and the auditor's endorsement was the last endorsement at the end of the third day. There were 1,300 Democratic delegates who were tired and worn out and ready to go home. PAUL appeared on the stage after his opponent's one last excruciating explanation of the auditor's position, and presented himself—most of the audience seeing him for the first time—and he gave a typical PAUL WELLSTONE speech: Nuclear freeze, save the environment, for economic justice—nothing of much particular relevance to the office of State auditor. He was endorsed by acclamation of the delegates.

PAUL and I both lost our elections that November, but we spent the next 3 years campaigning together, working for the Governor of Minnesota, Rudy Perpich, in the Office of Energy and Economic Development. We spent many hours talking and traveling the State together. In 1990 we swapped our political aspirations, PAUL ran for the Senate and I for State auditor, and this time we won. PAUL's victory in 1990 was one of the most memorable David-defeats-Goliath stories in America's political history.

In the first published poll several months before the election, the incumbent was ahead by over 50 percent. PAUL was in single digits. He was given no chance to win, and almost no help by the political establishment. He was outspent in the campaign by over 5 to 1. Yet PAUL was the only Democratic challenger that year who ousted an incumbent. His campaign symbol, his signature and his icon, became the rattling, gas-guzzling, usually in-the-repair-shop green bus. But despite a brilliant campaign which captured the

public attention, this distinctively different candidate walked fast and talked fast and actually rode a bus. His innovative ads won national awards that year, produced a campaign that couldn't even afford to air them.

Despite 8 months of PAUL WELLSTONE and his best hyperdrive, that amazing energy and excitement, and organizing all over the State, he still entered that final weekend before the election, with most polls showing him being 6 to 8 points behind.

That Saturday, as our Statewide DFL ticket boarded the bus—not PAUL's bus, which was once again in the repair shop, but another bus—for its final 2-day swing around the State, PAUL's opponent had just launched a vicious personal attack against him. The campaign had no money to produce or air a response. Those 2 days were agonizing for PAUL and Sheila and Marcia, who accompanied him, and for those of us who were sharing that experience with him. Then, like a miracle, the hero of the moment came forth, the former Senator and Vice President, Walter Mondale, whom fate was to bind to the conclusion of another Wellstone campaign 12 years later.

The Vice President publicly denounced the attack as a violation of Minnesota's standard of decency. The editorial board of the State's largest newspaper agreed the day before the election. And the majority of Minnesota voters agreed the following day.

It was the most stunning upset and astounding victory in Minnesota political history.

PAUL WELLSTONE was on the green bus headed to Washington, which, of course, was the bus that broke down on the way.

Despite PAUL's 20 years of political experience, he wasn't prepared for the Senate. The Senate may not have been prepared for PAUL. I know he later regretted some of his earlier decisions. He told me so after he sat down with me when I won my election two years ago, and he was counseling me to take a different approach.

But while he would have changed perhaps his early style, he would not have changed his substance. He would not have changed because he could not have changed his values or his ideals or his convictions. He could not alter his passion for social justice, his caring for people, or his outrage at their oppression or suffering. His values were the essence of who he was. They were the core of his beliefs, the cornerstone of his conscience. They were the hallowed ground of his political soul.

PAUL WELLSTONE was a hard-working political activist, a hard-nosed political organizer, and a smart, savvy politician. He wanted to win. He knew how to win. But he would not win if it meant losing his soul or forgetting his conscience or sacrificing his principles.

He was no Don Quixote out tilting at windmills. He was rather, a Richard the Lionheart on a crusade, mindful of the risks, the pitfalls, and the odds, but undeterred by them.

Time after time during his 12 years in the Senate, he took his stand believing that he was right—well, maybe not right but correct. He voted his conscience. He voted his convictions, hoping that 50 or more of his colleagues would vote with him, but willing to stand alone if they did not.

Some people said that PAUL's dissenting votes reflected badly on him. Others said they reflected badly on the Senate. Some people believe the Senate would be a better place without PAUL WELLSTONE. Others of us believe the Senate would be a better place with 50 more like him.

Those who questioned his accomplishments overlook the obvious. PAUL could work tirelessly, speak persuasively, and do everything effectively. But he could only vote once—1 out of 100, 1 out of 535.

Paul had only 2 years out of his 12 years with a Democratic President, Senate, and House, as the Republicans will have again in January. For his other 10 years, PAUL served in divided government. He did not accomplish all he wanted to. He did not accomplish much he wanted to. But he accomplished all he could. And he would have accomplished so much more if death had not intervened so suddenly and so cruelly.

There was so much life and so much politics left in PAUL WELLSTONE, and so much courage. His death echoes the words of Ernest Hemingway:

Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer quality than bravery in battle or great intelligence. Yet it is the one essential, vital quality of those who would seek to change a world which yields most painfully to change. If people bring so much courage to this world, the world has to kill them to break them, so of course it kills them. The world breaks everyone and afterwards many are strong at the broken places. But those that will not break, it kills. It kills the very good and the very gentle and the very brave impartially. If you are none of those, you can be sure that it will kill you too but there will be no special hurry.

Those are the words of Ernest Hemingway.

PAUL WELLSTONE wasn't that fatalistic. At least, he didn't live or practice the politics of fatalism. PAUL was a social reformer and a crusader for social and economic reform. He believed in it. He dedicated his life to it. He gave his life for it. He knew the odds were stacked heavily against him, especially here in Washington. He knew how hard it was; how unusual the circumstances had to be for a PAUL WELLSTONE to make it to the Senate. He knew how hard it was for a PAUL WELLSTONE to stay here, to combat the powerful forces aligned against him and their enormous financial and political resources that would try to defeat him.

He detested political fundraising. He disliked the amounts of money he had to ask for, and he distrusted most of the people who could provide it. His loathing of fundraising was matched

only by his hatred of flying in small airplanes—the principal reason he vowed his 1996 campaign would be his last. But when the time came, he could not turn his back on the crusade. He could not abandon the causes, and he could not leave the people—because it was the people PAUL loved. He loved being with people.

As long as he wasn't raising money from them, or flying with them, PAUL loved being with people—real people, farmers, iron rangers, educators, senior citizens, children, all classes, all races, all religions, all points of view. PAUL practiced the politics of diversity, and inclusion, and empowerment. He truly cared about people as individuals. He cared about their lives, their families, their well-being. He loved visiting veterans homes, nursing homes, and schools. He loved spending hours with people who couldn't vote or benefit him politically.

He cared about people because they needed him—not because he needed them. The poor, the unfortunate, the mentally ill, the disadvantaged and the distressed—he loved working for them, working to make their lives better, and working to give them a chance, a job, a farm, a home, a life.

I agree with the majority leader. If this Senate, if this Congress and this administration want to show their respect for PAUL WELLSTONE, if they want to honor his memory, we will pass and the President will sign into law the Wellstone-Domenici Mental Health Parity bill before we adjourn this year. Nothing less would do him justice. Nothing else would make him happier.

PAUL came to love this institution of the Senate. For an organizer, it was the ultimate challenge. He genuinely liked most of his colleagues—even those he disagreed with most of the time. Yes. He got frustrated, discouraged, and impatient. But he respected the Senate. He loved being a Senator, and he was learning how to be a great one.

He was a great man. He was a great husband—with an even greater wife, Sheila. He was a great father and a great politician. He was an excellent U.S. Senator, and he was becoming a great one. But death denied him that opportunity. And it denied us him, and it denied the people of Minnesota the leader they elected to represent them.

He died on his way to a funeral, that of the father of a friend. He flew because he had to, despite what in hindsight seems more like a premonition than a fear. He willed himself to fly because he had to be the best U.S. Senator he could be.

And he never backed away from adversity. He got on a reliable plane with a reputable charter firm flown by two licensed pilots. They flew into what was reportedly occluded but not threatening weather, with low clouds and light, freezing precipitation—not ideal but not unusual for northern Minnesota in late fall.

And then, somehow, inexplicably, the plane landed in a desolate forest rather than a nearby airport. It burst into a huge conflagration and destroyed the lives of eight people, and damaged many more lives who lost their loved ones, and left many thousands—thousands—of people without their leaders, their allies, their heroes, and their friends.

But life goes on, as it must. Minnesota held an election, as it should. Senator-elect Norm Coleman conducted himself honorably in the aftermath of that great tragedy and won honorably and honestly in that election and has earned the right, through the expressed will of the people of Minnesota, to serve as a U.S. Senator for 6 years, beginning in January. And I pray that he will be our Senator for the next 6 years.

But former Vice President Mondale performed a great service to our DFL Party in Minnesota, to our State, and I believe to our democracy by stepping forward at the last moment when, in hindsight, the situation was impossible but seemed possible only because it was former Vice President Mondale.

Senator DEAN BARKLEY is an excellent appointment made by Governor Ventura. He has earned this honor. He is knowledgeable. He is experienced. And he is committed to good government. He has proven that as commissioner of State planning. Through his own political pioneering he has forged an independent strength and spirit which has captured the political imagination of the people throughout our State and offers great promise in the years ahead, and he will have himself great promise in the years ahead. I am honored to be working with him during these next months, as I look forward to working with Senator-elect Coleman when he begins his term in January.

We have a special spirit in Minnesota. Our political spirit is testified to here today by Congressman JIM RAMSTAD and Congressman MARK KENNEDY, who are witnessing these words of tribute to their colleague. Both worked closely with Senator WELLSTONE, especially Congressman RAMSTAD during his long years in the House with PAUL on many issues of which they shared concern and commitment. And PAUL's staff, who loved him and gave their lives of service with him, and who are suffering a loss that is also immeasurable, are here as well. And I pray that they, too, will find opportunities in the future. I know they will, but it just will not be with PAUL.

Years ago, then-President John Kennedy paraphrased a statement made by Theodore Roosevelt which seems like a fitting bipartisan note on which to end these remarks. He said in New York City, in a speech paraphrasing President Roosevelt:

The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who at

best, if he wins, knows the thrills of high achievement, and, if he fails, at least fails daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat.

PAUL, you have won many battles, but now you can wipe the dust and sweat and blood off of your face, and may you rest in eternal peace.

I yield the floor.

The PRESIDING OFFICER (Mr. DURBIN). Under the previous order, the Senator from Minnesota is recognized.

Mr. BARKLEY. Mr. President, I stand to say a few words in honor of the late Senator PAUL WELLSTONE.

Over a decade ago, Minnesota sent one of its best to this Chamber. He followed in the special tradition of public service that our State knows well. From Ramsey to Stassen, from Olson to Humphrey, from Mondale to, yes, Ventura, our State has broken the mold more than once.

The man we sent here was PAUL WELLSTONE, and no one would dispute that Minnesota broke the mold again. PAUL was short in stature but, as it proved, enormous in energy and passion. He had a passion for principle, he had a passion for politics, and, most of all, he had a passion for people.

PAUL was a fighter, and, much like Hubert Humphrey, a Happy Warrior. PAUL was the most effective kind of fighter there is: one that never gives up—never. And if there is one attribute that his colleagues and his constituents admired, it was this: his unrelenting energy to fight the fight.

I knew PAUL. I respected PAUL. We both have been like salmon in our own political rivers, swimming into the currents. Therefore, understanding his tireless energies in the cause of change, I am highly honored to speak to his memory today.

True, there is an empty desk here today, a shrouded reminder of a life cut short. But for the PAUL WELLSTONE I knew, the empty chair is more telling. Whether he was in this Chamber or at home in Minnesota, PAUL was on his feet, out of his chair, speaking his mind. Always moving—in thought, in language, in body—PAUL was, indeed, a man of motion and, more than that, a man of emotion. For if there is something that we all knew about PAUL, he not only believed in things, he felt them. This was why PAUL WELLSTONE was so formidable. For thought can be persuaded, changed, and abated. But a feeling? Never.

PAUL, his wife Sheila, and their daughter Marcia tragically perished in the northlands of our State. Their untimely fate was sadly shared by three loyal staff members—Tom Lopic, Will McLaughlin, and Mary McEvoy—as well as the two pilots—Captains Richard Conry and Michael Guess.

As an unexpected and new Member of this Chamber—but more, as a singular citizen of the State of Minnesota—allow me to take this moment to express my personal and heartfelt condolences to all of those families who lost

their loved ones. I know I speak for all Minnesotans when I say to those families and friends: Your loss was our loss, and we are all crushingly sorry for it.

PAUL was unique, one of a kind. And yet, the essence of the man was no different from anyone in this Chamber. He wanted to make his State, and his Nation—our world—a better place. We all may differ about how to do so, and some may have disagreed with how PAUL saw it, but no one ever doubted his motives. A selfless champion for those who have no voice—the frail, the weak, the disenfranchised—PAUL's voice was their voice. And what a voice it was.

Typical of PAUL's self-deprecating sense of humor, he loved to relate his meeting with a distinguished senior Member of this body, Senator FRITZ HOLLINGS of South Carolina, who remarked to PAUL, "You know, Senator WELLSTONE, you remind me of another Minnesota Senator, Hubert H. Humphrey." And as PAUL began to swell with pride at being in the company of this great champion of civil rights, the senior Senator burst his bubble, "Yes, sir, just like him, you talk too much." PAUL loved this story, and he loved telling it on himself—so typical of the man.

Most of all, PAUL loved and adored his wife and his family, especially his grandchildren. He loved his friends. He loved Carleton College in Northfield, MN. He loved his students; and they knew it. Indeed, PAUL simply loved people. And he loved them simply, unabashedly.

PAUL loved Minnesota and all the people in it. From the known and recognized, to the unknown and uncared for, he loved them all—truly and deeply.

Finally, Mr. President, PAUL loved this distinguished institution. He loved and cherished the U.S. Senate, where today I, too, am honored to stand. PAUL loved his entire staff.

Let me take this opportunity to thank Senator WELLSTONE's staff for your generous and gracious welcome and offer of support in the truly hectic days since Thursday when I arrived. That you could be so unselfish in your time of unspeakable loss and heartbreak is something I will never, ever forget. I sincerely thank you for the help you have given me.

I plan to continue the fight during my short time here on one of PAUL's signature issues: mental health parity. And with Senator DAYTON and Minnesota's Congressional delegation, we plan to introduce a bill to honor Sheila and PAUL WELLSTONE through a living legacy project. I hope that everyone in this Chamber will join us in this tribute.

There is a brief passage out of "Sonnets from the Portuguese," by Elizabeth Barrett Browning, that I would like to share. Her words more perfectly express the thoughts that I am so inadequately attempting to convey about our dear, departed friend, PAUL WELLSTONE:

"Guess now who holds thee?"

"—Death," I said.

But there the silver answer rang:

"Not Death—but Love."

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, on October 25 the Senate and the people of Minnesota, the people of this country, and I personally suffered a terrible loss—the death of our colleague, PAUL WELLSTONE, who, as we know, died in a plane crash with his wife Sheila and daughter Marcia, three members of his staff, and the pilots.

I am sure we will all reflect back on how we were notified, how we learned of this tragedy. I was speaking to Senator DASCHLE's chief of staff, Pete Rouse, asking him how things were going. We talked quite a bit during the last month of the campaign.

He said: I have some bad news.

What?

He said: Senator WELLSTONE's plane went down in Minnesota, and there is no hope that anyone survived that crash.

I will never forget that phone call. The passing of PAUL WELLSTONE is a loss for all of us, those who knew him and those who did not. This week, most of us are returning to Washington for the first time since the tragedy, so this is our opportunity, this is my opportunity, to speak about PAUL WELLSTONE with whom I lived here for 12 years, a long time, a lot of days. I certainly am not qualified to talk about all of his accomplishments. There are professors who will write about his accomplishments in years to come. But I can talk about him as a person, how I saw him.

He represented Minnesota well; there is no question about that. Although he did not grow up in Minnesota, moving there as an adult, he embraced the state and its people. And the people of Minnesota loved him dearly and deeply. He talked often of how much he enjoyed living in Minnesota and how proud he was to represent Minnesotans and be a part of the great political legacy of the state.

My father-in-law was born in Russia. But as a boy, he immigrated to Minnesota, and he grew up in Duluth, a tough town, where he and his friends all had nicknames. My mother-in-law grew up in Minneapolis. So when I got to meet a Senator from Minnesota, of course, I was eager to share a lot of my personal reflections on my wife's family, and PAUL and I enjoyed talking about Minnesota.

The impact that PAUL WELLSTONE made and the admiration he received extended well beyond Minnesota. He and I were allies in many legislative battles, and I know many people in the State of Nevada—working families, veterans, retirees, teachers, students, health care professionals and their patients—also appreciated him. He was an articulate and compassionate public servant who fought fiercely for them.

Many more Nevadans, like all Americans, are now better off because of PAUL WELLSTONE's work in the Senate, and they would be even better off had he been able to be elected to his third term, as he would have been.

Of course, here among his colleagues in the Senate he was not only well liked but respected, as has been said here today on several occasions. People might not have always or even often agreed with PAUL, but they all had great respect for him. That is why I was so impressed to see a number of his Republican colleagues from Minnesota come and stand in silence at his desk today.

I was fortunate to serve with PAUL, to benefit from his advice and his judgment, and to enjoy his friendship. I smile because I am going to be lonelier here in the Senate without PAUL.

I don't know on how many occasions I went to PAUL WELLSTONE: PAUL, do you have to do this? And he always explained why he had to do it.

I am a better Senator and I know I am a better person for having known PAUL.

He used his voice to speak passionately and courageously on behalf of the voiceless. He gave hope to the hopeless and helpless. He was a kind and gentle person.

I used to see him often in the House gym. He would run from his home to the gym every morning. When because of illness, he couldn't run anymore, without a lot of fanfare and a lot of talk, he walked. Then he decided to work out other places. He went to the gymnasium where the police officers, the Capitol Police, work out. Those of us who knew and loved PAUL saw his physical deterioration, but it was something about which he never complained.

I remember one occasion when Sheila had gone home and he was here alone. He couldn't get dressed; he was in such pain. He came here. We helped him down to the physician's office. He never complained. He was in such pain, sweat coming off his head.

He was a tough person physically, a tough person. I can vouch for that. He was a champion wrestler, high school and college. I think probably the dedication that it takes to be a wrestler, losing weight, having to exert total energy for an extended period of time, the work ethic he developed, the things he did physically and mentally and emotionally, and his determination that made him so successful on the mat also prepared him well for the successes he had as an organizer and activist, campaigner, Senator, and a person.

PAUL WELLSTONE was a fighter who always remained true to his beliefs, stood up for his principles, served the interests of the people of Minnesota and the United States.

There are many things about PAUL WELLSTONE that I remember and hold dear. I can say without any hesitation that he was my friend. I think he thought I was his friend.

I remember the first time I ever heard PAUL WELLSTONE speak. That was in 1990 when there was a public reception in Statuary Hall for the newly elected Senators. We were all there. He stood and gave a great speech. I asked: Who is this guy? He said it so well. He said things I thought about, the importance of politics and government and being involved. He spoke of his grassroots campaign.

I remember the last speech I heard him give, right there. In the years I have been in the Senate, that seat has been the place of great speeches. PAUL WELLSTONE took over Dale Bumpers' seat. They both had a similar style in many respects. They both wandered around back there with that long cord.

The last speech I heard PAUL give, he said, among other things—and this is a quote—

You could call me a softie. I am a softie.

And he was. He believed he could help people who are less fortunate than he, someone that didn't have a Ph.D., who had been a college professor, hadn't been a U.S. Senator, who didn't have the fine loving family that he had. He could reach out to them. He felt he could do that. He was a softie.

Mr. President, I don't always go to the prayer breakfasts held every Wednesday, but I do go on occasion. I don't go every Wednesday. But I wanted to hear PAUL WELLSTONE at a Senate prayer breakfast, so I went to that prayer breakfast. It was a memorable experience for me to hear PAUL talk about his spirituality, which is something he didn't speak out about in public—except on this occasion. I will never forget that prayer breakfast, where PAUL WELLSTONE spoke of his spirituality, his faith, his deeply held principles. He was a man committed to ideas and ideals.

I also remember PAUL for the love he had for his wife Sheila. They were inseparable. In this campaign, there were a lot of comparisons made between his campaign and mine in 1986, where the opposing candidate switched parties; there were a lot of similarities. He said talk to Sheila about that, show her the ads that you ran. They were always together, never apart. Even now it is so. They had the love of their children, the surviving boys, Mark and David. One is involved in public housing and the other is a wrestling coach and teacher. Right here, a few feet in front of me, on one of those Fridays where we were trying to get everything done and get out of here, PAUL was so anxious to go. Why? Because he thought this was the time his son's wrestling team was going to be the State champions of Minnesota. PAUL WELLSTONE, BARBARA BOXER, and I were talking. I was trying to stall for time, and I asked, "How many wrestling matches have you had, PAUL?"

I also remember PAUL because of my dad. As I have said here on occasion, my father committed suicide. One reason I have been able to publicly talk about that is because of PAUL

WELLSTONE. PAUL helped us to understand mental illness is not something to be ashamed of. Any time PAUL WELLSTONE publicly had a chance to talk about suicide, he talked about suicide prevention and talked about my efforts on this. He never tried to take credit for anything alone. He worked so hard on the issue mental health parity. Part of that is suicide. We have 31,000 people a year killing themselves. Because of PAUL, we are doing something about that. We passed a resolution in the Senate recognizing it as a national health problem. We have given money to research the problems of suicide, depression and mental illness. There are medical schools now studying why people kill themselves. So I will never forget PAUL WELLSTONE for a lot of reasons, not the least of which is my father.

I will also remember PAUL WELLSTONE for the things he did for the so-called little people—those who are often not noticed or are neglected. How many of us around here know the people who clean our offices? Not many of us. They come by late at night when we are gone, and when we come into the offices in the morning the trash cans are empty, the desks are cleaned off. It's easy to overlook the people who do that, who work hard to help us. PAUL and Sheila WELLSTONE wanted to know who they were, so they waited and waited until somebody came to their office so they could thank them for cleaning the office. That also includes the elevator operators, doorkeepers, police officers, janitors, as I have already mentioned. He knew them by name, stopped to talk with them and listened to them.

To show the kind of guy he was with the Capitol Police, Mr. President, this man holds the record—he was suffering from multiple sclerosis and he holds the record—with all these big, physical, well-trained, young policemen—he holds the record for pushups and pull-ups. You can go and see who holds the record at the Capitol Police gymnasium. It is Senator PAUL WELLSTONE. He was a hell of a man, Mr. President.

He stared disease in the face; he had multiple sclerosis. Did anybody ever hear PAUL whine, complain, or feel sorry for himself? No. He took it right on the jaw, like he did a lot of punches, and he went about doing his business. Those of us who worked with him for 12 years saw how his physical condition deteriorated. How long would it have been before he had to walk with a cane? I don't know. But he persevered. That is one reason I remember PAUL WELLSTONE.

Of course, Mr. President, we all remember PAUL WELLSTONE because he stood for something. No one could ever question PAUL WELLSTONE's sense of value. I still smile when I remember saying to PAUL, "Do you have to do this?" Well, I knew the answer before I asked the question. We who hold public office are judged on the difficult votes we are called on to make. To his credit,

PAUL WELLSTONE relied on his conscience—not on consultants—in such moments. I admire him so much for that.

Before entering politics, PAUL was a gifted and popular college professor. To a great extent, he remained a teacher even after entering the Senate, educating his constituents about government, and encouraging colleagues to learn more about issues and consider other perspectives, engaging us and challenging us. There are lots of times I can reflect back on when PAUL WELLSTONE, in his Socrates-like presentations, was trying to educate the Senate. He would say to me, "I am wasting my time; what good am I doing here?" I would proceed to tell him all the good he had done. He was educating me, getting me to reflect upon what he had done, just like I am sure he did at Carleton College with his students.

PAUL was a person with great compassion, who reminded us of our moral obligation to care for all human beings—I repeat, especially the most vulnerable, the hungry, the poor, the homeless, the ill, victims of abuse, and others who suffered.

PAUL WELLSTONE is irreplaceable. His life was cut short, and because of that, it is incumbent upon us in the Senate and throughout America to remember his message of hope and compassion and carry forward his efforts to secure economic and social justice for all in the best way we can. In that way, we honor the legacy of a great man, PAUL WELLSTONE.

The PRESIDING OFFICER (Mr. CORZINE). The Senator from Vermont.

Mr. JEFFORDS. Mr. President, I thank the Senator from Nevada for his very articulate statement on PAUL's life. We all shared experiences in working with PAUL.

Every Sunday, the Washington Post Style Section prints a column called "Life Is Short." The column selects one individual and gives a snapshot of that individual's life. If that column focused on Senator PAUL WELLSTONE's life, the single snapshot would be a large photo album.

Senator DASCHLE has said PAUL WELLSTONE was the "soul of the Senate." I believe PAUL tried to find the soul in all of us. He challenged us, on a daily basis, to remember that every man, woman, and child in this Nation should have access to quality education, a first-rate health care system that includes mental health and prescription drug coverage, and jobs that provide decent minimum wage.

Three weeks ago, PAUL made his final appearance in the Chamber. PAUL gave a very passionate speech about the need to extend unemployment benefits and provide more help for our veterans. His closing comments were vintage PAUL. He said:

What are people who cannot find jobs, who are out of work, who are struggling to put food on the table, supposed to do?

What in the world is going on? What has happened to our humanity?

Later that day, PAUL came back to the Senate floor to give his thoughts about the 2003 Defense spending bill. He thanked Senators INOUE and STEVENS for their inclusion of an amendment that addressed domestic violence and sexual assault which he had championed. As we all know, the issue is not only important to PAUL, it was especially important to his wife Sheila.

At the end of those remarks, PAUL said, in reference to his own provision that was not included in the final conference agreement:

I know my colleagues did their best. We will be back.

That was PAUL—always gracious in both victory and defeat. Even more importantly, he never focused on defeat because he was constantly plotting his next move to better educate his colleagues and their staff on the issues—always the college professor.

I had the honor and the pleasure of working with PAUL on an array of issues—education, veterans, dairy, health care, and job training. These are not easy issues, but the difficulty of the issue never deterred PAUL. He always saw the glass half full rather than a half-empty glass.

In 1997 and 1998, Senators KENNEDY, DEWINE, WELLSTONE, and I worked together to pass the Workforce Investment Act, legislation that restructured our job training system. Throughout those 2 years, we had many long meetings. In every single meeting, PAUL told us about the impact various provisions would have on Minnesota. There was never a meeting, public or private, where PAUL did not mention the concerns and ideas that were on the minds of his constituents.

PAUL would also tell stories of his children. During many HELP Committee hearings on education, we would often hear about his two children who were teaching in the Minnesota public school system. He was so proud of all his children, his grandchildren, and, of course, Sheila.

PAUL was also very proud of his staff. He had great respect for their views and always remarked to his colleagues that he was very fortunate to have a very talented and devoted staff.

Three years ago at the funeral of Walter Payton, the outstanding Chicago Bears running back, who was also an extraordinary human being, the Rev. Jesse Jackson remarked that on a tombstone, there is a birthday, a small dash, and a date of passing. He said:

The dash between those two dates is the part you control. . . . The dash determines the height and depth of how you live your life.

PAUL WELLSTONE maximized the height and depth of his dash. I was so lucky to have known PAUL, to have had an opportunity to not only work with him but to learn from him and, most importantly, to have been able to call him a good friend.

I was en route to Minnesota to campaign for PAUL when I learned of his tragic death. I instead spent time with



his wonderful sons, David and Mark. I brought them the pictures of their dad celebrating the dairy program victory with Senator LEAHY and another recent victory for Minnesota as well as New England. It brought proud smiles to their faces. As I had expected, they were so much like their dad. I know they will continue on the path that PAUL and Sheila created for them.

PAUL, I will miss you, the Senate will miss you, and the country will miss you. May your commitment, energy, integrity, and passion always guide us to do our best at all times. Goodbye, PAUL.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, life gives no joy like that it takes away. As always, the poet said it best. All of us in the Senate were suddenly and tragically reminded of that on a Friday morning 2½ weeks ago—a cold, gray, dreary October day. I was in a van driving between Fargo and Grand Forks, ND, when I received a call saying that an airplane had crashed in northern Minnesota and that Senator PAUL WELLSTONE, his wife Sheila, staff, and others were on the plane. To say that I and others have been deeply saddened, in fact devastated, by the loss of one of our colleagues is perhaps to even understate it.

PAUL WELLSTONE and Sheila Wellstone died as they campaigned throughout Minnesota for another term in the Senate. It was a tough campaign, a close campaign, a hard-fought campaign. And yet PAUL WELLSTONE never complained about that. He seemed to relish it.

One of the last things he told me on the floor of the Senate several weeks ago about this campaign was, with a sparkle in his eye: We are going to win this campaign. He said: BYRON, I have 4,000 volunteers—4,000 volunteers—who are going to be working election day in Minnesota for me, getting people to the polls, driving people, calling people.

That was so typical of PAUL WELLSTONE. It was always about citizen action, about people rising to the passion of an idea. That was typical PAUL WELLSTONE.

PAUL and Sheila WELLSTONE were wonderful friends to many of us in the Senate, and our thoughts and prayers go to the family, the families of the pilots who lost their lives, the families of PAUL's daughter and the three staff people who were on the plane as well.

As my colleague from Minnesota, Senator DAYTON, said in what I thought was a wonderful tribute to his friend and colleague, all of us would be remiss if we did not say to PAUL's staff: PAUL would want first and foremost for us to recognize you today. PAUL attracted to his service in the Senate men and women with the burning in their soul to do good things, who cared about fairness and justice and who cared about public service.

All of us who work here know PAUL WELLSTONE had a wonderful staff, and

they have been through some very difficult times, about as difficult as it can get for a Senate staff. Our thoughts and prayers go out to them and for strength as well.

Today let me for a moment remember PAUL and Sheila for their service to our country. This is a rather small community in the Senate—men and women who love this country, fellow travelers who want to make democracy work. What the American people see are some pitched battles during the day and the early evening hours in the middle of a debate in which there are different philosophies and ideas that clash on the Senate floor. What they do not see is we are colleagues and friends, first and foremost.

I think the entire Senate membership would say: We have, indeed, lost a couple of good friends, PAUL and Sheila WELLSTONE. Our country has lost two tireless fighters for justice. The Senate has lost its strongest voice for those who do not have it so good in this country. And American politics has lost the true champion for the little guy.

If ever a man and wife were a team, it was PAUL and Sheila WELLSTONE. They did everything together. Sheila's public service, as PAUL would be the first to tell you, was every bit as important as his. That public service was marked by a green bus, and that green bus meant in Minnesota and our part of the country citizen action, people empowerment, and something that was on the move, a mission, a campaign on the move.

It is true, as my colleague said, PAUL was different. He would not have been caught dead in Ferragamo shoes, even if he wanted them, and he did not. He was not a man to wear Brooks Brothers suits. He was short of stature and tall of ambition with a power and passion of ideas, as my colleague from Nevada just described, that would at the end stage of any debate leave him sitting at that chair with two more amendments to offer—the hour was late and patience was short. Imploring him made no difference. You could say: PAUL, PAUL, we are just out of time; can you just not offer one of these amendments? The answer was always the same: Absolutely not. I am here to offer this amendment. This amendment is important. I came here to do that work and there are people who depend on me to offer this amendment—people whose lives were changed because of this amendment.

It was always with PAUL: No. And we always turned away understanding the passion that burned in his soul to do the right thing, to do the thing he felt was important for our country.

PAUL was different in a much more significant way as well. In today's modern politics, it is so often the case that politicians with a sophisticated network of pollsters and advisers are able to evaluate exactly which way the wind is blowing, to be able to set their sail to get maximum capability from

that wind. It is a constant job of tacking for some into or with that wind to find out exactly where the maximum wind will be. PAUL was not interested in sailing or winds. PAUL was only interested in the rudder. He set the rudder and he did not care where the wind was: This is the direction I am going and it does not matter whether it is a favorable wind or an unfavorable wind. This is where we are headed and this is why—very unusual in modern politics but also very refreshing.

I found it interesting that those newspapers that were not very good to his ideas in life, in death gave PAUL great credit for raising ideas, for standing by his principles, for never wavering and never causing for a moment any constituent anywhere to wonder where he stood. You knew where PAUL WELLSTONE stood.

There are two things, of a great many, that stand out in my mind. One day I sent around a memorandum to Senators saying we were going to visit a youth detention center in Maryland and I wanted to know if anyone wanted to come along. PAUL WELLSTONE called me and said: I would like to come.

The two of us, with some staff, went out to a youth detention center and spent the entire morning sitting in that youth detention center talking to kids, kids who had committed murder, kids who were drug addicted, kids who had been in the worst kind of trouble one could possibly imagine. Driving back to Capitol Hill after this visit, I once again got another glimpse of PAUL WELLSTONE's soul. He said: If someone had cared about those kids early in their lives they would not be there today. Someone needed to help those kids at the right moment, and we can do that in the Senate.

To PAUL, that visit was, how can we reach out to help people who need help at a time when they desperately need that help?

In the last couple of months, PAUL came up to me while we were in the well of the Senate, and he said: I was campaigning in Minnesota and I went to an independent auto repair shop, and the major automobile manufacturers would not give the computer codes to these independent auto repair shops. These small independents are telling me they cannot work on the new cars. They do not have the computer cards for the carburetors and all those things they have to have to work on those cars.

He said: That is unfair, and it is going to drive those folks out of business. This is going to kill the little guy.

He asked if I would hold a hearing on this in my Consumer Subcommittee. I said of course I will. We put together some information on it. The day of the hearing came and Senator WELLSTONE was to be the lead-off witness. That was not enough for Senator WELLSTONE. As was his want, in the way he did politics, the hearing room was packed. It was full of mechanics



and independent repair shop owners from all across this country. I guess that hearing room holds probably 100 people, and there were 150 people there. PAUL had brought his people, the independent repair shop folks, to that hearing room as a demonstration of this problem, to say this problem ought to be fixed.

PAUL was the lead-off witness and as was typical with him, with great passion he made the case about the unfairness to the little guy, about the independent repair shops trying to make a living, and how what is happening is unfair to them.

About 3 weeks ago, right before we completed our work and left for the election, PAUL came up to me on the floor of the Senate during a vote. He was holding a sheet of paper. He was flashing this paper and saying: We won. His point was that the automobile manufacturers had reached an agreement with the independent repair shops, and that problem had gotten solved. For PAUL, it was about the little guy versus the big guy, about those who did not have the power and those who did.

It was always that he wanted to stand on the side of those who did not have the power, those who needed help. That was so much of PAUL WELLSTONE's life.

There is much to say, and my colleagues, I am sure, will say it when we talk about his service to our country. It is sufficient now to say that one of our Senate desks is empty. The Senate has lost a wonderful friend.

I conclude by quoting Thomas Moore, if I might, and relate it to PAUL's service:

Let fate do her worst; there are relics of joy,  
Bright dreams of the past, which she cannot  
destroy;  
Which come in the nighttime of sorrow and  
care,  
And bring back the features that joy used to  
wear.  
Long; long be my heart with such memories  
fill'd!  
Like the vase, in which roses have once been  
distill'd  
You may break, you may shatter the vase, if  
you will,  
But the scent of the roses will hang 'round it  
still.

PAUL WELLSTONE is no longer in the Senate, his desk is empty, but the passion of his ideas most surely will remain for years and years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, today I reflect on the life of a friend and reflect on a political life. Politics is a fateful calling. The voters can end a political life in a few hours on any Tuesday. Promising public careers can be terminated abruptly. But like life itself, political life should be measured by its quality rather than its quantity. By that measure, PAUL WELLSTONE, a man small in stature, became a giant in this Senate.

This is not my desk in the Senate. My desk is the one directly in front of

the desk where we honor the memory of PAUL WELLSTONE. So many times I had to leave my desk because when Senator PAUL WELLSTONE got wound up on an issue of great importance to him, you had better clear out. He had this famous desk with the long microphone cord, and he would roam all over this area, speaking with passion and commitment. I wanted to stand back a few steps to witness it because it was truly historic when he took to the Senate floor.

I do not think there were any routine Wellstone speeches. With all credit to his staff, I am sure he embellished them in the certain qualities that even the best staff person could not add. There was no routine nature about PAUL WELLSTONE in politics.

I remember when he first ran. People kind of laughed about the idea. This professor from a small college in Minnesota is going to run against an incumbent Senator?

We all know what that was about. This had to be a class project. He was going to go out and make his stand, make his speeches, and probably lose by an embarrassing margin. But then they started getting reports back from that early campaigning. This now famous green schoolbus, which I had a chance to see when I was in Minneapolis for the tribute to PAUL WELLSTONE, had a platform on the back where he would stand like Harry Truman and make his speeches.

I remember his television commercial which they replayed during tributes after he died in the plane crash. He said: You will have to listen very closely because I don't have much time. I don't have much money and I have to tell you everything. This is my home; this is where I work.

It was a classic presentation of what he was all about in just a few seconds.

At the end of the campaign after he won and surprised everyone, there is a photo of PAUL, Sheila, and Marcia when PAUL agreed to finally retire the pair of shoes he wore throughout the campaign. What a sorry pair of shoes. He was not slave to fashion, to say the least.

In his campaign in the Senate, I can recall he was admonished by a colleague to go home and change his shirt because it did not look like a Senator's shirt. He did not think of those things. Those things were so inconsequential to his view.

He thought about the important things, the really important things. He reminded us time and again of how those things are overlooked. You draw together 100 Senators across the United States, you put the national political agenda in front of us, and PAUL WELLSTONE found it hard to believe that we could miss so many important things.

Sheila was the same way. His wife Sheila, the unpaid Senator to Minnesota at his side, worked on issues such as domestic abuse, inviting all of us to come to an art center she had

regularly to highlight what victims were expressing through their art in terms of domestic abuse.

We used to talk about PAUL WELLSTONE's amendments on the floor. They were great amendments. Some of them did not get a great number of votes. We used to speak in the caucus about the so-called Wellstone amendments. We used to have competition to make sure that he got enough votes so it was not called a Wellstone amendment. And he said, I win some of these amendments. And he did. Without fail, every one of the amendments challenged every one of us to look at the national agenda and look at America from a different perspective.

We get caught up in the life of public service and forget the people that PAUL WELLSTONE never forgot. I think back to some of them. PAUL WELLSTONE did not make any bones about the fact that he opposed the Vietnam war. During the 1960s, when many of us were in college and that was a dominant issue of the time, he was opposed to that war. But you would find, as I did in his tribute in Minneapolis, the veterans groups coming out in large numbers to pay tribute to PAUL WELLSTONE. There was no separation between them. PAUL WELLSTONE opposed the war, but he did not oppose the warriors who came home. He became their champion in the Senate.

When people would bring up his own military record, or lack of it, or his own position on Vietnam, he would always be able to rally the veterans of Minnesota who would say, we are for PAUL WELLSTONE because he fought for us to make sure we were not forgotten when we came home. That is the kind of person he was.

I think of the debate on education in the Senate, the no child left behind bandwagon. I was on it. What a big bandwagon it was. It was the President, the leaders, the Democrats and the Republicans in the House and Senate, liberal and conservative alike. We would all be for no child left behind. But not PAUL WELLSTONE. PAUL WELLSTONE was the one voice saying, wait a minute, we may be going too far here. High-stakes testing for kids can destroy their lives in the future. Are we moving too fast without thinking about the children and what it could be doing to their lives? Again and again, PAUL WELLSTONE forced us all to slow down even as we were involved in some political movement that seemed to have great force behind us, to stop and think about the actual people affected, the children, the teachers, the families.

He was first and foremost a teacher himself, at Carlton College and in the Senate. Time and again, he taught us. He never taught us better than the lesson on mental health parity. PAUL WELLSTONE realized that our treatment of mental health in the United States of America in the 21st century is shameful. It is disgraceful. He told us over and over that we treat people with mental illness as if they are suffering

from some curse rather than some illness. He begged us time and again to treat fairly people who suffer from mental illness.

I join with everyone here today, all the Members of the Senate who have given speeches and nice comments about PAUL WELLSTONE, all the members of our government, from the President on down, who said what a great man he was and great values he brought to public life. Members can prove it by passing this Wellstone-Domenici bill for mental health parity and do it on an expedited schedule. PAUL WELLSTONE, if he were here today, would say: Forget the speeches, forget the flowers; pass the bill, help some people. That is what government is supposed to be about. That is a challenge to us.

We ought to mark our calendar today. Here we are, November 12, thinking about the challenges this country is going to face. Instead, step back and say: Where will we be 2 or 3 months from now dealing with mental health parity? Will we have done enough? PAUL WELLSTONE led that fight in a way that was classic Wellstone.

In the debate he would know, many times, that the forces were against him, that he did not stand a chance. He would stand here with such passion and commitment and make these speeches, hour after hour, if necessary, always respectful of his opposition, always on the Senate floor, even for those who saw the world in completely different terms, but always committed to what he was fighting for.

They tell us the politics of PAUL WELLSTONE are now out of fashion. I don't believe that for a second. You ought to know that since PAUL WELLSTONE passed away, many in the Senate have been trading phone calls late at night in their homes talking about not only PAUL and the great loss of Sheila and Marcia and the three campaign workers and the two pilots, but reflecting on ourselves and why we are here. PAUL would like that. PAUL would like that his passing would cause us all to think a little bit harder about who will carry on his fight.

I have heard a lot of us in these conversations, my colleagues and myself, talking about what we need to do to make sure that voice is not silenced in the Senate, to make certain that PAUL WELLSTONE's passion and commitment live on. That is the greatest tribute of all.

For 6 years, I served in the Senate with PAUL WELLSTONE. For 2 years, he was over my shoulder at this Senate desk.

For every Member of the Senate, PAUL WELLSTONE will always be over our shoulder keeping an eye on what we do, listening to our speeches, asking us in real human terms whether we are forgetting someone in the process.

The victims who cannot afford lobbyists in Washington, DC, the poor and dispossessed who may not even have

the will to vote, let alone to participate in this process, the people without the resources to be heard, who is going to speak for them? PAUL WELLSTONE did. Those who stand in tribute to his memory should make certain that voice is never silenced.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I will also say a few words about PAUL and Sheila WELLSTONE. PAUL and Sheila were good friends of my wife Anne, my son John, and myself. We met shortly after they arrived in Washington for PAUL to take up his duties in the Senate. Our friendship grew over time. Friendship came easily to PAUL and to Sheila because they had a genuine interest in and a compassion for other people. So on a personal level, PAUL and Sheila will be greatly missed.

On a policy level, they will also be greatly missed in this Senate. PAUL believed strongly that government should and could help improve the lives of average people. He championed better education for our children, better access to health care, particularly mental health care, as my colleague from Illinois has described. He championed a decent wage for workers. Any issue that presented a choice between the public interest and a special interest, there was no question where PAUL stood.

Sheila was also a fierce advocate for policies in which she believed. Her focus for many years was on the problems of domestic violence, and she and PAUL helped spotlight that problem. They did much to put it on our national agenda. PAUL said what he believed. He voted his convictions, even when those convictions placed him in a small minority in the Senate. He was proud to proclaim himself a Liberal in an age where most Americans have been persuaded that liberal is a pejorative term.

The truth is that his views, when not distorted by his opponents, were very much endorsed by the majority of the Americans. His core belief was that those who are less fortunate should be helped to obtain the tools with which to succeed. That belief is shared by most in this great country. His service in the Senate was an effort to implement that belief.

When serving here in the Senate, one is always aware that the imperative to do what is right sometimes conflicts with the desire to be reelected. PAUL always chose to do what he considered right and damn the consequences. He came to the Senate with a clear intent to make a difference in the history of his nation, and he succeeded. The death of PAUL and Sheila and their daughter, their staff and pilots, was a great tragedy for our country. It was also a great tragedy for this Senate. The Senate will be a lesser place without PAUL WELLSTONE.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. STABENOW. Mr. President, I rise today, along with my colleagues, to pay tribute to the memory of our tragically departed friend and colleague, Senator PAUL WELLSTONE, and to remember his life partner Sheila, their daughter, and the others who lost their lives in the plane crash.

We send our condolences and our prayers to the families of all of those who were involved.

Whenever Senator WELLSTONE came to the floor of the Senate to fight on behalf of our Nation's most vulnerable, to fight for economic fairness, for working men and women, to fight for quality public education and health care for all our children, can't you just hear his voice now—standing up over and over again to fight and to speak out in behalf of the people he represented—to protect our environment.

In thinking about Senator WELLSTONE, I thought of the words of Frederick Douglass in 1857 when he said:

If there is no struggle, there is no progress. Those who profess to favor freedom and yet depreciate agitation want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean without the awful roar of its many waters.

PAUL WELLSTONE was ready to fight for progress. And he was unafraid of the war that followed. In fact, he embraced it.

PAUL WELLSTONE believed the status quo can never be a cause but, rather, must be the constant casualty of time in any nation dedicated to equality and justice and freedom.

Did he win every battle? No. But the very fight of Senator PAUL WELLSTONE ennobled the Senate and enlightened this Nation by giving voice to the challenges that confront us.

I would like to read from a speech that Senator WELLSTONE gave to graduating students at Swarthmore College. The passion of PAUL's words reminds us of the shame of passivity, the passivity of standing back and watching millions of families slide into poverty, and our Nation's future slip away from them.

Senator WELLSTONE asked:

How can it be that in the United States of America—today—at the peak of our economic performance—we are still being told that we cannot provide a good education for every child?

We are still being told that we cannot provide good health care for every citizen.

We are still being told that people can't look forward to jobs that they can support themselves and their children on.

We're still being told that we cannot achieve the goal of having every five-year-old come to kindergarten ready to learn.

How can it be that we are being told that we cannot do this at the peak of our economic performance?

I say to you today that it is not right. It is not acceptable. We can do much better, and if not now, when? If we don't do this now, when will we do it as a nation?

That is a betrayal of our heritage. The impoverishment of so many children is our national disgrace.

Senator WELLSTONE did not pull any punches. Yet he was not a cynic either. He believed that by giving wings to the nobler angels of our Nation, we could place progress in the wind.

In the same speech I was quoting from, Senator WELLSTONE closed, urging people to get involved with politics and public service and become those nobler angels whose wings would give flight to change and to justice. He said:

I do not believe the future will belong to those who are content with the present.

I do not believe the future will belong to the cynics, or to those who stand on the sideline.

The future will belong to those who have passion, and to those who are willing to make the personal commitment to make our country better.

The future will belong to those who believe in the beauty of their dreams.

We will miss PAUL WELLSTONE's leadership, his voice on this Senate floor. We will miss the beauty of his dreams of an America where the most vulnerable among us are valued, where all of our children are cherished, and where no one who gets up and goes to work in the morning goes to sleep at night in poverty.

But, PAUL, while we will miss you coming to the floor of the Senate to share those dreams, I promise you those dreams will not die.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Alaska.

Mr. MURKOWSKI. I wish the Presiding Officer a good afternoon.

Mr. President, I, too, would like to lend a few comments to one we fondly regarded as the "Little Giant," Senator PAUL WELLSTONE.

I, obviously, had an opportunity over the years to converse, discuss, debate, agree—occasionally disagree—with our friend who truly believed in his cause, a cause that was perhaps more liberal than my own, but a cause that was reflected on what makes the Senate so unique; that is, the cause of the balance that we have, more or less a mainstream of thought that prevails in the Senate. But in many cases it is brought about by those who have very active views, whether they be liberals or conservatives.

But PAUL WELLSTONE did represent, if you will, the pendulum in the Senate. His contribution was one of activism, of standing for the underdog, of reflecting on the needs of some we can never properly repay; specifically, the veterans of this Nation who have given so much so that we can live in the freedom of our democracy.

As I have reflected, along with Senator STEVENS and Representative YOUNG, because of the vast distances between our State of Alaska and Wash-

ington, DC, and the tribulations of long flights back and forth, and the ever-increasing pressures to make dates, particularly during campaigns, having just run a campaign myself, why, I can recall the unpleasant evening flights in bad weather, with a recognition that people expect you to be present at a given time. And it is the demands that are constant pressures to try to fulfill obligations that cause each Member of both the House and the Senate to live, perhaps, on the edge. Unfortunately, that edge results in additional exposure that is associated with accidents. And we have seen that in the passing of our good friend PAUL WELLSTONE, who, again, to me, is referred to as the "Little Giant": small in stature but significant in what he believed. And his contribution, again, I think is measurable in one sense by those who knew him but in another sense by the legacy he leaves in this body.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I rise to pay tribute to our colleague, PAUL WELLSTONE.

As with the loss of anyone so vital, so full of energy, and so dear to us, it is hard to believe that PAUL is really gone. But as with a brother, or a father, or a great teacher, even if they have died, they leave a part of themselves with those who carry on. They are never really gone.

I first met PAUL before either of us had been elected to the Senate. I was meeting with different people as I considered a run for the Senate, and I heard about this professor in Minnesota who was planning to run in 1990. I had a chance to visit him at his home. When we met, we laughed at the idea that the two of us or either of us, would ever have been elected to the Senate.

But then PAUL went on to run a terrific campaign, without a lot of money, but with a whole lot of energy. When he won, he helped me and others to believe that we could do the same. I will always be grateful to him for that example, as I am sure are many others across the country who were inspired by PAUL and the exceptional life that he led.

So now we know that whenever a candidate runs a scrappy populist campaign, PAUL WELLSTONE will be there.

PAUL WELLSTONE believed in clean elections. PAUL was a strong, stalwart ally over the years that we served together in the Senate, working for campaign finance reform. He was an original cosponsor of the first McCain-Feingold bill—one of a handful of us, along with Senators Claiborne Pell and FRED THOMPSON and he was there all the way. Some have said that the law that we enacted this year went too far. Characteristically, PAUL thought that it did not go far enough.

PAUL WELLSTONE wrote: "The way in which money has come to dominate politics is the foremost ethical issue of politics of our time. We need to invite

ordinary citizens back into American politics to work for what is right for our nation."

Whenever Americans reform our election campaigns, PAUL WELLSTONE will be there.

PAUL WELLSTONE said: "I don't represent the big oil companies. I don't represent the big pharmaceutical companies. I don't represent the Enrons of this world. But you know what, they already have great representation in Washington. It's the rest of the people that need it." That's what PAUL WELLSTONE said.

So, whenever there are voices standing up for the little guy, PAUL WELLSTONE's voice will be there.

There is a role that some Senators play of leading where not many follow because they know that it is right. PAUL WELLSTONE had the courage of his convictions. He was not afraid to stand alone. Now that he is gone, there may come more times when some of us will be counted as the only vote against something.

But whenever a Senator stands alone in the well of the Senate and casts a solitary vote because that's what he or she believes, that Senator won't really be alone because PAUL WELLSTONE will be there.

There is a role that some Senators play of reminding the rest of us of what is right, even when we don't necessarily like to hear it. It has been said many times, and it is nonetheless true, that like Paul Douglas, Phil Hart, and Paul Simon before him, PAUL WELLSTONE was the conscience of the Senate.

Whenever political expediency pulls us to vote one way, but our consciences pull us back the other, PAUL WELLSTONE will be there.

PAUL WELLSTONE was a dear, sweet man, and a good friend to those of us who knew him. Yes, he had a puckish grin and a ready sense of humor. His passing brings a tear to our eyes.

But whenever we think of that smile of his, PAUL WELLSTONE will be there.

The Bible says: "Justice, justice shall you pursue." PAUL didn't need to be told. That was who he was. PAUL WELLSTONE believed in justice with every fiber of his being.

PAUL fought for justice for children who didn't have enough to eat. He fought for environmental justice, even for the poor side of town. He fought for social justice when it came to access to health care. He fought for economic justice when it came to a fair minimum wage and the ability of working families to protect themselves under the bankruptcy law. And he fought for justice among nations, and for peace. PAUL WELLSTONE was the very embodiment of justice.

And so, PAUL WELLSTONE, here on the Senate floor, there is a hole in our hearts. We will miss you, dear friend.

But we will still look for you. For wherever it is on this Senate floor, at a political rally, or at a town hall meeting somewhere on a cold, windy

day in the heartland of America whenever someone speaks for justice, PAUL WELLSTONE will be there.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, PAUL WELLSTONE was an extraordinary leader with a common touch. His dedication to the well-being of average Americans was unparalleled in Congress.

He believed all of our citizens, no matter how humble their beginnings, or difficult their plight, had an equal right to happy, healthy, and full lives. He always made the time to hear the real needs of the people, and he always took the time to speak up for them in the U.S. Senate.

For PAUL, core beliefs were not something to be compromised. He understood as well as anyone in this body the give-and-take of legislation. But we always knew his values were at the forefront of every battle, and the people of Minnesota could count on him to fight for them with every ounce of his considerable energy and ability.

PAUL and I were seatmates. His desk is right beside mine on the Senate floor. But we were more than neighbors. PAUL was our conscience, our guiding light. He turned overlooked needs and forgotten causes into real hopes for millions of Americans. For them, PAUL WELLSTONE was their champion, their Senator.

Earlier this year, Senator WELLSTONE chaired a hearing in the Labor Committee on an issue of great concern to American workers. A group of low-wage men and women were so excited by the prospect of the hearing that they took a day off from work, boarded buses, and headed for the hearing. When they arrived, they found the room full and the door barred. But Senator WELLSTONE heard about the workers who were waiting in the hallway, unable to get in. He invited them in and seated them on the dais among the Senators attending the hearing. For PAUL, this was the way it was intended to be. For him, there was no distance, no barrier between the people and their elected representatives.

Senator WELLSTONE did his homework. He knew the facts and he also knew the reality of everyday life for the people he cared for so deeply and served so well. When the Senate debated education policy, we knew PAUL understood the issues thoroughly. We also knew PAUL had spent more time visiting the public schools than any other Senator. He knew the challenges firsthand because he had taken the time to listen to parents, teachers, and schoolchildren so he could be a true voice for them in Washington.

He taught us all by his example that Americans face challenges together. He was the embodiment of *e pluribus unum*, that out of many peoples in America, we are one Nation. He lived every moment of every day fighting to make our Nation even stronger, ever the beacon of opportunity for all of our citizens.

PAUL, we will miss you. You and Sheila and Marcia leave an extraordinary legacy for millions of Americans to honor, to cherish, and to carry on. Your outstanding contributions to the Senate, to Minnesota, and to the Nation will always be remembered.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FEINGOLD). Without objection, it is so ordered.

The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, it is with a very heavy heart that all of us gather in the Chamber that will miss one of our own. It was with a very heavy heart we received the news on that snowy, icy day that we had lost, while flying in northern Minnesota, a wonderful companion and colleague and, along with him, his life's companion, and part of that family—his daughter.

This freshman Senator had observed this Senator from Minnesota who had such energy and, along with it, such happiness. I can still see PAUL WELLSTONE thrusting in the air those short, little jabs, while at the same time having that wry smile on his face, as he would teach us the way we should be as Senators—advocating for those who could not advocate for themselves, for those who could not hire with unlimited resources. He was there to stand and represent those folks.

I went to Minnesota in August to do what I could for PAUL WELLSTONE in a race that, interestingly, as November 5 approached—and PAUL was so concerned about what was going to be the effect of his vote on the Iraq resolution, the fact he voted his conscience, the fact he stood up as the little giant against what was otherwise considered the tide. The fact he did that resonated among his constituents in Minnesota. We saw the result of that in the polls, for PAUL had jumped up from an even race. He was up five, six, seven points before that fateful day his life was taken from us.

I think back to that time in August I had gone out there to campaign for PAUL. It was a time of mourning in the Minneapolis-St. Paul area because a lady police officer had just had her life snuffed out in an unusual kind of murder, where it was unsuspected. I went with PAUL and Sheila that night to several events, including back to the source of that crime, at a project where so many of the community leaders had turned out. I watched PAUL as he interacted with those grieving constituents, as they all came together in a resolve to heal the wounds in that community and bring the races together, instead of dividing them, as so

often might have been the case in a very unfortunate circumstance where a police officer had lost her life.

I went to what was called the “national night out”—a remembrance of what communities can do in coming together.

I went to two or three such events on that evening I visited with PAUL and Sheila. I watched the interaction of him with Minnesotans. I saw that it was the same PAUL WELLSTONE that I saw interacting with Senators in this Chamber, in our caucuses, in our luncheon meetings, in the cloakroom, and in the committee meetings. It was the same friendly, highly intelligent man, always offering that smile, getting from place to place with that limp in his gait as a result of an old wrestling injury. And he was so attractive. He was attractive to us as a friend and a colleague. He was attractive to the folks of Minnesota as their Senator.

I went to their home, a modest, very comfortable, very appropriately appointed duplex townhouse, close in so he could be where his constituents were. It was easy access for him, even though with that limp; it had a set of stairs, at least two, if not three stories. It was so comfortable as a retreat for him, made so by his lifelong companion Sheila, who was at his side throughout that campaign and who was at his side throughout his professional career, including his career in the Senate.

Then when I was in Minnesota, I talked to his kids. This is not his immediate family kids. This was the extension of PAUL WELLSTONE, the professor, the extension of PAUL WELLSTONE, the Senator, who had legions of young people, some in their middle years, who went door to door telling why those Minnesotans should vote and continue him in the Senate.

I saw their conviction as I talked to them basically to share a number of stories I had as a Congressman going door to door. A lot of those experiences we shared were quite humorous, some of the unexpected experiences when one goes knocking on doors. I explained to them, with a bit of overstatement, that western civilization depended on what they were doing, going door to door. We all had a good laugh about that.

They were committed. They were committed to PAUL WELLSTONE. They were committed for the kind of person he represented, and they were doing the job and they were very effective. Their number had multiplied many times over so that as it came to that fateful day, there were legions of some 4,000 of those young people who were canvassing Minnesota.

That says a lot about the kind of person PAUL WELLSTONE was and how his memory will live; that young people believed enough in him that they would spend all day in a thankless job of going door to door.

I remember so well the PAUL WELLSTONE we loved around here. He

was not afraid to take on any foe. He was not afraid to take on any subject where he felt he could offer something of substance to the discussion, and as far as this Senator is concerned, it often made the difference because it was done with dignity, it was done with passion, it was done with energy, and his orations were done with great conviction.

That is a great example. That is a great role model for all of us. We will miss him deeply.

I remember when I came to the Minnesota airport for that memorial service. Someone met me at the gate and escorted me to the place where we were all to huddle up and then board the buses. As I walked in to that waiting room, what stared me in the face was a simple poster that said: WELLSTONE for Senate. I remember almost having my breath taken away as I realized that he was not going to be with us in body anymore. But he certainly will continue with us in spirit.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the Senate is greatly diminished with the passing of Senator PAUL WELLSTONE. As we see the bouquet of flowers on his desk, we can see PAUL in action, speaking out, speaking up indefatigable on the issues of concern to him.

He undertook a very difficult campaign back in 1990 against the odds, against a popular incumbent Senator. He was able to mobilize students, activists, people who believed in what he believed in because he was always a man with a cause. All the time he had a point. He did not mind being a dissenter.

People who may be listening to this session of the Senate do not know, but there is a little card at the desk on each side, Republicans and Democrats. When the Senators come in and vote, there is a check. It is not easy, when, say, there are 50 members of the party and 49 checks are on one side, to vote against the 49, to have your name stand out in marked contrast as a dissenter, but PAUL WELLSTONE did not mind that a bit.

I believe in the history of our country the dissenters are vitally important, sometimes more important than the majority. Oliver Wendell Holmes, a Supreme Court Justice, was a prime example. He did not mind speaking out in dissent. And then he got another Supreme Court Justice, Louis Brandeis, to join him. So then instead of 1 to 8, it was 2 to 7. The brainpower of the 2 was characteristically better than the 7. For that matter, the brainpower of that one, Justice Oliver Wendell Holmes, was greater than the 8 of many occasions.

*Plessy v. Ferguson* was a decision establishing the principle of separate but equal, having segregation in America, in a decision shortly before the turn of the 20th century, I believe in 1896. John Marshall Harlan was the one dissenter.

That dissent became a clarion call for *Brown v. Board of Education*. Similarly, I think the dissents that Senator WELLSTONE registered have the potential to become a majority point of view.

It was said earlier today, and I think with real meaning, that the legislation to establish parity for mental illness with physical illness would be an appropriate tribute for Senator PAUL WELLSTONE. That legislation came within a hair's breadth of being passed in the spring of 2001 on an appropriations bill.

Technically, we are not supposed to legislate on an appropriations bill, but that rule is honored and then breached very often, maybe not more often than it is observed but it is breached very frequently.

We had passed it through the Labor, Health, Human Services and Education Subcommittee which I had chaired. It was a health bill. Senator DOMENICI was the principal champion on the Republican side, and Senator WELLSTONE was the principal champion on the Democratic side. I was long a cosponsor of the matter. In chairing the conference, we pushed very hard. It came within one vote on the House side—we had the Senate—of getting that legislation passed.

It ought to be passed as a tribute to Senator WELLSTONE. It also ought to be passed for the benefit of the people who suffer from mental illness, which is every bit as debilitating as a physical illness.

On October 25, I was campaigning, as I think most people were. I had just come from a political rally in Reading, PA, where Vice President CHENEY had spoken for Congressman GEKAS who was running in a hotly contested election against Congressman TIM HOLDEN, two incumbents pitted against one another. I turned on the radio at about 1:30 eastern time and was shocked to hear the news that Senator WELLSTONE's plane had gone down. It brought memories of the plane that went down on April 3, 1991, with Senator John Heinz, a vibrant, young Senator who had great potential, as did Senator PAUL WELLSTONE.

Flying small planes is an occupational hazard and everybody in this Chamber, all 100 of us, as well as the 435 Members in the other Chamber, and many other legislators and governmental officials, climb into small airplanes every other day. We all hold our breath as to whether we will be successful on the flight. Regrettably, we fly in bad weather, which sometimes we should not do but there is always a big crowd waiting and always some reason to finish.

It was a great tragedy. PAUL's wife Sheila was with him in the plane. One seldom saw PAUL in the Halls of Congress without Sheila. She was not on the floor of the Senate, but she was with him constantly, holding hands, a very devoted couple. Their daughter Marcia was with them, also devoted in

the campaign, a brilliant young woman at the age of 33.

Senator WELLSTONE will be sorely missed in the Senate. There are many PAUL WELLSTONE stories. I will mention one. I was managing the appropriations bill for Labor, Health, Human Services and Education. Senator WELLSTONE was in the Chamber bright and early. We started at 9:30. He had an amendment. Sometimes it is hard to get amendments up onto the floor. His amendment provided that no Member of Congress should have a health insurance policy at Government expense that was superior to what every other American had available to him or her.

When that amendment was brought up, it was through the distinguished senior Senator from Minnesota, who was smiling broadly. It was a very extraordinary amendment to make. It is pretty hard to make an amendment like that stick because it would have made President Clinton's national health insurance policy look entrepreneurial to the nth degree. It did not pass, even though the Democrats controlled the House and the Senate. Senator Mitchell, the majority leader in 1993, was a major proponent of health care, but the Clinton plan with its bureaucracy went down to defeat. To have a requirement that no Member of Congress could have a health plan that was superior in any way to what the Government provided for every citizen was really an extraordinary idea, to characterize it very mildly.

I did not have to debate Senator WELLSTONE for very long before there was an avalanche of Senators who came to the Chamber. He really struck a nerve, and he struck a nerve because many people think that Senators and Members of the House have health insurance which is paid for by the Government, which is not true. We pay for the health service which we have, but we also have additional health service policies, Blue Cross and Blue Shield. To have legislation limiting what a Member could have to that which every other citizen would have at Government expense would be a great inducement to pass a widespread health insurance benefit, and perhaps we ought to do that. That was Senator WELLSTONE's idea. He debated it with fervor and intensity. It was an extraordinary debate. I do not think he got too many votes for his plan, but that did not diminish it in any way. That is the great quality of a dissenter. This Chamber will not be the same without Senator WELLSTONE.

In the absence of any other Senator on the floor, I ask unanimous consent that my comments on homeland security be given as in morning business.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

(The remarks of Mr. SPECTER are printed in today's RECORD under "Morning Business.")

Mr. SPECTER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DEWINE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. DEWINE. Mr. President, let me begin by thanking all of our colleagues who have already spoken here on the Senate floor this afternoon in tribute to our dear friend, PAUL WELLSTONE. I join in the sentiments and would like to extend my sympathy and my prayers to the entire WELLSTONE family and the families and friends of the crew and staff members who also lost their loved ones just a few short weeks ago.

PAUL WELLSTONE, his wife Sheila, and their daughter Marcia, left quite a legacy. These are family who were working so closely together to help PAUL in his reelection bid. So as we pay tribute to PAUL today we must also, I believe, remember the dedication and the love of his wife and his daughter—his entire family. Each one of us understands our elections are many times a family effort. We see our spouses, we see our daughters and sons go out and campaign and spend time with us and spend time in other parts of our States. So I think we all can relate to this. In a sense, it makes this tragedy even harder for all of us to bear, to think this was not just a loss of PAUL, but also of his wife and his daughter.

The great English poet Alfred Tennyson wrote of a dear friend who died suddenly:

God's finger touched him, and he slept.

Recently God's hand touched our friend PAUL WELLSTONE. Now he sleeps and now we mourn. The Senate will really never be the same without PAUL WELLSTONE. Not only did we lose a colleague, but we also lost a friend, a good man, an ethical man, a leader, a true champion—a champion of the causes and the issues he believed in so passionately.

As many of my colleagues have expressed already, PAUL had a kind of drive and passion and spirit that was really unequalled in this body. But we will also miss his kindness, his resolve, and his unbelievable energy—energy he brought to every single task he undertook. Whatever it was, PAUL did it with sincerity and he did it with great passion. PAUL got things done. He was effective. That effectiveness came because of his energy, because of his drive, because of his determination, and it came because he understood what he believed in. He understood what he cared about. He understood what was important.

It also came about because he could get along with people from both sides of the aisle. He really transcended politics in that respect. He knew people. He understood them. It was evident he cared about them. You never had any doubt when PAUL WELLSTONE asked

you how you were doing, how you were feeling, how your wife was, that he actually meant it. He actually cared.

Arthur Ashe, the famous athlete, who also died too young, once said: "True heroism is remarkably sober, very undramatic. It is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost."

That was PAUL WELLSTONE. That was his mission. No cost was too great in his eyes when it came to protecting the lives of those in this society who could not protect themselves—as he said, "the little people", the poor people, the people who needed someone to help them. He worked so hard and so tirelessly and with such commitment to protect children, the elderly, the mentally ill. I had the privilege of working closely with PAUL on a number of the legislative initiatives he cared so much about—the kind of initiatives that were intended to protect and improve peoples' lives, like job training—the bill he and I spent an awful lot of time working on—and mental health courts bills.

PAUL also cared deeply about the future of America's children. He wanted to ensure that every single child in this country received a quality education.

He was instrumental in making sure that our transition to teaching initiative was included in last year's education reform law. And, in fact, at the time of PAUL's death, he and I were getting ready to introduce a bill to expand the childcare loan forgiveness program to include preschool teachers. I intend to go forward and introduce that bill tomorrow. I know that is what PAUL would have wanted. And, in his memory, I would like to rename that bill "The Paul Wellstone Early Educator Loan Forgiveness Program." This legislation is just one of so many examples of what PAUL stood for and cared so passionately about.

It wasn't too long ago that this Senate lost another friend and colleague. That man was a dear friend of mine. That man was Senator Paul Coverdell. I was recently looking back at the CONGRESSIONAL RECORD at some of those fiery and impassioned speeches that PAUL WELLSTONE used to give on this Senate floor, and I came across a speech he gave in tribute to Senator Coverdell following his death.

I was really struck by his remarks, because what he said in those few words about Senator Coverdell really capture today what we in this Senate think about PAUL WELLSTONE.

I would like to take just a moment to read to my colleagues what PAUL WELLSTONE said on this floor on July 19, 2000:

Mr. President, I want to speak about my colleague, Senator Coverdell. I know other Senators have. I absolutely have nothing rehearsed. There are many Senators who will speak about Senator Coverdell probably in a more profound and moving way than I can.

There is one moment I want to remember about Senator Coverdell because this small story tells a large story. We had had a major

debate about the Colombia aid package. Senator Coverdell and I were in a debate. We did not agree. It was a pretty good debate back and forth. I know from time to time during the debate I would reach over and touch his hand and say something to the effect: I just cannot believe you said this; this is wrong—something like that.

At the end of the debate, I said, because I believed it and believe it: Senator Coverdell is a really good Senator.

He smiled and touched my hand and said: Senator Wellstone is a really good Senator.

I do not know if the latter part is true, but the point is that is the way he was. That is the kind of Senator he was.

That is also the kind of Senator Paul Wellstone was.

PAUL WELLSTONE in that tribute went on to say this about our friend, Senator Coverdell:

We talk about civility. He was just a beautiful person. I really enjoyed him. We need a lot of Senators like Senator Coverdell: Paul, you are wrong on the issues, but you are a really good person.

The Senate has lost a wonderful person and a wonderful Senator, and the United States of America has lost a wonderful person and a wonderful Senator.

To PAUL WELLSTONE today, I say that you, too, were a wonderful person. You were a wonderful Senator.

Today on this floor, we honor what PAUL WELLSTONE stood for, what he believed in, and what he accomplished here in this Senate. As a public servant, PAUL touched the lives of his family, his friends and colleagues in the Senate, his constituents in his home State of Minnesota, and the lives of millions of people throughout the United States.

I will not forget PAUL WELLSTONE—none of us will. He is deeply missed and will always be remembered.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. STEVENS. Mr. President, as we have reconvened today, there is a void in this Chamber. The untimely passing of our friend and colleague, PAUL WELLSTONE, brings a sadness to the entire Senate family.

We are also touched by the loss of PAUL's wife Sheila, his daughter Marcia, members of his campaign staff: Will McLaughlin, Tom Lopic, and Mary McEvoy, and the two pilots: Captains Richard Conry and Michael Guess.

When I heard Senator WELLSTONE's plane had gone down in Minnesota, it was difficult for me to convey my thoughts. I thought of the countless hours I have spent, as a Senator now for 34 years, in small planes, flying around my State on campaigns and on official business.

I recalled the day in December of 1978 when the plane carrying my wife Ann and myself and five friends, coming from Juneau to Anchorage, crashed at



the Anchorage Airport. The time that followed was a difficult one for my family. The death of a spouse, a colleague, a loved one, or a friend is never easy, but to lose that person in an accident, particularly one you survive, is worse because you will always know you never said goodbye.

It was an ironic twist when I discovered PAUL WELLSTONE's plane crashed in the same city, Eveleth, MN, where Alaska Congressman Nick Begich was born. As the Senate knows, Representative Begich and the House majority leader, Hale Boggs, were killed when the airplane in which they were flying was lost over Alaska in 1972.

It is safe to say—and I think this is no surprise to anyone—that PAUL WELLSTONE and I did not see eye to eye on much, but I respected PAUL for fighting for what he believed and for his personal toughness that never let physical problems slow him down.

We spent much time together on the subway going back and forth and became great friends. As a matter of fact, PAUL and his wife came over to our home. Catherine and I were pleased to have dinner with him and Sheila on a personal basis.

I admired PAUL's commitment to his causes, particularly to his dedication to mental and physical health parity. As a young boy, I helped raise a cousin who was challenged by mental retardation, and I know the difficulties faced by those in that community. Senator WELLSTONE's compassion and determination has made a difference in many families across our Nation, many lives of people such as my cousin.

Likewise, Senator WELLSTONE's wife Sheila was a great advocate. Her work on behalf of domestic abuse victims helped many women and children begin life anew, with the hope and encouragement that came from Sheila's work.

Catherine and I cannot put into words the sympathy and sorrow we feel for PAUL's family for the loss of their parents, their siblings, and their grandparents.

Mr. President, grief is a process that helps heal the heart. We will always miss PAUL, but we honor his memory by keeping after our business, as he did—testing our ideas on the campaign trail and here on the Senate floor. My friend, PAUL WELLSTONE, would want it that way.

Thank you very much, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President,

Sunset and evening star,  
And one clear call for me!  
And may there be no moaning of the bar,  
When I put out to sea,  
But such a tide as moving seems asleep,

Too full for sound and foam,  
When that which drew from out the bound-  
less deep  
Turns again home.  
Twilight and evening bell,  
And after that the dark!  
And may there be no sadness of farewell,  
When I embark;  
For tho' from out our bourne of Time and  
Place

The flood may bear me far,  
I hope to see my Pilot face to face  
When I have crost the bar.

Mr. President, one of our number has gone from our midst.

I know that by now he has seen his Pilot face to face because PAUL WELLSTONE has crossed the bar. He was not tall; yet mere feet and inches are no measure of a human heart. He could not be cool or aloof, for he knew that it is passion and commitment that drive human progress. He was not without infirmity, but the limitations of the flesh never hold down a robust and tenacious spirit.

PAUL WELLSTONE fairly burned with exuberance for life and for the causes that he cared about. We all heard PAUL WELLSTONE as he spoke about those causes that he cared so much about. He always spoke with passion. A visit to his office is illustrative. Over the entrance to his private office is a huge enlargement of a snapshot of his former, now deceased, chief of staff, Mike Epstein. Most of us remember Mike Epstein, who used to be seen back here on the bench to my left as he sat listening to PAUL and waiting with PAUL. PAUL WELLSTONE did not forget. He did not forget Mike Epstein.

Once inside PAUL's office, over the doorway three large photos can be seen of the faces of battered women. PAUL WELLSTONE often spoke of those battered women in our population. He did not forget.

On the walls of his private chamber are photos of Hubert Humphrey, John Kennedy, and on his desk is a bust of Martin Luther King. PAUL WELLSTONE did not forget.

PAUL was a man of causes. He was a teacher. He was a man who stayed true to the things in which he believed. I can almost see him back there now beside the flowers that have so thoughtfully been placed on his desk as a token of our remembrance of him. I often heard him use a metaphor. He called it an old Jewish proverb. He would use it again and again, in speech after speech. He would say, "You can't dance at two weddings at the same time." Senator DON NICKLES is on the floor, and he remembers this and has indicated so by a smile. I never quite knew what PAUL WELLSTONE meant when he said that you can't dance at two weddings at the same time. I never tried it, but I never was at two weddings at the same time.

When he said, "You can't dance at two weddings at the same time," he meant that one must not be false. That is the key. One must not be false. He meant that one cannot be all things to all people. He was thinking of the words of Shakespeare, who said: To

thine own self be true. Thy can't now then be false to any man.

He meant that one cannot say one thing and then do another. And he meant that one cannot say the same thing to two different people and mean two different things. It is a fundamental lesson and has special application to those of us who toil in the ruined fields of what passes for politics today. You cannot dance at two weddings at the same time.

PAUL WELLSTONE died tragically, but he lived heroically. He ran uphill against the odds and enjoyed and gloried in the experience. He was unique, he was priceless, and he was quite irreplaceable.

I shall miss him, and we all shall miss his courage.

I was most endeared to PAUL WELLSTONE in the last days of his life. One day as we stood in the room together—we Democrats—and discussed the resolution concerning the Iraq war—which may come and which in my present thinking is likely to come—we stood over in the corner room there and the majority leader was there. My Democratic colleagues—most of them—were there; PAUL WELLSTONE was there. We discussed the Iraq resolution. I remember PAUL WELLSTONE as he stood and said to us, his Democratic colleagues:

You all do what you must, but I am going to vote against the resolution. But don't worry about me. I will explain it to my people. I think I am doing the right thing, and I believe my people will feel also that it is right. But if they don't, they will vote. However that vote comes, whatever that decision is, I will live with it.

I thought that took a great deal of courage. Here was a Senator who was running for reelection and he had already reached a decision in his mind that he was going to take a stand, and that was going to be a principled stand. His future in politics could go one way or another; but regardless PAUL WELLSTONE was going to take that position. He was going to go to the people with it. He was willing to debate it with the people, and he felt that in the final analysis the people would uphold him in the position he had taken.

There were not any ifs, ands, or buts. That was a position he took right over in that room, in the corner, near the elevator on this floor. That, more than anything I saw in PAUL WELLSTONE's life when he was here in our midst for 12 years, that, more than anything else, impressed me. I thought: Oh, if all Senators were like that. If all public officials were like that, who would take a principled stand, state the reasons for that stand to the electorate, and let them make their choice. Of course, he wanted to come back to the Senate, but he knew very well that particular stand, in the climate in which we find ourselves, might mean he would not be reelected. And in the minds of a lot of people, the likelihood would be perhaps he would not be reelected. He took that stand. That told



me something about that man I had never seen before in him.

That is the kind of courage that is found in men and women who are not only willing but are proud to stand up for their convictions and win or lose. They are determined to do it that way because they feel that is for the best interest of their country. That is the way PAUL WELLSTONE felt. But that, more than anything else, watching him and listening to him on that occasion and knowing he was heading out of here in a very close election, which at that point he probably was a little behind—and I think he was. But he went. He made that decision. He voted that way. He went to the people and, from what I can understand, he was winning. His points were going up. He was going up. So the people, even though some of them—many of them—may not have agreed with PAUL, admired a man of conviction. That is the kind of man they wanted in this body.

I will always remember PAUL WELLSTONE for that demonstration of conviction, that demonstration of integrity, that demonstration of courage, that demonstration of character. So his spirit, as long as I am here, will always permeate this Chamber.

I never was close to PAUL WELLSTONE. I cannot say I am close to a great many Senators here. That is not their fault. We are all busy people. But that drew me close to PAUL WELLSTONE.

We owe a great debt to the people of his beloved Minnesota and his wonderful family for sending him to serve with us for a time. I fully believe if PAUL WELLSTONE had lived, he would have won that race. That Senator we would have had back.

I went to that memorial service. I went to Minnesota. I went there when Hubert Humphrey died, and I went to the memorial service for PAUL WELLSTONE. I was at that dreg gathering. I was struck by the size of that tremendous gathering of people singing songs, speaking. I wondered about this man, what kind of hold he must have had on the hearts of the people of Minnesota to draw a huge audience like that in a memorial service.

I also believe in my heart that the memorial service veered off on a path that probably was not intended, and I felt badly about some of the things that happened there—about the treatment, not only impolitic, but the discourteous treatment that was accorded to the minority leader, Mr. LOTT. I did not know about the treatment by which he had been embarrassed. I did not know about that until after it was over. But I felt as time went on that I was in a strange meeting, and I believe that but for the veering off course by that meeting Walter Mondale would have been elected. In any event, that is in the past and cannot be revisited.

We will all miss PAUL WELLSTONE. I do not think that he would have wanted things to happen as they did in that particular meeting, but that being

said, I think PAUL WELLSTONE's spirit will live on.

I regret the strange twist of fate that took his wife and his daughter and the members of his staff to their untimely ends. But as to PAUL, we owe him a great debt. I think I can best say his spirit will live on by repeating the words of Thomas Moore:

Let fate do her worst, there are relics of joy,  
Bright dreams of the past that she cannot  
destroy,  
That come in the night-time of sorrow and  
care,  
And bring back the features that joy used to  
wear.  
Long be my heart with such memories filled,  
Like the vase in which roses have once been  
distilled,  
You may break, you may shatter the vase if  
you will,  
But the scent of the roses will hang round it  
still.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, it is a sad occasion that we see flowers on the desk of PAUL WELLSTONE memorializing his service to this country and to the Senate.

PAUL WELLSTONE served very ably in the Senate for 12 years. I had the pleasure of working with him, and I had the pleasure of opposing him on many occasions. Many times, I would always say in the heat of the battle that PAUL WELLSTONE had intensity, he had passion, and he had conviction. As Senator BYRD mentioned, those are qualities and traits that are very much needed in the Senate.

October 25, when PAUL WELLSTONE was killed along with his wife Sheila and his daughter Marcia, in addition to three staff members and a couple of pilots, was a real tragedy to the Senate family. Unfortunately, we have lost a lot of Senators through airplane crashes. Many of us have been in planes under questionable circumstances. It is a tragedy we hate to see. I remember receiving the phone call and the words were "oh, no," when it was confirmed.

As many of our colleagues, I went to Minnesota for the memorial service on October 29 to express our condolences and sympathy on the loss of a colleague. We wanted to show support to his family, friends and constituents and say that, yes, he was a valuable Member of the Senate and we hated to lose him. To lose him in such a tragic and unexpected way is really a loss for the entire country.

I remember very well when Senator WELLSTONE made one of his last speeches. It was a tribute to Senator HELMS. Philosophically, they were probably as opposed as they could be, but they were always gentlemen and they always conducted themselves as Senators. Like Senator HELMS, every time we had a debate with Senator WELLSTONE that we disagreed on we always would shake hands, win or lose, and we did both. We won some battles, we lost some battles, but we were always friends and we were all colleagues.

I remember PAUL WELLSTONE being inducted to the National Wrestling Hall of Fame in Stillwater, OK—an outstanding American and a great tribute. This happened in the year 2000, but he was in the class of 2001, a class that is very unique.

Our colleague, Senator John Chafee, also deceased, was inducted into the National Wrestling Hall of Fame, as well as the current Speaker of the House, DENNIS HASTERT. They were a very special class of competitors who competed not only on the wrestling mat but also on the floor of the Senate and in the House of Representatives.

PAUL WELLSTONE earned our respect and our gratitude. We miss him, and we wish to communicate to his family, his friends, his associates, and his staff members, that we respected PAUL WELLSTONE. We appreciate his service to this country, to his State, and to the Senate. PAUL WELLSTONE will be missed by all of us who had the pleasure of calling him our colleague.

I yield the floor.

The PRESIDING OFFICER (Mr. DAYTON). The Senator from New York.

Mrs. CLINTON. Mr. President, I join with my colleagues in taking these few moments to pay tribute to an extraordinary man and a great Senator. It is hard to come back to the Senate floor this afternoon and not be overcome by a sense of loss because this desk behind me, with the flowers, will never again serve as the launching pad for one of PAUL WELLSTONE's memorable and impassioned speeches.

Every American who shared PAUL's determination to make our country all that it should be, all that it can be, all that PAUL thought it must be, felt that same sense of loss. The Americans who only knew PAUL WELLSTONE through tuning into C-SPAN or seeing the evening news, watching that energy flow, those arms flail about, that pacing up and down, may not have known the man but they too saw, as we his colleagues saw, that deep abiding love of our country. That is what motivated PAUL WELLSTONE. He would come on to this floor, sometimes bursting through those doors, having to speak out, making it clear that there was some injustice that had to be righted, some problem that had to be solved, in order for us all to be the best we could be.

That wrestling spirit that never let go really was with him in every encounter. He was a bear hugger. He was a caring, loving man, as well as a great advocate.

His determination to improve our Nation, our education system, our health care system, our employment system, to strengthen civil and human rights and provide opportunities to those who live on the outskirts of American life, was unparalleled. Every one of us who knew him, and the millions who did not, were heartbroken by his untimely death.

I had someone say to me that the voice for the voiceless has been silenced. That is not only a tribute to

PAUL but it can also be heard as a rebuke to us. Was there only one among us who spoke for the voiceless, who hurt for those who were hurting, who carried the pain of injustice and exclusion under which so many suffered? One hopes that is not the case, but the only way to prove it is not is to ensure that our voices are heard loudly and clearly.

This floor will seem empty without his words of conviction unless we fill it with our own. The ideals he represented and his steadfast belief that we, the people, through our government, acting together, can be a positive force, literally to change the future for those who might otherwise be left in despair, that commitment motivated every aspect of his daily life.

Our Senate family and the people of Minnesota not only lost Senator PAUL WELLSTONE, but we lost a great advocate in Sheila Wellstone and we lost a great teacher in Marcia Wellstone. His family shared his passion and his drive for justice. His staff were with him every step of the way and some tragically even gave their lives in service. Our thoughts and prayers are certainly with all those, along with the Wellstone family, who lost family members, friends, and colleagues.

Before coming to the Senate, I had the great pleasure of working with both PAUL and Sheila Wellstone. I admired Sheila greatly. Just as her husband, she was made of steel. That little package of energy that propelled her down these corridors and throughout the State of Minnesota looking for ways to help and to shed the spotlight she could bring into the darkest corners of human misery set her apart. She especially became a champion of those women and children who were victims of domestic violence. The stories she heard from women all over Minnesota and America did not stay her property; she told them to anyone. She would come to the White House and button hole me or the President. She would go anywhere to see anyone to make sure that someone whose small cry for help that she heard in St. Paul or Margie would be heard in Washington as well. She believed that the idea of violence-free families should be a reality in every home in our Nation.

She and PAUL, together, believed the diseases, the illnesses of the mind, should no longer be relegated to some back room where they would be brushed aside, ignored because of the stigma, the embarrassment attached to them historically. She encouraged PAUL to join forces with Senator DOMENICI to transform each of their families' experiences into a national campaign to improve the lives of the mentally ill.

Sheila and PAUL were also instrumental in bringing to international awareness the horrific problem of trafficking in human beings, the modern form of slavery by which young women, young girls, are literally sold

into bondage, into the sex trade, into domestic servitude. Sheila and PAUL WELLSTONE were absolutely committed that this practice of degradation would end.

When each of us heard the news that the plane carrying PAUL and Sheila and Marcia went down, time seemed to stop. Many did not want to believe it. We kept asking our staff and others how it could be true. How could this have happened? Horrible events, tragedies of this magnitude, have a way of stopping time. But then we have to return. The clocks have to start moving again. We have to continue our journey into the future. But if we remember what that moment in time felt like when we realized our friend, our colleague, a great Senator, would no longer join us for our debates, then perhaps that tragedy can change the tone and landscape of our politics and our debates. Perhaps PAUL's example in life, his legacy in death, will compel all to look inward, to ask ourselves what are we doing today with the same energy, the same good humor, the same fighting spirit that PAUL WELLSTONE embodied to make life a little better for the people we represent, to give voice to the voiceless.

Over the past weeks I have thought a lot about PAUL WELLSTONE. I remember so many incidents and so many of his triumphs. He was there day in and day out. No issue was too small that it did not have his commitment behind it if he thought it would make a difference in someone's life. The Senate passed expanding insurance coverage for the mentally ill. I hope Senator DOMENICI's heartfelt plea and his long-time commitment will help finally to pass his and PAUL's dream into law.

We increased access to child care for the working poor because PAUL WELLSTONE knew what it meant to worry about your children while at work because you did not know the conditions they would be in, whether they would receive the quality of care they should.

One of my favorite PAUL WELLSTONE moments was that PAUL and I were at a hearing he was chairing of the Subcommittee on Employment and Training. We had been receiving reports about a sharp increase in the numbers of unreported deaths and injuries among immigrant workers—many of them illegal, who found their way to our country and were put to work, despite the laws against it, for the cheap labor they provided—who were not given the protection or the support or the respect they should have for the dangerous jobs they were performing.

One of my State's newspapers, NewsDay, ran a powerful investigative report about the conditions in which immigrant workers labored in New York. PAUL read it and contacted me right away. He wanted us to work together to find out what we could do to stop people from dying, literally dying, in New York and around America.

Many who go to hearings around here know that not many people, except the

paid lobbyists for the various industries affected, show up for the committee hearings. The lobbyists fill the chairs. They take the notes. They rush out to make the cell phone calls to report to their superiors and employers what is going on. But unfortunately, except on rare occasions, other people do not come.

On that day, to our surprise, hundreds of workers flooded the halls of the Dirksen Building trying to get into our hearing, trying to tell their stories. Unfortunately, we had no idea this would draw such a crowd. The room the hearing was being held in was not big enough to accommodate everyone waiting.

PAUL and I conferred, and PAUL said: I can't believe it. There are all these people outside. Some of them came from miles away. You can see his arms, as you hear those words, going back and forth. What are we going to do?

Before I could answer, he got up, and in that bow-legged wrestler's stance and walk he had, he walked down from the platform, through the crowd, threw open the doors, told the Capitol Police that everyone was coming in and that there would be room. They could sit on the floor, they could sit in the Senators' chairs because he and I were the only Senators there. He would not keep the very people we were having the hearing about out of the hearing room.

That was PAUL. He was a people's Senator. Everyone was welcome. Every door was open. It was an unusual hearing, but it was a memorable one. Afterwards, he greeted each and every person who was there.

It was this passion that got him up and fighting every day, even when he was in such pain, as some of us can remember, seeing him in pain on this floor, remembering how last year the pain was so intense he literally dropped to the floor of the Senate. He later learned that he was not just contending with the aches and pains of a Hall of Fame wrestling career but that he had multiple sclerosis. That did not stop him either.

For any of us who inquired how he was doing, he brushed it off. He was not interested in any way or concerned about his own health. He wanted to talk to you about what we were going to do about unemployment insurance, what we were going to do about education, how we could turn our backs on all these children who would not get the resources they needed.

During the debate on the education bill, PAUL was the only member of our Education Committee to vote against it. We knew why. He warned that focusing our education system solely on improvements in standardized tests without a major increase in Federal funding was wrong. I agreed with that. I said so at the time in our committee. I will vote for this bill, but only if we have the funding.

Here we are, a year later. We got the funding for 1 year and then the administration came in and no more funding.

PAUL was right, as the distinguished Senator from West Virginia knows. Trust, but verify, when it comes to such promises.

Senator WELLSTONE always stood by his beliefs. His last big fight, as Senator BYRD has so eloquently reminded us, was over two big issues: Certainly Iraq, what should be done, what will be done, what our obligations as Senators are to hold this administration accountable; and, here at home, the fight for unemployment benefits to be extended. For the life of me and for PAUL WELLSTONE, with whom I spoke about this at length time and time again, it made no sense. How could we turn our backs on people who were out of work through no fault of their own, who needed a little bit of a helping hand? He would come to the floor, he would make that case, and we wouldn't go anywhere with it. We couldn't get our colleagues to support extending unemployment insurance one more time.

Along with what I hope will be a lasting legacy of mental health parity, I truly request our colleagues and the administration to extend unemployment insurance. PAUL WELLSTONE's last domestic battle, for people who will otherwise have nowhere to turn when those benefits are gone.

I want to say also a word about Senator WELLSTONE's staff, because he certainly loved and respected his staff. As Senator BYRD has mentioned, his staff was a loyal, hard-working group who often accompanied Senator WELLSTONE to the floor and sat there watching him, getting energy from his excitement and passion. I want to name some of the names of those men and women who helped him do the work we honor today. Colin McGinnis, his chief of staff, and Brian Ahlberg, his legislative director, are two extraordinary public servants. My staff has enjoyed the privilege of working with them.

My staff and I have also had the opportunity to work with Marge Baker, who led Senator WELLSTONE's efforts on the Subcommittee on Employment and Training, with Jill Morningstar, who was his legislative assistant on education and women's issues, with Rachel Gregg, who led his efforts to assist the working poor, as well as Patti Unruh, Ellen Gerrity, and Richard McKeon, who made up his team of health care advisers.

I offer my condolences to each of his extraordinary staff members and I want them to know how much we appreciate the work they did for PAUL.

On October 15, at the close of his last debate, here is what Senator WELLSTONE said:

I don't represent the pharmaceutical companies, I don't represent the big oil companies, I don't represent the big health insurance industry, I don't represent the big financial institutions. But you know what, I represent the people of Minnesota.

That may be his most fitting tribute—the honor, the ability, the results he brought to the way he represented the people of Minnesota. He did it with

passion and principle. We join in saluting his life and his service and we challenge ourselves to remember the reasons why so many are mourning him today. Each of us, try to live up to the standard PAUL WELLSTONE set.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, I compliment the Senator from New York for her gracious and most appropriate words with regard to the service of the Senator from Minnesota, who was such a special person.

I rise to add my words of respect and praise and thanksgiving for the life and leadership of my friend and colleague and, in fact, political hero. PAUL WELLSTONE was a good man who did his very best to do good things—very simply, good things for others. With his wife Sheila, their lives were about service, service and advocacy for others. In fact—I think the Presiding Officer probably knows this—they may well have been the most unselfish people I ever observed. The drive was not to power. It was not to popularity. It certainly was not to wealth. It was to service—service to those without a voice. PAUL WELLSTONE really did believe all men and women are created equal and therefore should be treated accordingly.

As a friend, PAUL was always supportive and full of counsel for a fellow progressive—or should I say liberal. While our paths to the Senate could not have been more different, our paths in the Senate were much alike. He was a pathfinder for me and for many others because of his personal passion and principle with which he was so secure—it was deep in his soul. It gave him vision. His words and deeds were an example for all who seek to lead. As he so often implored, our actions cannot be separate from our words. All men and women are created equal, and he believed our Nation must act, also, accordingly. He fought for that every day on this floor.

We have heard about his principled fight for mental health parity. We have heard about his fight to make sure education was something other than high stakes testing, and to make sure welfare reform was about something other than reducing the numbers on rolls, but was really about reducing poverty levels; on labor rights and defending the right to organize, defending the right of working men and women to have access to the American promise on an equal basis with those who are granted more; and on women's rights, which we have heard so much about, and domestic abuse, in which he carried the words and deeds of his wife so ably; on veterans' care and the homelessness problems of our Vietnam vets. On these and many other issues he really was a man who spoke for those without a voice.

PAUL's passion and vision will be deeply missed. For those honored to have shared his life, it is now our responsibility to pursue his vision. His

commitment to equality and justice must not be lost and, with God's will, it will not.

To this challenge, earlier today I heard Senator STABENOW cite great words from Frederick Douglass that bear repeating. When you think about PAUL WELLSTONE you think about how he handled himself in this world. Those words are:

If there is no struggle, there is no progress. Those who profess to prefer freedom and yet deprecate agitation want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean without the awful roar of its many waters.

PAUL WELLSTONE led his struggle for freedom with thunder and lightning—his struggle for progress. We will miss him. We will miss his struggle. We must take it up.

All of us pray for his family and the families of the others lost on that tragic day of the crash. Our hearts are saddened. And we, as Senator CLINTON has so ably articulated, commend his loyal and dedicated staff, and those thousands of volunteers who made his voice multiples of what it otherwise would be, through their activism and organization. We say thank you for all of them. Our love goes out. We respect them for what they have done, and their service. We hope they will not turn away from the effort and the fight. We thank them all. They mourn. We mourn. But we must not quit. We will not quit. Our deeds must match his deeds in the days and years ahead.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEVIN. Mr. President, I rise to pay tribute today to two dear friends, PAUL and Sheila Wellstone. The October 25 plane crash in northern Minnesota which took their lives was an incalculable tragedy. It deprived Minnesota of a brilliant Senator. It deprived my wife Barbara and me of two very dear friends. It deprived the poor and disadvantaged everywhere in this country of a most committed, eloquent, and passionate champion.

If there is one word that I heard perhaps more than any other in the tributes that have been paid to PAUL WELLSTONE, it would be the word "passionate."

Compounding the tragedy, the crash claimed the lives of PAUL and Sheila's daughter, Marcia; three members of his staff: Will McLaughlin, Tom Lopic, and Mary McEvoy; and the plane's two pilots, Captains Richard Conroy and Michael Guess.

Our hearts go out to PAUL's sons and grandchildren, and to all of the families of those whose lives were lost. We think about what might have been. We

are reminded of just how ephemeral and precious life is.

It is said that an obituary tells you what a person did and a eulogy tells you who a person was. I would like to talk about who PAUL was.

PAUL WELLSTONE was the patron Senator of lost causes. By "lost," I don't mean wrong. In fact, most of his causes were right. But many of them were at the moment unpopular.

PAUL WELLSTONE devoted his energies to fighting for the disenfranchised and demoralized, the lonely, and the isolated. He saw his mission in the Senate and in life as comforting the afflicted and, when necessary, afflicting the comfortable. In social justice circles, it is called "speaking truth to power."

PAUL knew what it is like to be the underdog. He literally wrestled his way into the University of North Carolina on an athletic scholarship. He overcame learning disabilities to earn a Ph.D. from that distinguished university. The civil rights movement inspired him to become active in politics. In 1990, he ran a seemingly quixotic campaign against an incumbent Senator who outspent him by more than seven to one. And PAUL won. And he won again in 1996.

I think PAUL beat the odds because he gave hope to so many people who have been left behind. PAUL was a friendly and warm person who learned and remembered everybody's name because he genuinely cared about them.

More recently, PAUL battled hip and back injuries and publicly announced that he had multiple sclerosis. When he made that announcement, he said—with characteristic wit and pluck—"I have a strong mind—although there are some who might disagree with that—I have a strong body. I have a strong heart, I have a strong soul." And that he did.

PAUL knew what it was like to be an underdog. So he devoted his life to fighting for the underdog. At Minnesota's Carleton College, where he was a professor, he protested the college's investments in companies doing business with pro-apartheid South Africa. He intervened on behalf of many farmers facing foreclosure. He joined the picket lines at a meat-packing plant. And when Carleton College's custodians went on strike, he taught his classes off-campus because he wasn't going to cross that picket line.

PAUL brought his unabashed idealism to the Senate. He voted against the gulf war in 1991. He voted against the welfare bill in 1996. He led a lonely fight against the bankruptcy bill, saying that it would enrich big credit card companies at the expense of ordinary people suffering "brutal economic circumstances." And the list goes on.

One of his last votes that he cast was for the more multilateral approach relative to our situation in Iraq. During that debate, he argued as follows: "Acting now on our own might be a sign of our power. Acting sensibly and

in a measured way, in concert with our allies with bipartisan congressional support, would be a sign of our strength."

PAUL often found himself in small minorities. He was, however, able to move the Senate on occasion through sheer conviction. For instance, he teamed with Senator DOMENICI to require health insurance companies to provide more equitable coverage and benefits to people suffering from mental illness. It was the right thing to do. It was the fair thing to do. And he prevailed.

Life deals everyone setbacks and defeats. And PAUL had more than his share, especially in the Senate. But he never became the least bit cynical as many people do when they suffer life's disappointments. He kept coming back cheerful and committed as ever. He was absolutely guileless. And I think that was the source of his popularity, which extended to people who vehemently disagreed with the policies that he advocated. Everyone admired the fact that he spoke from the heart, and he voted based on his sincere beliefs—not from political expediency. He believed in the power of ideas and causes, and in the power of government to help people. He was a formidable adversary. And he had that unique gift of being able to disagree without being disagreeable.

T.S. Eliot wrote to a friend: "We fight for lost causes because we know that our defeat and dismay may be the preface to our successors' victory, though that victory itself will be temporary; we fight rather to keep something alive than in the expectation that anything will triumph."

That wistful statement, to me, captures some of PAUL WELLSTONE's approach to his duty. With indefatigable goodwill and cheer and sincerity, PAUL always bounced back, always carried on, and always stood on principle—never on expediency. He wasn't afraid to be in the minority, even a minority of one.

A friend of PAUL's, Bill Holm, wrote a touching tribute that appeared in the New York Times the day after PAUL died. I am going to put that column in the RECORD following my remarks, but I wish to quote from it briefly to underscore some of what the column says.

Bill Holm wrote, "Whatever PAUL's height, he was one of the largest men I ever met. He filled rooms when he entered them. Size in a public man is an interior, not an exterior, quality. . . . He thought himself an athlete . . . and I suspect he saw his whole political life in that metaphor. He wrestled with the power of big money, military adventurism and penny-pinching against the poor. He meant to fight fair, but he meant to win."

The great suffragette Anna Howard Shaw remarked, "it does not make so much difference perhaps as to the number of days we live as it does to the manner in which we live the days we do live." She could have been saying that about PAUL WELLSTONE.

PAUL fought the good fight—usually against long odds. I think, because he was a wrestler, he knew it was always possible to snatch victory from the jaws of defeat. Sometimes you can be behind on points but suddenly pin your opponent seconds before the match is over. So he never gave up. He had an infectious optimism. That is why he was such an inspiration.

He certainly lived his life with gusto. He showed that gusto in the way he consumed my wife's stuffed cabbage. We still have some in the freezer which we had preserved for the next dinner we were going to have with the Wellstones.

PAUL WELLSTONE may have stood 5 feet 5 inches tall, but he had the heart of a giant. As we mourn his passing, we celebrate his life. What a gift he gave to us all.

I ask unanimous consent that Bill Holm's column, appearing in the October 26, 2002, edition of the New York Times, be printed in the RECORD.

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

[From the New York Times, Oct. 26, 2002]

A LIBERAL WITH A WRESTLER'S STANCE

(By Bill Holm)

MINNEOTA, MINN.—Paul Wellstone was an unlikely politician in a place like Minnesota—land of walleyes, cornfields and phlegmatic Scandinavians. He was an urban Jew, son of immigrants, a college professor at the fanciest of Minnesota's private colleges. And, probably worst of all for his non-talkative constituents, he was a passionate orator, a skilled rouser of rabble over issues he loved and an unapologetic populist liberal.

How did this man, who was killed yesterday in a plane crash in northern Minnesota, ever manage a triumphantly successful political career in which even many Republicans and conservative Christians quietly scribbled the Wellstone X on their ballots, hoping their neighbors wouldn't catch them behaving like lefties?

When I gave readings of poetry and essays, I often shared a podium with Senator Wellstone at various rural conventions and political gatherings. It was a remarkable experience, and I learned very well to proceed rather than follow him. He worked a house as well as Hubert Humphrey ever did.

I remember a Farmers Union convention in St. Paul: Paul Wellstone, a pugnacious 5-foot-5, stood at the dais between the Farmers Union chairman and me, both 6-foot-5 Scandinavians.

"It's nice to join my Norwegian cousins here in St. Paul," he said. He then proceeded in 20 minutes to bring the audience cheering to its feet. If this had been a monarchy, the farmers would have crowned him.

I was next, with a few small and sensitive rural poems. I had a sinking feeling that a master had bested me.

Whatever Paul's height, he was one of the largest men I ever met. He filled rooms when he entered them. Size in a public man is an interior, not an exterior quality. Paul charmed—and sometimes persuaded—even those hostile to his unashamed liberal ideas by listening with great courtesy and attention to unfriendly questions. He answered without dissembling, without backing down from his own principles, but with a civil regard for the dignity of the questioner.

And he had the politician's great gift: an amazing memory for names. I saw him once

pluck a vote with this gift. He answered questions for 45 minutes in a room full of ordinary citizens whom he'd never seen before. He began his last answer this way: "Your question reminds me of Mary's concern." Mary, in the back row, was 45 minutes ago. Mary, likely a rock-ribbed Republican, blushed a little and smiled. One more vote.

Even those who continued to disagree with Paul did not question the sincerity of his idealism. He was sometimes attacked for naiveté (as in his brave vote against authorizing the president to go to war with Iraq), but never for dishonesty. He voted, as he spoke, from the heart.

It's often forgotten that Paul, nearing 60 with a bad back and a respectable batch of grandchildren whom he treasured, began his rise in the world with a college wrestling scholarship. His working-class parents had no money for school, so wrestling earned him a doctorate.

He preserved a wrestler's sensibility in both his academic and political life. In 1998 I met Paul at a reception at the Governor's Mansion just before Jesse Ventura, a professional wrestler by trade, first occupied that house. How curious, I told Paul, that the two most interesting politicians in Minnesota at the moment should both be wrestlers. He replied with a wry smile: "But I'm a real one."

He thought himself an athlete, not an entertainer, and I suspect he saw his whole political life in that metaphor. He wrestled with the power of big money, military adventurism and penny-pinching against the poor. He meant to fight fair, but he meant to win.

Not only Minnesota, but the whole country will feel the absence of his voice and his bravely combative spirit. We say with Walt Whitman: Salud, Camerado. We look for you again under our boot-soles.

Mr. LEVIN. I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. STABENOW). The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. HOLLINGS. Madam President, liberal? Worse, The London Economist called Senator WELLSTONE the most "left wing" Senator in the U.S. Senate. Yet, as the most conservative Senator, I found myself time and again fighting at his side.

The year started with the Bush seduction of Senator TED KENNEDY on education. Senator KENNEDY looked at the amount—\$7 billion. President Bush looked at the thrust—prove that public education was a failure so that private education could be financed by the Government. Testing. Somehow the billions being spent by the States on testing was not enough. A Federal test was necessary.

Failing schools would be closed. Failing students would be tutored. But most likely, the student failing for the lack of a competent teacher could find no competent tutor. For all this testing, the education bill provided no help for the student to pass the test. And for this, Senator WELLSTONE ranted and raved. But nobody listened. Senator WELLSTONE was liberal, but as a conservative I knew he was right. We both voted no.

Next was the Bush tax cut. No doubt Senator WELLSTONE, the liberal, was the target for this initiative. For the purpose of Voodoo II, or Bush's

Reaganomics, was to eliminate the resources of Government so that without the money there would be no programs. But in reality, programs persevered, with a horrific debt, and the devastating waste of interest costs. Senator WELLSTONE, the liberal, was for programs. I, the conservative, was for putting Government on a pay-as-you-go path. We both voted no.

Then there was jobs. Fast Track—this was a device that Presidents use to control trade agreements. With it, the agreement submitted by the President could not be amended. Congress was required to vote it up or down, and, of course, no agreement was ever submitted until the White House had the vote fixed.

To get NAFTA approved, President Clinton bought the vote with numerous favors not related to the agreement, such as defense contracts, cultural centers, and golf rounds in California and Arkansas. One could readily see that the intent was to create jobs south of the border. Sure enough, we lost 700,000 textile jobs alone. So, when fast track expired, we refused to renew it for President Clinton. Again, Senator WELLSTONE and I both opposed giving fast track authority to President Bush.

"Liberal." "Conservative." Wrong references. Adlai Stevenson used to say it's not whether one is liberal or one is conservative, but whether one is headed in the right direction.

Adam Nagourney of the New York Times writes of the "homogenization" of American politics. Politics has changed. Triangulation has taken over so that every party compromises, or triangulates, the other party's issues. Both are for tax cuts. Both are for saving Social Security. Both are for defense. Both are for the war with Iraq. Both are for homeland security. Both are against corporate corruption. Worse, money locks in this triangulation so that we are back to George Wallace's, "There's not a dime's bit of difference between the parties."

But there is a fundamental difference. The Republicans know to campaign. The Democrats know to govern. PAUL WELLSTONE came to Washington to govern. He could see the crying needs of the country: schools, health care, jobs, infrastructure, et cetera. And he was determined to do something to provide for these needs. But with the Democrats in control by only one vote, we abandoned governing. The needs of the country were abandoned and both parties went into high gear to campaign, with money controlling the issues. Y2K, free trade, corporate reform—money controlled with a refusal to even cancel the principal corruption: stock options. The Congress danced around the fire of intelligence failures, terrorism insurance, seaport security, rail security, energy policy, pension reform, prescription drugs—but no governing.

PAUL WELLSTONE was a fighter. The shortest fellow in the Congress, most of us couldn't touch his shoes. Today,

there are no fighters in Washington, just campaigners.

Mr. COCHRAN. Madam President, the tragic death of our colleague, PAUL WELLSTONE of Minnesota, was such a sudden shock to all of us. It was hard to believe he had died. PAUL was so full of life, and full of energy and enthusiasm. It was so incongruous, so unbelievable, that his life could be needed so abruptly.

But, it was, and we continue to grieve and to miss him.

PAUL and I were friends. We also collaborated on legislation to help farmers and to find a cure for Parkinson's Disease and Duchenne Muscular Dystrophy.

We often talked about our strategy for accelerating the research that is so important to the effort to conquer these threats to human life.

He traveled to my State to see for himself the plight of the poor in the Mississippi Delta. He was sincerely interested in helping alleviate the burdens and problems faced by the poor people who lived in the Delta. I told him about the initiatives we had started and let him know I shared his concerns and that we were trying some new approaches such as the Delta Regional Initiative.

Senator WELLSTONE will always be appreciated for the efforts he made to help those who needed help the most.

Mr. FRIST. Madam President, the Senate has been a unique institution since its inception. We take great pride in our deliberative nature. Debate may take time, but it is time well spent. It is always better to pursue the right—rather than the rushed—course of action. This style of governance has served the American people well for more than two centuries.

This does not mean the Senate is not a dynamic body. It is full of the same vibrancy that marks this great experiment called American democracy. For within this Chamber have echoed some of the most lively and spirited debates in our Nation's history. And outside this Chamber as well—in committee rooms and caucus meetings and other public forums.

On Friday the Senate lost one of its most animated Members in PAUL WELLSTONE. He was a proverbial "true believer." Conviction was not something about which he simply spoke at opportune moments; he showed it time and again with his unabated enthusiasm for being a United States Senator. PAUL WELLSTONE's beliefs rose from a deep and impenetrable well of principle.

Indeed, PAUL was a proud and unabashed voice for liberalism. His votes often landed him not only on the other side of Republicans, but on the other side of his fellow Democrats, as well. He was a man who simply did not blink in the face of political pressure. He stared it down without regard to price. Even if you did not agree with him, you admired him and the courage he so frequently displayed.

I saw this first hand on the Health, Education, Labor and Pensions Committee. There PAUL and I served together on the Subcommittee on Public Health and the Subcommittee on Children and Families. We shared a common concern for the health of women and children and the mentally ill. He spoke out often on their behalf. He fought hard for them. And his passion for their well-being will be missed.

PAUL WELLSTONE was one of a kind. We were blessed to have him, his wife, Sheila, and his daughter, Marcia, as members of the Senate family. And the people of Minnesota and the United States were blessed to have him in their service. May we keep PAUL and Sheila's sons and grandchildren and the families of all those who lost loved ones in our thoughts and prayers in the coming weeks.

Mrs. FEINSTEIN. Madam President, several days after this terrible tragedy, the loss of our beloved colleague, PAUL WELLSTONE, his wife Sheila, his daughter Marcia, three loyal members of his staff and two pilots, we still remain in a state of shocked disbelief.

We have lost a unique and gifted man, who embodied not only the independent spirit of his home state, but one that resides at the very heart of the American soul.

A few years ago, when speaking on this floor about the loss of his legislative director, PAUL claimed that "sometimes the only realists are the dreamers. . . ."

In many ways he could have been referring to himself, the cerebral political science professor willing to stand alone, when necessary, for what he believed.

He had the common touch, and was an impassioned speaker, noted as much for his big heart as for his sharp mind.

Elected as the only new Senator in 1990, PAUL's crusading voice would not have had the same impact in the House of Representatives as it did in this Chamber.

Only in the Senate could he have helped to lead the successful opposition, in 1991, to an energy bill that would have opened the Arctic National Wildlife Refuge to oil exploration, or five years later force a vote on a minimum wage increase.

For two terms he fought tirelessly for increased funding for education at every level, healthcare that was accessible and affordable for all Americans, sweeping campaign finance reform, and farm legislation that sought to protect the small farmers.

While he was, on the one hand, an ideological liberal, willing to speak with his conscience, PAUL was also able to work with Republican colleagues on many occasions, and he was responsible for passing important bipartisan legislation, most notably the expanded insurance coverage for mental illnesses, with Senator DOMENICI.

But PAUL WELLSTONE's commitment to social justice did not stop at our borders. He was an outspoken cham-

pion of the poor and the powerless around the world, in Latin America, Asia and Africa.

I remember when, back in 1996, I voiced concern over the plight of women and girls under the reactionary rule of the Taliban, PAUL was one of the few who was receptive to the need for the United States to respond to such violations.

In 1999, PAUL and I introduced the "International Trafficking of Women and Children Victim Protection Act," which established an interagency task force to monitor and combat trafficking, provided assistance to other countries that met minimum international standards, and withheld U.S. non-humanitarian assistance to countries that failed to meet these standards.

To his eternal credit, it is worth noting that PAUL had originally introduced his own bill, which contained much tougher criminal provisions and stronger protections for victims.

He was a leading advocate for Tibetan autonomy, able to work closely with his ideological nemesis, JESSE HELMS. In fact, the last time I worked with PAUL was in cosponsoring an act to safeguard the cultural, religious, and ethnic identity of the Tibetan people and to encourage further dialog between the Dalai Lama and the Chinese Government.

We must not forget that the world has also lost Sheila, PAUL's wonderful wife of almost 40 years, and a passionate campaigner against domestic violence, and for the need to create violence-free families. Hers was a noble cause, a critical fight, that must be continued.

Minnesota has produced some of America's most eloquent, committed, and honorable leaders. Hubert Humphrey, Harold Stassen, Eugene McCarthy, and Walter Mondale come quickly to mind.

Even if he had not met such a tragic and untimely end, PAUL WELLSTONE would have surely earned his place among this distinguished group. The fact that he has left us so abruptly, and left all of us so sad, will not diminish his achievements, nor weaken his message.

To quote PAUL:

I still believe that government can be a force of good in people's lives.

We in the Senate should take these words to heart, just as we were truly honored to have had him among us. We are all the better to have known him and worked with him. He will be sorely missed.

Mr. DAYTON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

The Senator from Minnesota is recognized.

Mr. DAYTON. Madam President, it has been a very moving afternoon in the Chamber listening to my col-

leagues speak so eloquently about my good friend, the senior Senator from Minnesota. The words of my colleagues were very moving. It was touching to hear of their respect and their affection and their admiration for PAUL WELLSTONE.

I spoke earlier this afternoon about the Senator, my dear friend, and because others were waiting to speak I abbreviated my remarks. I wanted to close by noting, as others have so well, that PAUL's remarkable achievements were not his alone.

He was one of those people who, in his greatness, was able to attract great people to his side. He had extraordinarily dedicated men and women who worked for him, worked with him, gave of their time and their energy, their hearts and their souls to his work: Colin McGinnis and his staff here in Washington; Connie Lewis, Minnesota State director, and her staff in Minnesota were always with PAUL and Sheila and extraordinarily dedicated.

Of course, if you wanted to make a difference in Washington, if you wanted to try to move mountains and you were young and idealistic, who better to work for than PAUL WELLSTONE?

Many of his former students at Carleton College in Northfield, MN, went on to be his key staff aides. I used to tease PAUL and say that is what he was doing during his time there; he was recruiting the best and the brightest to work on his campaigns and organize the State and to work in Washington and in Minnesota on behalf of the many causes he championed—Jeff Blodgett, who was managing his campaign for the third time and doing so with great skill, and according to the last published polls, with very successful results, and others in Minnesota who gave up their careers, family life, and set it aside to one more time bring the man they loved and in whom they believed to victory.

Kari Moe, who was involved with Senator WELLSTONE's Washington office, was his chief of staff for years before. They are incredibly dedicated people each in their own right.

Tom Lopic tragically was on the plane with PAUL and lost his life in service to his friend and his country. Tom was the deputy Minnesota director. Several hundred friends and family came to his memorial service a week after his death. He was a man who touched people deeply, as did PAUL. His wife Trudy and others shared their recollections, the wonderful qualities Tom had that complemented PAUL, his calmness, virtually unflappable under any circumstances. Like PAUL, he was astute and eloquent, and he and PAUL collaborated on many of the words that PAUL used in speeches. Tom was always by PAUL's side offering his guidance and perspective.

Will McLaughlin was on PAUL's campaign staff. He was just starting his political career at the age of 23 in Minnesota. But everybody could see he was destined to be a star, a Governor or



a Senator, something special someday. He already had been elected President of his fraternity at the University of Minnesota. Politics was in Will's blood or maybe even in his genetic code. His father Mike McLaughlin was a long time Fourth District chair of the Minnesota Democratic Party, and he collaborated with the greats of the previous generation—Hubert Humphrey, Fritz Mondale, Eugene McCarthy, Joe Karth, Bruce Vento. Will's mother Judy McLaughlin was a close associate of the former speaker of the Minnesota House of Representatives. He will be missed by his mother Judy and his siblings and his friends and those in Minnesota who never had a chance to get to know him.

Thousands of Minnesotans knew Mary McEvoy who was on the plane as staff in name but really as a friend of PAUL's and Sheila's. She was one of Sheila Wellstone's very closest friends. Sheila flew with PAUL because he loathed it, and Mary flew with Sheila because she loathed it. It was beyond tragedy, beyond words that Mary had taken a leave of absence from the University of Minnesota where she was a full professor, where she chaired the department, where she had her own very distinguished career in her field, so she could help her friend Sheila and her friend PAUL during their time of need. She had a service where over 1,500 Minnesotans, friends, and family came to pay their respects. She was associate chair of the DFL Party. She was a leader. She was a colleague. She was a mother of three beautiful children, and she had her husband Jamie. She will be terribly missed by all of us in the life of Minnesota.

Of course, the linchpin of PAUL's staff, his unpaid and most important staff person was his wife Sheila who, unlike some campaign and political spouses, was beloved by PAUL's staff and gratefully welcomed to the office for her ability to run interference when necessary with her husband and his life and his schemes.

I remember once it was said it took a lot of money to keep Mahatma Gandhi in poverty because of the people around him necessary to help him carry out his mission. It took a lot of really remarkable and talented people to keep PAUL WELLSTONE on the brink of disorganization. He had so much energy and was doing so many things, often simultaneously. Sheila was the linchpin and a formidable political activist in her own right. She was born and raised in the coal country of West Virginia, a hard-scrabble upbringing. She and PAUL were married when they were 19 years old. For 39 years they were each other's best friend, colleagues, mates, spouses.

Many talk about and preach family values. That was a wonderful marriage and a wonderful family. They had three children of whom they were enormously proud. Marcia Wellstone, tragically on the plane, was a future political star in her own right. She loved

campaigning, loved being out with the people of Minnesota. She was a wonderful teacher in the White Bear School District, beloved by her students, liked by her colleagues. She also leaves a gap with her family and friends that can never be filled.

They had two sons who fortunately were not on the plane that day, David and Mark, of whom PAUL and Sheila were also enormously proud. I hope and I trust they will, in this time of terrible loss and grief, be consoled a little by the words that were expressed today, by the words that have been expressed by people all over the country. They had extraordinary parents, very hard parents to lose, but ones who will be with them in spirit always and gave them the best upbringing that any two fine men could wish for.

PAUL was a family man from the beginning. That was always foremost in his priorities. I remember not more than 6 weeks ago I happened to come to the Senate Chamber one afternoon, just around the lunch hour. Much to my surprise, the Senate was in recess. There was PAUL with his 7-year-old grandson named Joshua, Marcia's child, who was evidently on an outing that afternoon with his grandfather.

PAUL was showing him around the empty Chamber and pointing out where his desk was, as well as others. I think PAUL was convinced that he had Josh quite impressed with this great Chamber and all it represents to all of us until Josh looked up at him kind of wistfully and said: Grandpa, are we going to go someplace soon? You promised that we were going to go someplace this afternoon.

For once, PAUL seemed almost at a loss for words. He looked up at the ceiling and then looked forlornly at me, looked over to Josh and said: This is someplace.

I close by saying, yes, PAUL, this is some place that you reached, without any of the advantages some of us have enjoyed, and Sheila Wellstone with none at all. They met at age 19. He came to Northfield, MN, built a career as a college professor, she as a housewife raising their children. To come to some place like this is a phenomenal American success story.

I recounted earlier today about how PAUL was elected in 1990. He ran an extraordinary campaign, a David versus Goliath, come from nowhere, miraculous victory that is a tribute to the kind of indefatigable courage and willingness to follow his dream and bring people along with him. He stood for what he believed in and won by doing so. That should be in every political textbook in this country for decades to come.

He served in the Senate for 12 years and made those stands again and again. Whether they were popular, whether he had the votes or not, he knew usually with great insight whether he was going to be successful. He knew when he lost he had no alternative but to stand behind what he believed in, to

stand with his conscience and his convictions. He trusted in the people of Minnesota to give him the opportunity to serve, which they did twice, and he was going back to seek their support for a third term.

As others have pointed out, he was facing one of the most difficult votes of his career, as some would say, at an inopportune time, which was the resolution to authorize the use of force in Iraq by the President, at his discretion. PAUL began his Senate career with that kind of vote with the Persian Gulf resolution and some believe because of his stands over the years that if he were to oppose a popular President, if he were to express a different perspective and, as Senator LEVIN, the chairman of the Senate Armed Services Committee, pointed out, vote for an alternative resolution, one that committed the United States to multilateral action with other countries of the world, that he would pay a political price for that in Minnesota.

PAUL never really agonized about his decision in this matter because compromising his convictions was not something PAUL ever considered doing. In fact, in my 2 years in the Senate, the one time I saw PAUL angry was when a staff person—not his own staff, he did not know who made the comment—was reported in the Washington Post as saying the Senate Democratic Caucus was trying to find some alternative resolution to provide cover for PAUL WELLSTONE who was facing a difficult reelection. PAUL was furious that anyone would accuse him of looking for cover from a tough vote. He said in one of our meetings that is what he had to take back to the people of Minnesota, that they knew he would never seek cover to avoid a tough decision or a tough vote; he would do what he believed was right and he was willing to go back to the Minnesota electorate and take their judgment.

I believe if he had been able to bring that to the Tuesday election that judgment would again have been in the affirmative. That is PAUL WELLSTONE's legacy to all of us. That is his legacy to the country. Whether one would agree with everything PAUL believed is not the point. There are those who can have sincere convictions on the other side of the issue. That is the greatness of our country and our democracy, that we can have those disagreements, honest, different points of view, and we are a better institution and we are a better country for our ability, through our political process, to embrace and incorporate those differences.

He stood for what he believed in, would risk everything, his political career, his opportunity to serve, everything he believed and everything he wanted, on a matter of principle. He would do so willingly, courageously, and emphatically. That is something I will take with me throughout the rest of my life, and I would commend it to everyone else in this body and across this country.



I yield the floor.

The PRESIDING OFFICER. The Chair, in her capacity as the Senator from Michigan, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PRINTING OF SENATE DOCUMENT

Mr. REID. I ask unanimous consent that tributes to PAUL WELLSTONE, the late Senator from Minnesota, be printed as a Senate document.

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

Mr. REID. I also ask that Members have until 12 noon, Tuesday, December 3, to submit such tributes.

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

#### THE SAFETY OF THE TRANS-ALASKA OIL PIPELINE

Mr. MURKOWSKI. Madam President, I am not sure of what the remainder of the Senate schedule might be for this week, but my own tenure in this body is somewhat limited as a consequence of my election to the Governorship in the State of Alaska. So with the permission of the Presiding Officer—and I have checked with the Parliamentarian—we have the opportunity to address matters in our short remaining time.

I would like to share with my colleagues an earthquake that occurred in my State of Alaska just a little over a week ago. It registered 7.9 on the Richter Scale, which is a very high earthquake.

My wife and I happened to be at mass during the earthquake, and not only did the chandeliers move from side to side, but the crucifix, hanging by a brass chain, began to move very dramatically, and it was almost as if the sign of the cross was moving across the agenda.

It happened to be a Korean service in a Catholic Church in Anchorage, and I must say, the magnitude of the earthquake was matched by the magnitude of the Korean priest who did not break stride in his sermon. On the other hand, it was in Korean, and my Korean is a little rusty. But no one moved from the church. Heads went down. And I admired the priest.

My purpose in bringing this matter up is to share with you a recognition of concern that has been expressed in this body for some time; and that is the safety of the Trans-Alaska oil pipeline which covers some 800 miles from the North Slope of Prudhoe Bay to the city of Valdez where the oil is shipped in U.S. tankers and moved down the west coast.

The significance of this earthquake along this 800-mile pipeline was that no

damage was done in spite of the 7.9 magnitude. Dealing with the potential for earthquakes in the design was a consideration some 30 years ago, that the line itself should be designed to withstand an 8.0 magnitude earthquake. I want my colleagues to know that the line held a 7.9 tremor quite nicely. As a matter of fact, immediately after the quake rocked interior Alaska, the pipeline from Prudhoe Bay to Valdez was shut down as a precaution and inspected.

The massive quake did do some damage. There were a few supports which were quickly repaired. The line slowly was refilled and put back into service. But the significance was that there were no breaks. In fact, the damage was minimal for the size of the quake which did destroy some roads, damage some bridges, other structures. But the best news is not one cup of oil was spilled, despite the magnitude of the quake—not one single cupful.

There are those who claim the line has been poorly maintained; those who say it is dangerously old, beyond its prime. I hope they will reconsider, recognizing what happened under a real test.

What can they say? The line performed as it was designed and engineered to perform. It is quite timely as this comes at a time when we have in the House and Senate conference the issue of opening up ANWR to oil exploration. It has been a significant issue among the environmentalists. It has pitted Republican against Democrat and Republican against Republican, Democrat against Democrat. As we contemplate action in Iraq, we should reflect on the realization that we have done a pretty good job of producing energy here at home and, given the opportunity, we can do much better if we are fortunate enough to get an energy bill and get ANWR included in that.

This comes at a time when Alaskans' dreams of opening the Arctic National Wildlife Refuge to oil exploration are being rekindled by huge Republican gains nationally in Tuesday's elections.

The GOP is in control of the House and the Senate, and Democrats who are beholden to environmentalists and have blocked ANWR will have a more difficult time turning their backs on U.S. energy independence and national security.

I hope as I leave this body in the next few days that my State of Alaska will get a fair hearing on the ANWR issue because people in my State for years have been saying oil exploration and development can be done and in an environmentally safe and responsible manner. Prudhoe Bay and other North Slope oilfields' records provide the best proof that the assertion is true that we can develop these resources safely here at home. I think Sunday's earthquake was further evidence.

#### HOMELAND SECURITY

Mr. SPECTER. The issue of homeland security, I believe, is one of great urgency. I believe that September 11, 2001, could have been prevented had we had all of the so-called dots on the board about warnings which had been received. I do not agree with CIA Director George Tenet that another September 11 is imminent. CIA Director Tenet made that statement about a month ago.

We had a lot of warning signals about 9/11. There was an FBI report in July of 2001 about a suspicious man taking flight training in Phoenix, that he had a big picture of Osama bin Laden in his apartment, which never got to headquarters. That warning was mired in FBI bureaucracy.

There was information that two al-Qaida members from Kuala Lumpur were planning to come to the United States; that it was known to the CIA but never told to the FBI or the INS, the Immigration and Naturalization Service. They came in unimpeded and were two of the pilots on the suicide missions on September 11.

Then there was the effort by the Minneapolis office of the FBI to secure a warrant under the Foreign Intelligence Surveillance Act for Zacarias Moussaoui which had the wrong standard. Had the FBI gotten into Moussaoui's computer, there was a treasure trove of information about potential attack.

Then there was the warning to the National Security Agency on September 10 about something to happen the next day. It was not translated until September 12, but it was too late. Then an al-Qaida man named Murak confessed in 1996 of plans by al-Qaida to fly a plane loaded with explosives into the CIA headquarters. We already had the attack on the Trade Center in 1993. Osama bin Laden was under indictment for killing Americans in Mogadishu in 1993, and under indictment for the Embassy bombings in Africa in 1998. Osama bin Laden was on record as declaring a worldwide jihad against the United States.

We had a lot of warnings, and had all of those dots been put on the board, I think there was a veritable blueprint and I said as much when FBI Director Mueller came to testify before the Judiciary Committee last June.

We had the homeland security bill on the floor for a full month. We started debating it on September 3. We did not finish until October 1, and it was never ever passed. When President Bush came to Pennsylvania back in late October, I urged the President to call a special session of Congress to pass homeland security. It seems to me that is our job.

The President is emphatic that the first thing he does every day is to review the intelligence briefings. There is grave concern that there could be another attack. I am glad that the President is insistent that Congress pass homeland security before we go

out of this lame duck session. While it is important to pass homeland security, it is important that it be enacted with the appropriate provisions. One provision that I have discussed at some length is to have the Secretary be able to direct the intelligence agencies which will all be under one umbrella. The idea to have the intelligence agencies under one umbrella, I think, has been generally agreed upon. This is not a new idea; it has been proposed for a long time.

I was chairman of the Senate Intelligence Committee in 1995 and 1996. I saw the turf wars between the CIA and the FBI, the NSA and Defense Intelligence, et cetera. Legislation was introduced by this Senator to bring everything under one umbrella of the Central Intelligence Agency, and that legislation has languished. Mine was not the only idea; it has been proposed by others over the years. The turf battles have precluded it. Now, with an Office of Homeland Security, we have a chance to get it under one umbrella.

It is vital the Secretary be able to direct these analytical departments to work together. Otherwise, the turf battles will go on. I am not saying the CIA Director should lose control over his agents around the world or the FBI Director should lose control over FBI agents in the United States or abroad, or any other Department should lose control over their agents. But when you pull the analysis and bring all the analysts under one umbrella, there is the point that there has to be direction so all the dots are placed on one screen.

The language is very simple. It is:

On behalf of the Secretary, subject to disapproval by the President, to direct the agencies described under subsection (f)(2) to provide intelligence information, analysis of intelligence information, and such other intelligence-regulated information, as the Assistant Secretary for Information Analysis determines necessary.

That is the operative language. The other parts of the bill contain an enumeration of all of the agencies which will be under one umbrella for analysis.

There has been considerable argument and disagreement over labor-management provisions. This has been discussed at some length by this Senator and others in colloquies. Part of the controversy arose because of initial confusion as to whether the two paragraphs added by the amendment by Senator NELSON of Nebraska—that is the other Senator NELSON, Mr. President; may the RECORD show that Senator BILL NELSON is presiding at the moment—whether they were in addition to or in place of. And if they were in place of, that would have eliminated the President's national security waiver which is indispensable and should not be eliminated.

In colloquy with Senator LIEBERMAN, it was agreed to that these provisions would be in addition to. So that asked that collective bargaining in current law would stand, which provides in subsection A:

(A) the agency or subdivision has a primary function intelligence, counterintelligence, investigative or national security work, and

(B) the provisions of this chapter cannot be applied to that agency or subdivision in a manner consistent with national security requirements and considerations.

Then the Nelson amendment would have added the language:

(1) the mission and responsibilities of the agency or subdivision materially change; and

(2) a majority of such employees within such agency or subdivision have—as their primary duty—intelligence, counterintelligence, or investigative work directly related to terrorism investigation.

I believe that language would be satisfactory to all parties.

Then with respect to the flexibility which the President has sought as to the other five chapters, that format would be followed so that, in essence, where we have intelligence, counterintelligence, or investigative work, there would be the flexibility for a national security waiver as determined by the President.

Now I have just come from a meeting with Republican leadership with the President, and there has been work over the past weekend on this issue. As yet, we do not know precisely what provisions have been agreed to. It is my hope that the language which I had suggested in September and which has been before all of the Senators who were working on the final analysis, plus this language, will be incorporated in the final bill. I will be in touch with the officials in the administration yet this afternoon to try to see to it that these provisions which are agreeable to all sides—both labor and management, to solve the labor-management controversy—can be made part of the bill, and that the language which would give the Secretary the authority to direct the analysis sections will also be included in the bill.

I ask unanimous consent that the text of the language giving the Secretary of Homeland Defense authority to direct the analytical agencies be printed in the RECORD at the conclusion of my remarks along with the language both as to collective bargaining and the flexibility in the other five divisions of labor-management.

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

On page 24, strike line 4 and insert the following:

(19) On behalf of the Secretary, subject to disapproval by the President, to direct the agencies described under subsection (f)(2) to provide intelligence information, analyses of intelligence information, and such other intelligence-related information as the Assistant Secretary for Information Analysis determines necessary.

(20) To perform such other duties relating to

(A) the agency or subdivision has as a primary function intelligence, counterintelligence, investigative, or national security work, and

(B) the provision of this chapter [5 USCS §§7101 et. seq.] cannot be applied to that agency or subdivision in a matter of con-

sistent with national security requirements and considerations.

In addition to the requirements of subsections (A) and (B) the President may issue an order excluding any agency or subdivision thereof from coverage under this chapter [5 USCS §§7101 et seq.] if the President determines that—

(1) the mission and responsibilities of the agency or subdivision materially change; and

(2) a majority of such employees within such agency or subdivision have—as their primary duty—intelligence, counterintelligence, or investigative work directly related to terrorism investigation.

Notwithstanding any other provision, the authority of the President under Section 9701 on establishment of a human resources management system shall require that the President determines that:

(A) the agency or subdivision has as a primary function intelligence, counterintelligence, investigative, or national security work, and

(B) the provisions of chapter 43, 51, 53, 71, 75 or 77 cannot be applied to that agency or subdivision in a matter consistent with national security requirements and considerations.

In addition to the requirements of subsections (A) and (B) the President may issue an order providing for waiver of the provisions of chapters 43, 51, 53, 71, 75 or 77 if the President determines that—

(1) the mission and responsibilities of the agency or subdivision materially change; and

(2) a majority of such employees within such agency or subdivisions have—as their primary duty—intelligence, counterintelligence, or investigative work directly related to terrorism investigation.

#### IN REMEMBRANCE OF BRIGADIER GENERAL VORLEY (MIKE) REXRoad

Mr. THURMOND. Madam President, I rise to pay tribute to Brigadier General Vorley (Mike) Rexroad, USAF (Retired), who died on October 12, 2002, after a life of distinguished service to the Military Health System, the Uniformed Services University of the Health Sciences (USUHS), and our Nation.

Vorley (Mike) Rexroad, a native West Virginian born on April 6, 1915, earned his Bachelor of Arts Degree from Glenville State College, Glenville, West Virginia in 1938 and his Masters in American Government at the University of New Mexico in 1948. Mike Rexroad joined the Army Air Corps on December 9, 1941, and began 61 years of service to his Nation and dedication to military medicine. In 1944, following both air flight and commando training, Lieutenant Rexroad was assigned to the British 14th Army Headquarters in Burma. At the conclusion of World War II in 1945, Captain Rexroad led the first American task force into the prisoner of war camp in Thailand. His task force included physicians and medical corpsmen; it was during this emotion-packed time when Mike Rexroad developed his sincere appreciation for military medicine.

After his release from active duty, Mike Rexroad accepted a faculty appointment at New York University, NY, however, in June of 1950, with the onset of the Korean War, Rexroad was called to active duty by the Air Force

and assigned to the Office of Special Investigations/Counterintelligence. When the war ended, Major Rexroad was selected to head one of the debriefing and interview teams for some 500 Air Force prisoners of war following their release from the North Korean prison camps. This experience reinforced Mike Rexroad's appreciation of military medicine's critical requirements for continuity and leadership. From 1955 through 1976, Mike Rexroad served as a professional staff member on Capitol Hill; he first served on the staff of Senator Dennis Chavez of New Mexico who was the chairman of the Subcommittee for the Department of Defense. Next he was selected by Senator John C. Stennis of Mississippi to serve as the senior staff member for the Subcommittee on Military Construction; and, continued to serve in that capacity for Senator Alan Bible of Nevada. From 1965 to 1976, he was appointed by Senator Mike Mansfield of Montana, Majority Leader of the Senate and chairman of the Subcommittee on Military Construction, to serve as the senior staff member for the subcommittee.

Following his service in both World War II and the Korean War, his review of the medical capabilities during the Vietnam War for the U.S. Senate, and 20 years as a senior member of Senate Committee Staffs, Mike Rexroad became dedicated to preserving the lessons learned in military medicine; he concurred with Congressman F. Edward Hebert's philosophy that America needed an academic home for military medicine. In the early 1970s, Rexroad prepared documentation and memoranda for presentation to the Senate Appropriations Committee to justify the establishment of USUHS and the need for continuity and leadership in military medicine. Following the passage of Public Law 92-426, the Uniformed Services Health Professions Revitalization Act of 1972, the senior administration of USUHS worked directly with Mike Rexroad to coordinate the construction requirements for USUHS.

In 1977, when closure threatened USUHS, the now-retired Mike Rexroad again volunteered to raise Congressional support for the University. At that time, no funding had been appropriated for USUHS. On March 21, 1977 due to Rexroad's intervention, the Chairman of the Select Committee on Aging, Congressman Claude Pepper, testified on behalf of USUHS and strongly endorsed the continuation of the University; the Members of the House of Representatives voted to retain USUHS with a vote of 264 to 142. The Honorable David Packard, first chairman of the USUHS Board of Regents, succinctly described Mike Rexroad's vital role in two letters to Rexroad dated July 12, 1976 and May 10, 1977: "It is no exaggeration to say that without your assistance USUHS could and would not have been established (1976). Without your help, it is questionable whether the school would have continued to enjoy the support of the

Congress (1977)." From 1993 through 1997, Rexroad was once more called upon to raise congressional support for the University. In May of 1996, the Members of the House of Representatives once more voted on the retention of USUHS. This time, with the tremendous support and coordination of the military retired associations, the vote to retain USUHS was 343 to 82. By November of 1997, the Secretary of Defense determined that USUHS should remain open; on December 11, 2000, the Honorable William S. Cohen, the Secretary of Defense, awarded the Joint Meritorious Unit Award to the University; and, on March 22, 2001, the Honorable Donald Rumsfeld, Secretary of Defense, wrote the following to the Chair of the USUHS Board of Regents:

The Department takes great pride in the fact that the USUHS graduates have become the backbone for our Military Health System. The training they receive in combat and peacetime medicine is essential to providing superior force health protection and improving the quality of life for our service members, retirees, and families. All of us in the Office of the Secretary of Defense place great emphasis on the retention of quality physicians in the military. The USUHS ensures those goals are met." In addition, the Association of American Medical Colleges Reporter pointed out in the December issues of both 1998 and 2001, that USUHS is the one medical school where students have been, and continue to be, trained in the medical response to weapons of mass destruction (WMD). "Today, while the other medical schools are in the process of initiating programs and training in WMD, USUHS has been providing such education since its first School of Medicine (SOM) Class of 1980; 3,265 SOM graduates and 157 advanced practice nurses have now had this training. The USUHS SOM graduates currently represent 22 percent of the physicians on active duty in the Military Health System; thus ensuring continuity and leadership for military medicine.

During his many years of support for USUHS, Mike Rexroad constantly acted upon his personal knowledge of what can go wrong when continuity and leadership are not ensured for military medicine. USUHS became a part of his overall commitment to the preservation of the hard-won knowledge of the battlefield, the absolute priorities of preventive medicine, the tremendous achievements of uniformed research, and the need for an academic home for military medicine. At the USUHS Commencement Exercises on May 15, 1998, Mike Rexroad received the Doctor of Medical Humanities, *Honoris Causa*; the honorary degree recognized his unflinching, consistent, and dynamic advocacy for USUHS and military medicine. Through his 87th year, there was no request from his military medical family for which he did not volunteer his time and effort; he played an essential role in making continuity and leadership a reality for military medicine.

Brigadier General Vorley (Mike) Rexroad USAF, (Retired), was an extremely gifted, resourceful, and dedicated American. The citizens of our Nation have immeasurably benefitted by his splendid record of accomplishments and commitment to military

medicine. I extend my deepest sympathy to his wife, Ruth Cutlip Rexroad, formerly of New Mexico; his son, Michael David Rexroad, a state prosecuting attorney in Howard County, Maryland; his daughter-in-law, Linda; and, his two grandchildren, Michael and Laurie, on their great loss.

#### THE GREAT LAKES LEGACY ACT

Mr. LEVIN. Madam President, I want to thank all of my colleagues in the Senate, Senator DEWINE, Senator STABENOW, Senator VOINOVICH, Senator CLINTON, Senator DURBIN, Senator DAYTON, and Senator WELLSTONE, as well as Representative VERN EHLERS for their leadership in passing the Great Lakes Legacy Act which is now on its way to the President. I want to thank Chairman JEFFORDS and the Environment and Public Works Committee. I also want to thank the Lake Michigan Federation, Sierra Club, the Northeast-Midwest Institute, the Great Lakes Commission, and the Council of Great Lakes Industry for their contributions to the successes of this bill.

I am particularly pleased that H.R. 1070 includes several of the legislative improvements contained in my companion legislation, S. 2544. As a result of the Senate amendments, H.R. 1070 now authorizes the Great Lakes National Program Office to carry out a public information program to provide information about the contaminated sediments and activities to cleanup the site. The Great Lakes National Program Office is reauthorized and may receive up to \$25 million per year which is \$14 million higher than the expired authorization. H.R. 1070 also responds to the GAO report released in May by requiring the EPA to submit a report to Congress on the actions, time periods, and resources which are necessary to fulfill the duties of the EPA relating to oversight of Remedial Action Plans at Areas of Concern. Lastly, the legislation has the flexibility to allow both cash and in-kind contributions to be used to meet the non-Federal cost-share requirement.

The Great Lakes Legacy Act is needed to address a problem that has been plaguing the Great Lakes for many decades. The region's industrial past unfortunately created a legacy of contaminated sediments, PCBs, heavy metals and other toxic substances in the lakes and tributaries that feed into the Great Lakes.

These pollutants, which are degrading the health of both humans and wildlife, settled at the bottom of the tributaries and harbors where they were dumped and contaminated the sediment or material on the bottom. Contaminated sediment is a major environmental problem in our region, and it is critical that some of these concentrated deposits of contaminated sediment be addressed now, because the longer we wait to cleanup the contamination, the longer we will see fish advisories in the Great Lakes. Cleanup delays also mean a greater likelihood that the sediment will be transported into the open waters of the Great

Lakes where cleanup is virtually impossible.

We have taken steps under the Great Lakes Water Quality Agreement to limit the amount of toxic pollutants entering the Great Lakes ecosystem, and some progress has been made in removing contaminated sediments from our regional waters. Based on information that was gathered in 1999 by the EPA, over 1.7 million cubic yards of contaminated sediment have been removed or treated at a cost of over \$300 million at the 32 Areas of Concern in the Great Lakes.

However, the General Accounting Office and others have reported that cleanup progress has been slow. With this legislation, EPA can aggressively deal with contaminants that were deposited into the sediments decades ago.

This bill authorizes up to \$50 million per year to EPA's Great Lakes National Program Office in order to cleanup contaminated Areas of Concern. This includes monitoring and evaluating sites, cleaning up contaminated sediment or preventing further contamination. Projects identified in a Remedial Action Plan would be given priority for this funding. The EPA is required to submit to Congress a report on the actions, time and resources necessary to fulfill the duties of the EPA relating to oversight of Remedial Action Plans at Areas of Concern. Under this legislation, funding will be made available for innovative research to improve our cleanup technology. Additionally, this legislation allows EPA to give money to local groups, States, or tribal groups for outreach and education efforts.

Again, I am very pleased that the Congress has taken this critical step for the Great Lakes, and I look forward to the President signing this legislation.

Mr. DEWINE. Madam President, I am pleased to join my colleague from Michigan and fellow Great Lakes Task Force Co-Chair, Senator LEVIN, in announcing that the Great Lakes Legacy has passed Congress. This legislation is vital in our efforts to address the slow progress in restoring the Areas of Concern, AOC, throughout the Great Lakes.

In 1987, the United States and Canada made a commitment under the Great Lakes Water Quality Agreement to cleanup AOCs, but as the General Accounting Office and others have reported, cleanup has been slow. The EPA reported in 1999 that over 1.7 million cubic yards of contaminated sediment have been removed or treated at 32 Areas of Concern in the Great Lakes, all at a cost of over \$300 million. However, none of the 26 AOCs that are entirely in the United States have been restored to their beneficial use, approximately half of the sites have abandoned the remedial action planning process agreed to under the Great Lakes Water Quality Agreement, and the EPA does not know how long cleanup will take nor how expensive cleanup will be.

The cleanup of these Areas of Concern is important both to human health, as well as the health of the ecosystem. With the legislation Congress recently passed, the EPA can aggressively deal with contaminants that were deposited into the sediments decades ago. Our bill authorizes up to \$50 million per year to the EPA's Great Lakes National Program Office to cleanup contaminated AOCs. This includes monitoring and evaluating sites, cleaning up contaminated sediment, or preventing further contamination.

Under our bill, the EPA will be required to submit to Congress a report on the actions, time, and resources necessary to fulfill the duties of the EPA relating to oversight of Remedial Action Plans at Areas of Concern. Furthermore, funding will be made available for innovative research to improve our cleanup technology. Additionally, this legislation allows EPA to give money to local organizations, States, or tribal groups for outreach and education efforts.

In closing, I want to thank Senators LEVIN, VOINOVICH, STABENOW, CLINTON, DURBIN, DAYTON, and WELLSTONE, as well as Representative VERN EHLERS and the other co-sponsors in the House for their leadership. I also wish to thank the Lake Michigan Federation, the Sierra Club, the Northeast-Midwest Institute, the Great Lakes Commission, and the Council of Great Lakes Industry for their contributions to drafting and passing this bill. It will have a lasting, positive impact on the future of our Great Lakes.

#### REMEDIATION ALTERNATIVES

Mr. LEVIN. Madam President, I want to thank my friend and chairman of the Environment and Public Works Committee for his leadership on restoring some of the Nation's great waters. H.R. 1070, the Great Lakes Legacy Act, will allow the TPA to fund cleanup of contaminated sediments at Areas of Concern in the Great Lakes. Because this contamination poses a significant human health risk, it is important that before cleanup may begin at an Area of Concern using funds under this act, there must be consideration of remedial alternatives and their short and long-term effects on human health and the environment.

Mr. JEFFORDS. I agree with my colleague from Michigan, and the bill requires the EPA to review the short-term and long-term effects of the proposed cleanup strategy before the project may be carried out.

Mr. LEVIN. Is my colleague aware that the current Remedial Action Plan process and the PA's Contaminated Sediment Management Strategy both consider an evaluation of the health risks posed by contaminated sites and the cleanup alternatives and that many Remedial Action Plans already include such an evaluation of the health risks?

Mr. JEFFORDS. I am aware that the current Remedial Action Plan and other processes consider an evaluation

of the effects of cleanup alternatives and that many Remedial Action Plans already include such an evaluation. Additional evaluation is not required when the Remedial Action Plan has already evaluated the short and long term effects of remedial alternatives on human health and the environment.

Mr. LEVIN. Would my colleague agree that the evaluation that must be conducted under this bill is not meant to be a redundant task upon the EPA?

Mr. JEFFORDS. I agree.

#### BAKERS CREEK TRAGEDY

Mr. SPECTER. Madam President, I have sought recognition today to honor the forty U.S. soldiers who tragically perished in Bakers Creek, Queensland, Australia on June 14, 1943. Their deaths came as a result of the crash of a B-17C Flying Fortress, which proved to be the worst aviation disaster of the Southwest Pacific theater during World War II. More soldiers died on that plane from my home State of Pennsylvania—six—than from any other State. These six were as follows: Pvt. James E. Finney; T/Sgt. Alfred H. Frezza; Sgt. Donald B. Kyper; Pfc. Frank S. Penska; Sgt. Anthony Rudnick; and Cpl. Raymond H. Smith.

I understand that members of the Bakers Creek Memorial Association, USA, based in Orrtanna, PA, have located the families of Pvt. Finney, T/Sgt. Frezza, and Sgt. Kyper. However, the Association continues to search for the relatives of Pfc. Penska, Sgt. Rudnick, and Cpl. Smith to notify them of the specifics surrounding their loved ones' deaths. Only recently has the Air Force officially recognized this tragedy.

The aircraft that crashed had been operated by the United States Army Air Force 46th Transport Carrier Squadron, 317th Troop Carrier Group, 5th Air Force Division. The plane was one of the many B-17 bomber aircraft that had been removed from combat status and converted into transport aircraft. Shortly after takeoff from the Mackay airport in Bakers Creek, the B-17 lost altitude, fell to the earth in a slow and steady bank, and crashed in a ball of flames. The forty lost onboard included six crew members and thirty-five soldiers returning to their posts after being on leave in Australia.

Next June will mark the 60th anniversary of the Bakers Creek crash. I understand that Major General, Retired, Robert H. Appleby, former Commander of the Pennsylvania Army National Guard, plans to lead a contingent of victims' families to Australia in observance of the anniversary. I applaud the members of the Bakers Creek Memorial Association, USA, including General Appleby and Mr. Robert S. Cutler, for undertaking this and other initiatives which keep the memory of the fallen heroes of Bakers Creek alive and well.

# THANKING AREA LAW ENFORCEMENT AGENCIES

Mr. SARBANES. Madam President, I rise today to commend the Maryland, Virginia, and Federal law enforcement agencies on the capture and arrest of the snipers who terrorized our region. For the citizens of Maryland, Virginia, and the District of Columbia, life slowly returned to normal after the 23 days of sniper shootings in October, but life will never return to normal for the families of the victims who were killed, and those who are still recovering from their injuries. I would like to extend my sympathies to those families and to say that our hearts go out to them in this difficult time.

Thanks to the hard work and dedication of the police forces in our region, the sniper attacks were stopped before they could do more harm. An unprecedented level of cooperation and coordination among the different jurisdictions involved, as well as among the Federal, State, and local law enforcement agencies, led to the capture of the two individuals now charged in the sniper attacks. The task force created during the sniper attacks did an excellent and effective job of sharing information, working together, and putting the safety of our citizens first. I thank all of the men and women who worked so tirelessly to apprehend the suspects and commend them for a job well done.

The Federal Government also played an important role in the investigation. The FBI provided support to State and local police forces in conducting the manhunt, the ATF helped track and research the guns and bullets used by the snipers, and the Department of Defense provided planes to monitor the region from the air. On October 8, I wrote a letter to Attorney General Ashcroft stating my support for Montgomery County Police Chief Charles Moose's request for Federal aid in the investigation, and I am extremely grateful that Federal aid was granted.

While it is impossible to thank all of those involved, I would like to acknowledge by name the resolve, extraordinary dedication and performance of Montgomery County, Maryland Police Chief Charles Moose and County Executive Doug Duncan, FBI Special Agent Gary Bald, and ATF agent Mike Bouchard, who became the public face of the crisis and the investigation for people all across the country. Their leadership, calm determination, and obvious skill in the most trying and tragic of circumstances, without precedent in our area, helped inform and assure the public that everything possible was being done.

Now that this multistate manhunt is over, the States involved must deal with the financial costs of the investigation. In order to assist area States in paying for these costs, I joined with Senators MIKULSKI, WARNER and ALLEN in a letter to the Department of Justice requesting Federal reimbursement for the enormous costs of the investigation. I am confident that these sus-

pects will be brought to justice and that this may provide some small measure of comfort for those who lost loved ones in these attacks.

The 23 days in October were a trying time for our area and the uncertainty of the sniper attacks unnerved residents of the region. The weight of this concern has been lifted, thanks to the hard work of our area law enforcement agencies. But for the families of those killed in the attacks, their loss will never be remedied and for them the weight will never be lifted.

We must move forward and reflect on the lessons learned from these tragic attacks. All jurisdictions involved, as well as the expanding number of jurisdictions in which these two suspects allegedly committed crimes, must now focus on preparedness. We have learned how effective the coordination of law enforcement agencies can be, and we must plan for such coordination in the future. And we in Congress can take steps to help States improve preparedness, coordinate law enforcement agencies, and use tools such as ballistic fingerprinting to prevent this from ever happening again.

## 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 June 5, 2001 in El Monte, CA. Three Latino men were accused of a hate crime after beating an African-American teen at a party and using racial epithets. The victim, who was dancing with a Latina woman at the time of the attack, suffered cuts to the mouth; a friend who came to his aid received abrasions to the face. One of the assailants fired a gun into the air before fleeing the party.

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.

## RECOGNIZING THE 227TH BIRTHDAY OF THE UNITED STATES MARINE CORPS

Mr. LUGAR. Madam President, on November 10th, we honored the 227th birthday of the U.S. Marine Corps. For more than two centuries, the U.S. Marine Corps has exemplified the highest virtues of commitment, service, and sacrifice. From the Barbary Coast to the far reaches of the Pacific, in the jungles of Vietnam and across the vast

expanse of the Arabian desert, America's Marines have lived up to their motto: "Semper Fidelis."

Through the long march of our history, the U.S. Marine Corps has built a proud tradition. The smallest of the four service branches, they have typically been the "tip of the spear" of American military might. U.S. Marines have been among the first troops dispatched to international crises over the past century. Always apace with world dynamics, they have expanded their expertise to encompass the entire spectrum of conflict from humanitarian assistance to major theater war. Amphibious Forces have demonstrated—in times of crisis and frequently on very short notice—that they possess a capable and formidable "package" of ships and Marines to meet the threat across the full spectrum of modern conflict.

Our Marines have protected America's interests, struggled against foes that meant harm to our national security and that of our allies, and remained at the forefront of our Nation's efforts to maintain global peace and stability. From Lebanon to Bangladesh to Somalia, Marines restored and maintained order, aided people in distress, provided protection for the weak, and upheld the values that have come to define our country on the world stage. Many also made the ultimate sacrifice in the service of their country, and we honor their memory.

America's Amphibious Forces remain the force of choice in responding to crises in this uncertain world. When, in the early part of this year, this nation resolved to liberate Afghanistan from an oppressive regime and take action upon terrorist aggressors, it was again the United States Marine Corps who got the call—and responded valiantly. Despite Afghanistan's isolation, the first sustained U.S. military operation ashore was conducted by the 15th and 26th Marine Expeditionary Units, an expeditionary force that was deployed, organized and launched from the USS *Peleliu* and USS *Bataan* Amphibious Ready Groups. These two MEU's seized and established the first in-country staging base (Rhino, nearly 400 nautical miles inland), secured the Kandahar airport (another 200 miles) and established a base from which quick-reaction operations could be conducted to further track down Taliban and al-Qaida forces.

Amphibious ships with embarked Marine forces are one of the most formidable power projection capabilities in the world and represent our Nation's only sustainable forcible-entry capability. In peace and in war, their value has been ever-present.

Always faithful, our Marines are men and women of greatness. Tough and dedicated, they are truly the best America has to offer. For 227 years, they have stood for all that is great about this Nation. Their values, sense

of courage and steadfast character remain timeless and valuable commodities for an age in which our Nation faces considerable new threats.

Today, not unlike 227 years ago, the importance of our Marine Corps is immutable. The razor-sharp readiness of the U.S. Marine Corps reassures our friends and warns our enemies, promising swift action, decisive victories and a firm adherence to tradition.

As our U.S. Marine Corps celebrates another anniversary of its proud birth on November 10th, 1775 in Philadelphia's Tun Tavern, I stand with my colleagues in the Senate in saluting all who have worn the eagle, globe and anchor, and to their families who also serve by supporting them.

#### RECOGNIZING OUR NATION'S VETERANS

Mr. ROCKEFELLER. Madam President, we convene again today after a national holiday set aside to honor one of America's greatest treasures, its veterans.

This important holiday, originally called Armistice Day, began as a commemoration of the historic ending of World War I at the eleventh hour of the eleventh day of the eleventh month of 1918. Armistice Day became primarily a day of remembrance for those who served during World War I; indeed, Americans hoped World War I would be "the war to end all wars."

Then, during World War II, 16 million Americans again answered the call to service on behalf of our Nation. After the war ended, Americans saw the need to honor all those who served in the United States Armed Forces, during times of war and peace, and through all periods of our history. On June 1, 1954, Armistice Day became Veterans Day.

I know that many of my colleagues joined me yesterday in taking the Veterans Day holiday to celebrate the soldiers, sailors, marines and airmen who wore this Nation's uniform and served honorably. That is a start, but we must do more.

As the crisis with Iraq heightens, it is especially appropriate to make certain that we keep the promise of care and support made to young men and women who made great sacrifices on behalf of this Nation. We must remember the pledge of Abraham Lincoln, "to care for him who shall have borne the battle, and for his widow and his orphan." As Chairman of the Committee on Veterans' Affairs, I have fought hard for improvements in benefits and services for our Nation's veterans. We have made progress in fulfilling Abraham Lincoln's pledge this year, but we must never waiver in our commitment to provide our veterans with benefits and services that reflect their changing needs.

For example, our Nation's rapidly aging veterans have a critical need for long-term care. There can be no doubt that such care requires great resources, but it is our responsibility to answer

the call to provide a continuum of quality health care for veterans, as they once answered the call to preserve our freedoms.

I am honored to represent the State of West Virginia, which has one of the highest veteran populations per capita of any State. The service of the over 202,000 living West Virginia veterans inspires me each day in my role as Chairman of the Committee on Veterans' Affairs, where I have the privilege to serve not only the veterans of West Virginia, but those living throughout this Nation.

America's 25 million living veterans deserve to be honored and respected every day, and not merely on the national holiday set aside for the commemoration of their service. It would be shameful if veterans were made to feel forgotten every day except for this one day each year. There should be no ambivalence toward those who have served our Nation in the armed forces.

I urge my colleagues to join me, not only to remember the sacrifices of our veterans, but to renew our commitment to them and to keep the promises that we made to them in the spirit of Abraham Lincoln. The men and women who served this Nation deserve no less.

Mrs. HUTCHISON. Madam President, I rise today to pay tribute to our Nation's devoted Veterans. It is these men and women, past and present, who embody the ideals of freedom, liberty and justice, which are the foundation of our great Nation.

Veterans Day is a time to recognize those Americans who gave what President Abraham Lincoln once called "the last full measure of devotion." While we reflect on the deeds of these heroes and stand grateful for their service and sacrifice, we must also ponder the ongoing actions of our soldiers, sailors, airmen, and marines.

Ours is a great Nation of free people who call our finest men and women to stand guard and protect the liberty that all Americans enjoy. To this end, all of those who have donned the uniform of our Armed Forces have consciously given a piece of themselves. Whether during peacetime or a time of conflict; at home or abroad; in the active component, the reserves or the national guard; their service has been characterized by selflessness and a sense of a greater purpose.

Throughout our history, they have answered the call. Whether that call to service sent them to a distant land full of turmoil, or to the flight line at a base in the Midwest, they have served with dignity and honor.

I am proud that my home State of Texas has a rich tradition of military leadership. Our young men and women have signed up to serve their Nation and are stationed throughout the United States and in all corners of the globe. More Marines join the Corps from Texas per capita than any other State. And we are home to more Army and Air Force bases than any State.

As these men and women have sacrificed, so too has a far less recognized

segment of our Veteran population—their spouses. For each displaced serviceman, there is often a husband or wife left behind. These silent patriots have kissed their loved ones goodbye and sent them off to serve this country. They diligently run their households while their mate provides security at an airport in another part of the country or serves on a foreign base halfway around the globe. They have often put their career on hold and patiently moved the family to the next in a long series of new bases and new communities. Whatever accolades we bestow upon our Veterans, we must also remember the parallel sacrifice of their heroic spouses.

Today our troops are answering the call to duty in locations around the world. The war on terrorism is being waged by America's finest, from Afghanistan to the Philippines. Soldiers in South Korea continue to keep watch on the communist regime to their North. Air Force pilots continue to patrol the skies over Iraq as the world contemplates the future of the region. Reservists and National Guardsmen continue to serve, at the expense of their civilian vocations, on extended active duty for a year or more. Some of our military patriots continue to serve well beyond the date they were to leave active service because the Nation continues to need their expertise.

On this Veterans Day, we express our heartfelt gratitude to our Nation's veterans and to their spouses. We have incurred a debt to them that can never be fully repaid. Today we remember those who have gone before and honor tomorrow's veterans who serve our country today.

#### SUPPORTING LEGISLATION TO PROVIDE MORE BANKRUPTCY JUDGES FOR MARYLAND

Mr. SARBANES. Madam President, I rise today in strong support of legislation to provide more bankruptcy judges for several States, including three additional bankruptcy judgeships for my own State of Maryland. This legislation was introduced by Senator BIDEN and is being cosponsored by Senators CARPER, EDWARDS, FEINSTEIN, and SCHUMER.

This bill represents a significant step forward in our efforts to strengthen Maryland's Federal bankruptcy court. I have long been involved in this effort, and I commend Senator BIDEN for his efforts in this area. We have been working for several years to get these additional judgeships approved, yet no legislation has been passed that would authorize them. With such inaction, the problem facing Maryland's sitting bankruptcy judges has grown, and Maryland has remained without the additional judgeships it so desperately needs to make our bankruptcy system work.

Maryland's four sitting bankruptcy judges continue to show remarkable



dedication given the extraordinary burdens placed upon them. However, additional judgeships remain essential to the fair and timely administration of the bankruptcy code for all of the businesses and individuals that come before the Maryland District.

Since 1992, we have been requesting additional judgeships for the District of Maryland; thus far none has been approved. In 1992, there were approximately 15,000 bankruptcy filings in the District of Maryland. From 1998 to 2001, there were over 30,000 bankruptcy filings per year in Maryland. The caseload has doubled for the sitting bankruptcy judges in the past 10 years, and they still do their work with only 4 sitting bankruptcy judges. This dire need for additional judgeships in Maryland has yet to be remedied by the Congress.

This legislation provides three additional judgeships for Maryland. These three additional judgeships would help reduce the overwhelming workload of the four sitting bankruptcy judges. However, a September 2002 recommendation from the U.S. Judicial Conference calls for the creation of four additional judgeships in our State. And while the District of Maryland will be pleased to get three additional judges, the recommendation of the Judicial Conference for four additional bankruptcy judgeships demonstrates just how critical the situation is. As of June 30, 2002, the national weighted filing average for bankruptcy judges was 1,641. The weighted filing per judge for Maryland's 4 bankruptcy judges was 3,030 almost twice the national average.

Mr. President, I urge my colleagues to support S. 3074, which would provide much needed help on the bankruptcy courts in Maryland and across the Nation.

#### INTENT OF TAA HEALTH INSURANCE TAX CREDIT PROVISIONS

Mr. BAUCUS. Madam President, as I have said on numerous occasions, I am extremely pleased with the health care provisions in the Trade Act of 2002. The advanceable, refundable 65 percent tax credit toward the purchase of health insurance premiums for TAA workers and PBGC retirees represents a monumental precedent. It is an important precedent for Democrats because, for the first time, the federal government will extend assistance for health coverage to laid-off workers. And the provisions are also important for Republicans and others who believe that the best way to help the uninsured is through tax credits for the purchase of health insurance. This program is an important test case, if you will, to determine whether this approach is viable and workable.

It is the viability and workability of the tax credit that I wish to address today.

Our negotiations on the Trade Act health credits were really a continuation of discussions that started

around this time last year—during the debate over economic stimulus. Democrats had proposed including a 75 percent subsidy for COBRA premiums coupled with Medicaid expansions as part of our economic stimulus package. Republicans initially proposed a limited block grant for health care assistance and later altered their package to include individual tax credits for health insurance.

It goes without saying that Republicans preferred a tax credit approach rather than a subsidy approach, and the Democrats expressed a strong preference for group-based insurance over individual insurance.

The resulting compromise that was reached as part of the trade deal truly was a delicately-crafted bipartisan effort. Democrats moved from a premium subsidy to a tax credit, dropped the Medicaid expansion, and yielded on the issue of requiring those eligible for COBRA to purchase only COBRA coverage. Republicans got their tax credit, but it does not allow new individual market policies to be purchased with the tax credit except for those who had such coverage while they were working.

The health insurance options available to TAA workers and PBGC retirees include COBRA and state-based COBRA, as well as:

- state high risk pools;
- state employee benefit plans—or comparable programs established by a state;
- direct purchasing arrangements between states and insurers;
- a state-operated health plan;
- coverage purchased through a private purchasing pool; and
- coverage under a spouse's employer group plan.

In other words, eligible workers and retirees will be given a wide range of health insurance choices—depending on which options their state has adopted. Having a number of choices is important to Republicans and will be appreciated by TAA workers and PBGC retirees as well.

I understand that some might try to read the legislative language regarding these options in a way that would allow broader access to insurance purchased in the individual market. That was not our intention. As I mentioned above, the Senate bill and conference report explicitly agreed to include individual health insurance as qualified health insurance, but only for individuals who had such coverage for one month prior to separation from employment. We did not intend to allow states to enter into arrangements with individual insurers through the state-based coverage options.

The second point I would like to make addresses the insurance protection provisions—guaranteed issue, a bar against pre-existing condition limitations, and premium and benefit protections. This language was part of the Senate bill, only we applied the protections to all of the state pooling options.

The conference report required workers to have had three months of previous health care coverage in order for these important protections to apply. The language is vague, however, and does not specify when the three months of aggregate coverage had to occur. I'd like to clarify here that this coverage should occur for three months prior to employment separation necessary to attain eligibility for assistance under this law.

A more narrow reading of the three-month coverage requirement would disqualify those who have had lapses of coverage between the loss of job-based or retiree coverage and application or eligibility determination for assistance under this program. After all, the goal of the health provisions was to ensure access to coverage and to prevent the loss of health coverage.

On that same point, the language on premium protections could be read to allow insurers to charge different rates to individuals participating in the TAA program. That was not our intention. The Senate language was intended to mean that TAA workers, as a group, should be charged the same premiums when states choose to enroll these individuals in existing insurance arrangements—for example in state employee health plans. Individual workers should not be charged higher premiums based on their health status in these plans.

And, if a State elects to create a new insurance pooling arrangement—in which case it is not possible to compare premiums for TAA workers to anyone else—we had intended that States would not allow premium rating on an individual basis but rather as a group.

To make my views known to the agencies that will administer the new tax credit, last week I sent letters to the Treasury Department, the Department of Labor, and the Department of Health and Human Services regarding congressional intent in the TAA health insurance tax credit.

It is my sincere hope that we can bring the same willingness to work together and compromise to other important health care issues.

I ask unanimous consent that letters I previously referred to be printed in the RECORD.

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

*October 17, 2002.*

PAUL H. O'NEILL,  
Secretary, U.S. Department of Treasury, 1500  
Pennsylvania Avenue, NW, Washington,  
DC.

DEAR SECRETARY O'NEILL: In a few short weeks, the health insurance assistance provisions of the Trade Act of 2002 will take effect. The passage and enactment of the historical Act was the result of a delicately-crafted bipartisan effort. I was proud to play a role in this significant achievement, and I will continue to work with you to ensure its successful implementation and operation. To that end, I am writing to ensure that the Act's critically-important health insurance protections are implemented consistent with the intent and the letter of the law.



As you know, for many of the supporters of the Trade Act, the health assistance was the single most important factor in overcoming concerns about the effects of enhanced trade negotiating authority on American jobs. These provisions were designed to assure American workers that the potential loss of work does not equal the loss of health coverage. Protecting health coverage is especially important now. We recently learned that an additional 1.4 million Americans became uninsured in 2001. Successful implementation of this new law can make a difference in preventing additional workers and their families from losing health coverage.

As you implement this law, there are three issues that I particularly want to emphasize. First, members of the Conference Committee explicitly agreed to include individual health insurance as qualified health insurance, but only for those qualifying individuals who had such coverage for one month prior to separation from employment (see section (35)(e)(1)(J)). We did not intend to allow states to enter into arrangements with individual insurers through the state-based coverage options, and I believe that this objective is clear in the conference report. Any other interpretation of the law would be a violation of the intent of its authors.

Second, for those without access to employer-based coverage, we included strong consumer protections. To prevent discriminatory premiums and substandard benefits, we linked the premiums and benefits offered to qualifying individuals to those of "similarly situated individuals" (see sections (35)(e)(2)(A)(iii and iv)). In plain English, this means that individuals eligible for this tax credit should neither be charged premiums or offered benefits that apply only to this group nor pay higher premiums based on their own health status or history.

In addition, the law provides guaranteed issue to qualifying individuals (see section (35)(e)(2)(A)(i)). "Guaranteed issue" has the same meaning in this law that it has in state regulation of insurance. Specifically, to be qualified health insurance, each plan must ensure access to each qualified individual who meets the other criteria for this coverage. It does not mean that an issuer of health insurance can accept some but not all qualifying individuals so long as there is an alternative that accepts the denied individuals (e.g., a high-risk pool).

Third, since the goal of this provision is preventing loss of health coverage, the Conference Committee agreed that eligible individuals must also have been previously insured for three months (see section (35)(e)(3)(B)). The law does not specify when this aggregate of three months of creditable coverage had to occur. To clarify, we intended that this coverage should occur for three months prior to employment separation necessary to attain eligibility for assistance under this law (e.g., termination due to trade in the case of displaced workers eligible for trade adjustment assistance and retirement in the case of Pension Benefit Guaranty Corporation (PBGC) eligible individuals). The three-month coverage requirement should not disqualify those who had or have lapses of coverage between the loss of job-based or retiree coverage and application or eligibility determination for assistance to this program. Indeed, these individuals have a special need for access to affordable health insurance and should not be penalized due to delays in passing, implementing, and operating this law.

I make these clarifications to underscore their importance in successfully implementing the health provisions of the Trade Act. I know that the President shares our mutual commitment to make this an effective program that preserves health insurance for this set of American workers and retirees. I look forward toward a continued col-

laboration in implementing, monitoring, and, if successful, expanding these important health policies.

Sincerely,

MAX BAUCUS.

OCTOBER 17, 2002.

ELAINE L. CHAO,  
*Secretary, U.S. Department of Labor, Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC.*

DEAR SECRETARY CHAO: In a few short weeks, the health insurance assistance provisions of the Trade Act of 2002 will take effect. The passage and enactment of the historical Act was the result of a delicately-crafted bipartisan effort. I was proud to play a role in this significant achievement, and I will continue to work with you to ensure its successful implementation and operation. To that end, I am writing to ensure that the Act's critically-important health insurance protections are implemented consistent with the intent and the letter of the law.

As you know, for many of the supporters of the Trade Act, the health assistance was the single most important factor in overcoming concerns about the effects of enhanced trade negotiating authority on American jobs. These provisions were designed to assure American workers that the potential loss of work does not equal the loss of health coverage. Protecting health coverage is especially important now. We recently learned that an additional 1.4 million Americans became uninsured in 2001. Successful implementation of this new law can make a difference in preventing additional workers and their families from losing health coverage.

As you implement this law, there are three issues that I particularly want to emphasize. First, members of the Conference Committee explicitly agreed to include individual health insurance as qualified health insurance, but only for those qualifying individuals who had such coverage for one month prior to separation from employment (see section (35)(e)(1)(J)). We did not intend to allow states to enter into arrangements with individual insurers through the state-based coverage options, and I believe that this objective is clear in the conference report. Any other interpretation of the law would be a violation of the intent of its authors.

Second, for those without access to employer-based coverage, we included strong consumer protections. To prevent discriminatory premiums and substandard benefits, we linked the premiums and benefits offered to qualifying individuals to those of "similarly situated individuals" (see sections (35)(e)(2)(A)(iii and iv)). In plain English, this means that individuals eligible for this tax credit should neither be charged premiums or offered benefits that apply only to this group nor pay higher premiums based on their own health status or history.

In addition, the law provides guaranteed issue to qualifying individuals (see section (35)(e)(2)(A)(i)). "Guaranteed issue" has the same meaning in this law that it has in state regulation of insurance. Specifically, to be qualified health insurance, each plan must ensure access to each qualified individual who meets the other criteria for this coverage. It does not mean that an issuer of health insurance can accept some but not all qualifying individuals so long as there is an alternative that accepts the denied individuals (e.g., a high-risk pool).

Third, since the goal of this provision is preventing loss of health coverage, the Conference Committee agreed that eligible individuals must also have been previously insured for three months (see section (35)(e)(3)(B)). The law does not specify when this aggregate of three months of creditable coverage had to occur. To clarify, we intended that this coverage should occur for three months prior to employment separa-

tion necessary to attain eligibility for assistance under this law (e.g., termination due to trade in the case of displaced workers eligible for trade adjustment assistance and retirement in the case of Pension Benefit Guaranty Corporation (PBGC) eligible individuals). The three-month coverage requirement should not disqualify those who had or have lapses of coverage between the loss of job-based or retiree coverage and application or eligibility determination for assistance to this program. Indeed, these individuals have a special need for access to affordable health insurance and should not be penalized due to delays in passing, implementing, and operating this law.

I make these clarifications to underscore their importance in successfully implementing the health provisions of the Trade Act. I know that the President shares our mutual commitment to make this an effective program that preserves health insurance for this set of American workers and retirees. I look forward toward a continued collaboration in implementing, monitoring, and, if successful, expanding these important health policies.

Sincerely,

MAX BAUCUS.

OCTOBER 17, 2002.

TOMMY G. THOMPSON,  
*Secretary, U.S. Department of Health and Human Services, Washington, DC.*

DEAR SECRETARY THOMPSON: In a few short weeks, the health insurance assistance provisions of the Trade Act of 2002 will take effect. The passage and enactment of the historical Act was the result of a delicately-crafted bipartisan effort. I was proud to play a role in this significant achievement, and I will continue to work with you to ensure its successful implementation and operation. To that end, I am writing to ensure that the Act's critically-important health insurance protections are implemented consistent with the intent and the letter of the law.

As you know, for many of the supporters of the Trade Act, the health assistance was the single most important factor in overcoming concerns about the effects of enhanced trade negotiating authority on American jobs. These provisions were designed to assure American workers that the potential loss of work does not equal the loss of health coverage. Protecting health coverage is especially important now. We recently learned that an additional 1.4 million Americans became uninsured in 2001. Successful implementation of this new law can make a difference in preventing additional workers and their families from losing health coverage.

As you implement this law, there are three issues that I particularly want to emphasize. First, members of the Conference Committee explicitly agreed to include individual health insurance as qualified health insurance, but only for those qualifying individuals who had such coverage for one month prior to separation from employment (see section (35)(e)(1)(J)). We did not intend to allow states to enter into arrangements with individual insurers through the state-based coverage options, and I believe that this objective is clear in the conference report. Any other interpretation of the law would be a violation of the intent of its authors.

Second, for those without access to employer-based coverage, we included strong consumer protections. To prevent discriminatory premiums and substandard benefits, we linked the premiums and benefits offered to qualifying individuals to those of "similarly situated individuals" (see sections (35)(e)(2)(A)(iii and iv)). In plain English, this means that individuals eligible

for this tax credit should neither be charged premiums or offered benefits that apply only to this group nor pay higher premiums based on their own health status or history.

In addition, the law provides guaranteed issue to qualifying individuals (see section (35)(e)(2)(A)(i)). "Guaranteed issue" has the same meaning in this law that is in state regulation of insurance. Specifically, to be qualified health insurance, each plan must ensure access to each qualified individual who meets the other criteria for this coverage. It does not mean that an issuer of health insurance can accept some but not all qualifying individuals so long as there is an alternative that accepts the denied individuals (e.g., a high-risk pool).

Third, since the goal of this provision is preventing loss of health coverage, the Conference Committee agreed that eligible individuals must also have been previously insured for three months (see section (35)(e)(3)(B)). The law does not specify when this aggregate of three months of creditable coverage had to occur. To clarify, we intended that this coverage should occur for three months prior to employment separation necessary to attain eligibility for assistance under this law (e.g., termination due to trade in the case of displaced workers eligible for trade adjustment assistance and retirement in the case of Pension Benefit Guaranty Corporation (PBGC) eligible individuals). The three-month coverage requirement should not disqualify those who had or have lapses of coverage between the loss of job-based or retiree coverage and application or eligibility determination for assistance to this program. Indeed, these individuals have a special need for access to affordable health insurance and should not be penalized due to delays in passing, implementing, and operating this law.

I make these clarifications to underscore their importance in successfully implementing the health provisions of the Trade Act. I know that the President shares our mutual commitment to make this an effective program that preserves health insurance for this set of American workers and retirees. I look forward toward a continued collaboration in implementing, monitoring, and, if successful, expanding these important health policies.

Sincerely,

MAX BAUCUS.

#### COMPLIANCE OF IMMIGRATION LAWS PROVISION OF THE CYBER SECURITY RESEARCH AND DEVELOPMENT ACT

Mr. HOLLINGS. Madam President, I would like to engage in a brief colloquy with the ranking member of the Judiciary Committee, Senator ORRIN HATCH, regarding H.R. 3394, the Cyber Security Research and Development Act, which was passed by the Senate in October and is set for consideration by the House of Representatives today. Section 16 of the bill is intended to ensure that Federal grants and fellowships for cyber security research and development are not awarded to individuals violating the terms of his or her immigration status, individuals from States sponsoring terrorism, or institutions that are not in compliance with appropriate record keeping requirements for immigrant students.

Mr. HATCH. Section 16 of H.R. 3394 would ensure that the authorized funding in the bill for research purposes does not support individuals in violation of U.S. immigration laws. The in-

tent of this section is to prevent any funding, directly or indirectly, of any individual who may pose a threat to our national security, or of any higher education institution, nonprofit institution, or consortia thereof that is not in compliance with the immigration laws. This section does not provide any new or additional authority to the Immigration and Naturalization Service or any other federal agency.

Mr. HOLLINGS. The ranking member is correct. Our intent with this provision is not to create new immigration laws or grant new authority. Rather, this provision merely makes compliance with existing immigration laws a requirement for grant eligibility. We also recognize that this section cannot take effect until regulations are issued under 8 USC 1372(c)(1).

Mr. HATCH. I agree with the chairman of the Commerce Committee. I also want to him, Senator ALLEN and Senator WYDEN for working with me to include these provisions in the act.

Mr. HOLLINGS. I thank Senator HATCH. Section 16 will ensure that our national security is protected while increasing critical research and development cyber-security programs.

#### ADDITIONAL STATEMENTS

##### IN HONOR OF SAFE KIDS

• Mr. HOLLINGS. Madam President, I want to commend the Children's Hospital, of the Greenville, SC, Hospital System, for being honored by the National SAFE KIDS campaign as the best of the best in the Nation.

Today, the No. 1 killer of children ages 14 and under is unintentional injury. Whether it is caused by children not wearing a helmet when riding a bike, or accidentally swallowing poison, or not buckling seat belts, or playing with matches—the National SAFE KIDS movement is taking every measure possible to educate American families to prevent such injuries.

There are some 370 local SAFE KIDS coalitions in America and abroad working on this issue, and for Greenville to be named the 2002 SAFE KIDS Coalition of the Year is quite an honor. Greenville also was recognized for having the best national SAFE KIDS week in the Nation. Each year, Greenville hosts the event at a local mall, bringing together 800 volunteers to reach 5,000 children.

I thank Greenville's Linda Brees, Musette Stern, Kathy Harper, and their network of community volunteers for making the safety of children a No. 1 priority in my home state.●

##### IN MEMORY OF RUSS PETERSON

• Mr. LUGAR. Madam President, I have recently received news that Mr. Russ Peterson, a fellow Hoosier and an outstanding American, has passed away. I rise today to offer my condolences to the Peterson family and share with my colleagues a few words regarding his lifetime of service and achievement.

Mr. Peterson embodied all of the characteristics of an outstanding leader. He served as President of Porter Advertising, a firm based in Richmond, Indiana. Mr. Peterson was a remarkable community business leader whose vision and determination created jobs and generated economic growth across Indiana. He also served, nationally, in leadership positions for the Outdoor Advertising Association of America.

While his entrepreneurial achievements are impressive, I admire his countless contributions to the community of Richmond, Indiana. He was a music aficionado and enthusiast, who used his talents and leadership positions to encourage and support local performance arts and music. In addition, he was a performer and sang in the Central United Methodist Church choir, a local symphony chorus, various operas, and even a barbershop quartet many years ago.

Mr. President, I am pleased to have this opportunity to pay tribute to the life of Russ Peterson. I express my most solemn condolences to his wife of nearly 50 years, Joan Porter Peterson, and his entire family.●

##### IN MEMORY OF FRANCES HUMPHREY HOWARD

• Mr. HOLLINGS. Madam President, last month our extended Senate family suffered a great loss with the passing of Frances Humphrey Howard. I know her brother, our former colleague from Minnesota, Hubert Humphrey, would appreciate this body recognizing the important role she played.

Frances Howard was always a trend setter. When few women went to college, she graduated with a master's degree. She worked for Eleanor Roosevelt. She was a foreign service officer for the State Department at a time when mostly men were in the foreign service. She worked for the National Institutes of Health as a liaison officer, developing programs for medical libraries. She sat on the board of several companies involved with the arts and social activism. And when her colleagues retired at 65, Frances worked until she was 85.

Senator Humphrey adored his younger sister, and for good reason. He would not have been the warrior he was without his chief supporter, chief confidant, and chief campaigner. All of the important bills Senator Humphrey sponsored on civil rights, on Medicare, on the Peace Corps, and on the Food Stamp program were influenced by her concern for minorities, the elderly, the sick, and the hungry. She was a great advocate for laws that make a real difference in the lives of the neediest in this country.

Frances' role was behind the scenes, but today, instead of always quitting her good job to help Senator Humphrey in his campaigns, she'd have run herself—and won. If Hubert were here we

might be listening to all the stories, but they can be summed up in one sentence: During her sixty years as an activist in Washington, Frances Humphrey Howard truly made a difference.

I know all of my colleagues, and especially our spouses, will miss Frances. My wife, Peatsy, joins me in extending our gratitude for her untiring efforts and our deepest sympathy to her children, Anne and William, and to the entire Humphrey family.●

#### TRIBUTE TO BARBARA SNELLING

● Mr. JEFFORDS. Madam President, today I congratulate and thank the Honorable Barbara W. Snelling from Shelburne, VT on her lifetime of service to Vermont citizens, young and old.

Back in Vermont, Barbara is being honored by the Vermont Chamber of Commerce as the 2002 Citizen of the Year. In my home state, the Snelling name is synonymous with public service, commitment to community, personal integrity and leadership.

Barbara ran for public office in 1991, shortly after the untimely death of her husband, Gov. Richard A. Snelling. Her list of achievements is long: two-term Lieutenant Governor; two-term State Senator; president of a consulting firm for 14 years; trustee for her alma mater, Radcliffe College; and current member of the United States Peace Institute, an appointment made by former President Clinton. She has also held seemingly endless titles in her community, from Girl Scout Troop leader to United Way Board member.

Her life work is a testament to the meaning of public service that few individuals are capable of achieving. Barbara's endless devotion and commitment to the people of Vermont uniquely qualifies her as a key advisor to her daughter, Diane Snelling, who now serves as a Vermont State Senator.

Barbara has become a symbol of the strength in spirit and courage to overcome adversity. In 1996, during her bid for Governor, she suffered a cerebral hemorrhage and lapsed into a coma. Her determination and drive led to a miraculous recovery.

In her work at the Vermont State House, Barbara used the legislative process for the benefit of all and detriment to none. Each day, Barbara works tirelessly for Vermont, and for this we must all thank her. We owe a great deal to this courageous and determined stateswoman.

Congratulations, Barbara. Your leadership and grace are legendary to the people of Vermont. We are all extremely proud of you and your accomplishments.●

#### 60TH WEDDING ANNIVERSARY

● Mr. SMITH of Oregon. Madam President, today I congratulate George and Gertrude Lewis on the occasion of their 60th wedding anniversary. They have been residents of Oregon for most of their lives, first in Medford and now in Lake Oswego.

George Lewis was born May 8, 1920 in Takilma, OR. Gertrude Lewis was born July 22, 1920 in Lambert, MT.

George and Gertrude met in the fall of 1939 when they were both pursuing undergraduate studies at the University of Washington in Seattle, WA. They began dating in the spring of 1941 and were married November 11, 1942. November 11, 2002 marks their 60th wedding anniversary.

George joined the Army Air Force, and he left to join allied forces in Europe in February of 1943. On April 5, 1943, his plane was shot down and he became a Prisoner of War until he was liberated on May 8, 1945. He has received a Purple Heart for his service to his country.

George and Gertrude's first child, Diane, was born on October 13, 1943 while George was still a POW. He didn't meet his daughter until he returned from the war in 1945. They then moved to Medford, OR, where George worked for United Airlines as a passenger agent. On April 22, 1946, their second child Stephen was born.

In 1950, George and Gertrude opened their own business, Rogue Valley Travel, a travel agency in Medford, OR. They ran the company together until they sold it and retired in 1980. Gertrude remembers that one of the best times of their lives was in 1952 when they were able to afford their first trip to New York City and Europe, where they visited London and Paris. Since that time, they have traveled all over the world, to Europe, Asia, Africa and more. George's and Gertrude's grandchildren will always remember a map kept in the garage in their home in Medford with pins of all the cities they had been to.

In 1999, George and Gertrude moved to Lake Oswego, OR, where they live today.

Their two children, six grandchildren and two great grandchildren, are proud to help them celebrate their 60th wedding anniversary and work to live by the great example they have set.●

#### TRIBUTE TO DR. STANLEY F. TODD SR.

● Mr. McCONNELL. Madam President, I rise today to pay tribute to my friend and hero, the late Dr. Stanley E. Todd Sr. I would also like to extend my most heartfelt condolences to his daughter Becky Todd York, his son Stanley E. Todd Jr., his twin sister Hazel Bush, and his grandchildren.

As a World War II veteran, Dr. Todd possessed a great deal of courage and patriotism that deserves to be recognized and commended. He served as a nose gunner on a B-24 bomber, an endeavor that nearly cost him his life. At one point during his time in the service, Dr. Todd's plane was shot down over Austria and he became a German prisoner of war.

Though the trials Dr. Todd endured contributed to the person he became, he did not let his harrowing experi-

ences have an adverse affect on his life. Instead, he learned never to take a single moment for granted, a paradigm that rings true and serves as an example to all of us he leaves behind.

After completing his service in the military and marrying Esta Newman, Dr. Todd enrolled in the University of Louisville School of Dentistry. He practiced dentistry in Richmond, Ky., for 33 years. Also in Richmond, Dr. Todd helped found the Richmond Health and Rehabilitation Center, a facility that has provided care to residents since 1968.

Even after retiring in 1982, Dr. Todd continued to maintain an active lifestyle. He served Richmond as a city commissioner and also as chairman of the Richmond Housing Authority. Additionally, he was a former chairman of the board of the Kentucky Heart Association, and served on the board of the Kentucky River Foothills Development Corporation. An elder of Richmond's First Christian church, Dr. Todd provided missionary dental work in Haiti and helped found a local clothing bank. He was also instrumental in the organization of Richmond Little League baseball, and the founding of Stanton Woodcraft in Richmond.

I am certain that the legacy that Dr. Stanley E. Todd Sr., left behind will continue on. Indeed, he possessed a tremendous personal story that serves as a testament to the strength of his spirit and his faith and God. His faith, valor and strength of character should serve as an inspiration to us all. On behalf of myself and my colleagues in the Senate, I offer my deepest condolences to Dr. Todd's friends and loved ones, and express my gratitude for all he contributed to the Commonwealth of Kentucky and to our great Nation.●

#### TRIBUTE TO TED POSNER

● Mr. BAUCUS. Madam President, I rise today to thank Ted Posner, who has worked for me for a year-and-a-half as Trade Counsel for the Senate Finance Committee.

Ted joined my staff in April 2001 after working for 2 years for Congressman SANDY LEVIN, who is the Ranking Democrat on the Ways and Means Subcommittee on International Trade. There, Ted established himself as a nuts-and-bolts expert on trade laws. He earned the respect not only of his colleagues in the House and Senate, but also in the business community, and in the environmental and labor communities.

Perhaps Ted's biggest achievement in the House was his work to help pass permanent Normal Trade Relations for China. Most people are aware of the strong efforts of the House Democrats to forge a compromise that would help pass this important legislation. But few recognize the behind-the-scenes efforts of staff. Ted's work on this issue was tireless, and all who support trade with China owe Ted their gratitude.

Here in the Senate, Ted has continued his outstanding work—and helped

us pass the most comprehensive trade bill in more than 14 years. The Trade Act of 2002, as most people know, included not only Trade Promotion Authority and Trade Adjustment Assistance, but also an extension and expansion of the Andean Trade Preference Act and the Generalized System of Preferences.

Ted worked on most of these issues, but his work on the Andean trade bill and the provisions in TPA dealing with investor-state dispute settlement deserve particular mention. Especially on the issue of investment, Ted deserves great praise. This is a complicated and divisive issue. And Ted worked with all parties to come up with ideas that could win bipartisan support.

Like many staff on Capitol Hill, Ted is an extraordinarily hard worker. But the consistent thread in all of Ted's work that separates him from so many is that he constantly strives for perfection. That is something that is rare, and it is something that has earned him my great respect.

Now Ted is moving on to the office of the U.S. Trade Representative, where he will be Associate General Counsel. I have no doubt that Ted will be a great litigator, and I have full confidence in his representing the United States at the World Trade Organization.

I thank Ted for his efforts and wish him good luck in the future.●

#### IN RECOGNITION OF MRS. SISEL KLURMAN

● Mr. LIEBERMAN. Madam President, I rise today to congratulate and recognize Mrs. Sisel Klurman for being honored by the Florida Friends of Bar-Ilan University and setting the standards for "Women and Entrepreneurship: From Adversity to Achievement."

Bar-Ilan, Israel's largest university, is a leading academic institution with over 30,000 students and extensive disciplines. Mrs. Klurman is a founder of the Rabbi Emanuel Rackman International Center for Women and has been a benefactor to the University. Her affiliation with Bar-Ilan University is based on the University's philosophy that blends its unique formula of tradition with modern technologies and scholarship.

Mrs. Klurman was raised with a true love and appreciation for her Jewish culture and tradition by her parents and grandparents. In 1944 she and her husband, Shmuel Aba, opened a way to safely smuggle Holocaust survivors from Poland to Chernowitz and, ultimately, to Israel. During the next few years, Sisel and Sam worked intensely with underground organizations fighting for the liberation of Israel and working with new immigrants. Their drive and inspiration led them to focus on perpetuating the importance of Jewish identity and education. They began to support many causes, with broad outreach, in support of Jewish education.

Today, Mrs. Klurman supports Jewish education, health and welfare

throughout the United States and Israel. She serves on many national boards, including Bar-Ilan University.

As a businesswoman, Mrs. Klurman is President of Ganot Corporation, a real estate and development company, and president of AG Holdings, Inc., operators of nursing and rehabilitation centers. Founded by her late husband, both companies have flourished under her leadership.

With all of her accomplishments and achievements, Mrs. Klurman is most proud of her family. Her four daughters, six grandchildren and their spouses, and five great grandchildren bring her endless pride and joy.

Mrs. Klurman has proven that adversity can embody accomplishment. Her drive, commitment and leadership are a motivation to all women.●

#### COMMENDING MR. OTOK BEN-HVAR

● Mr. SMITH of New Hampshire. Madam President, I rise today to commend and honor New Hampshire resident Mr. Otok Ben-Hvar for his achievement in serving his country and spreading the message of patriotism and unity in the United States and throughout the world.

As a retired U.S. Army, 82nd Airborne Division paratrooper, Mr. Ben-Hvar has served as an ambassador of American goodwill for more than 25 years. He has traveled throughout the world to deliver toys and trinkets to poor, young children, many of whom are victims of war. During the Balkan War, Mr. Ben-Hvar spent months in Bosnia and Croatia delivering toys, food, clothing and medical supplies to those in need. His tireless effort, while on the front lines of battle, earned him status as the first American to receive honorary citizenship in Croatia. He has been nicknamed "America's Santa to the World," and I can think of no more appropriate title to match his kind and heroic deeds.

Mr. Ben-Hvar has returned to embark on a mission to plant America's first National Tree. Collecting and using the native soil of every American state, territory and commonwealth, as well as Washington, D.C., Mr. Ben-Hvar planted and nurtured the seed of his "American Tree". Since its planning in 1999, Mr. Ben-Hvar has escorted the tree, a sugar maple, to each of the states and territories from whence its soil came—a trip of 103,928 miles, taking close to three years.

The tree brings with it a great message of national harmony, and has been treasured by those who see it. This gesture of patriotism and unity from Mr. Ben-Hvar truly deserves to be honored—which is why I am sharing his effort with the Senate today, and asking the President to respond to his request to have the tree permanently planted on the White House lawn. This tree will stand as a testament to the great strength and character of our nation.

My home state of New Hampshire is renowned for its forested beauty. How-

ever, Mr. Ben-Hvar's tree indeed belongs to the entire United States. It is my distinct honor to represent Mr. Otok Ben-Hvar in the United States Senate and to recognize him now for his tribute to our country.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### NOTICE STATING THAT THE EMERGENCY DECLARED WITH RESPECT TO THE GOVERNMENT OF IRAN ON NOVEMBER 14, 1979 IS TO CONTINUE BEYOND NOVEMBER 14, 2002—PM 118

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iran emergency declared by Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2002, to the Federal Register for publication. The most recent notice continuing this emergency was published in the Federal Register on November 13, 2001, (66 FR 59666).

Our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2002.

GEORGE W. BUSH.  
THE WHITE HOUSE, November 12, 2002.

**REPORT RELATIVE TO THE CONTINUATION OF THE EMERGENCY REGARDING WEAPONS OF MASS DESTRUCTION—PM 119**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency posed by the proliferation of weapons of mass destruction and their delivery systems declared by Executive Order 12938 on November 14, 1994, as amended, is to continue in effect beyond November 14, 2002, to the Federal Register for publication. The most recent notice continuing this emergency was published in the Federal Register on November 13, 2001 (66 FR 56965).

The proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined the national emergency previously declared must continue in effect beyond November 14, 2002.

GEORGE W. BUSH.

THE WHITE HOUSE, November 6, 2002.

**PERIODIC REPORT RELATIVE TO THE NATIONAL EMERGENCY WITH RESPECT TO IRAN WHICH WAS DECLARED IN EXECUTIVE ORDER NO. 12170—PM 120**

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report prepared by my Administration on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979.

GEORGE W. BUSH.

THE WHITE HOUSE, November 12, 2002.

**MESSAGE FROM THE HOUSE**

At 1:04 p.m., a message from the House of Representatives, delivered by

Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5603. An Act to amend the Internal Revenue Code of 1986 to suspend the tax-exempt status of designated terrorist organizations, and for other purposes.

**ENROLLED BILLS PRESENTED**

The Secretary of the Senate reported that on November 4, 2002, she had presented to the President of the United States the following enrolled bills:

S. 1210. An act to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996.

S. 2690. An act to reaffirm the references to one Nation under God in the Pledge of Allegiance.

**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-9395. A communication from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-9396. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, certification for the fiscal year 2003 that no United Nations Agency or affiliate promotes or condones the legalization of pedophilia; to the Committee on Foreign Relations.

EC-9397. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles to Pakistan; to the Committee on Foreign Relations.

EC-9398. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of 50,000,000 or more to France; to the Committee on Foreign Relations.

EC-9399. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Removal of Visa and Passport Waiver for Certain Permanent Residents of Canada and Bermuda" (22 CFR Part 41); to the Committee on Foreign Relations.

EC-9400. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Nonimmigrants under the Immigration and Nationality Act, As Amended: Transitional Foreign Student Monitoring Program" (22 CFR part 41) received on October 9, 2002; to the Committee on Foreign Relations.

EC-9401. A communication from the Assistant Administrator for Procurement, National Aeronautic and Space Administration, transmitting, pursuant to law, the report of a rule to change NASA Federal Acquisition

Regulation Supplement" (48 CRF Part 1804) received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9402. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Increase of Atlantic bluefin tuna General category daily retention limit" (I.D. 083002D) received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9403. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna; Atlantic bluefin tuna retention limit adjustments" (I.D. 091302A) received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9404. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of the Pacific cod fishery by vessels catching Pacific cod for processing by the inshore component of the Central Regulatory Area of the Gulf of Alaska" received on October 15, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9405. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Closure of the Pacific cod fishery in the offshore component of the Western Regulatory Area of the Gulf of Alaska" received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9406. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes Directed Fishing for Pollock in Statistical Area 630, Gulf of Alaska" received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9407. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "NMFS is reallocating the projected unused amount of Pacific cod from vessels using trawl and jig gear to vessels using hook-and-line or pot gear in the BSAI. These actions are necessary to allow the 2002 total allowable catch (TAC) of Pacific cod to be harvested." Received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9408. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska—Closes D Season Allowance of Pollock for Statistical Area 610, Gulf of Alaska" received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9409. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a interim rule to change the Alternate Hull Examination Program for Certain Passenger Vessels, and Underwater Surveys for Passenger, Nautical School, and Sailing School Vessels ((RIN2115-AF95) (2002-

0001)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9410. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule "Great Lakes Maritime Academy—Eligibility of Certain Graduates for Unrestricted Third-Mate Licenses; direct final rule; request for comments" (RIN2115-AG43) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9411. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Regulations; Passaic River, NJ" ((RIN 2115-AE47) (2002-0088)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9412. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; M/V ROY A JODREY Shipwreck, Wellesley Island, New York ((RIN 2115-AA97) (2002-0198)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9413. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Captain of the Port Chicago Zone, Lake Michigan" ((RIN2115-AA97) (2002-0195)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9414. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Seabrook Nuclear Power Plant, Seabrook, New Hampshire" ((RIN2115-AA97) (2002-0197)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9415. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations; Delaware Bay and River" ((2115-AA97) (2002-0196)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9416. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations (Including 3 regulations) [COPT Corpus Christi 02-003] [COPT Houston-Galveston 02-0101] [COPT St. Louis 02-005]" ((RIN2115-AA97) (2002-0194)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9417. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to implement Amendment 7 to the Stone Crab Fishery of the Gulf of Mexico" (RIN0648-AN10) received October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9418. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Magnuson Act Provisions; Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specification; Pacific Whiting" ((RIN 0648-AP85) (I.D. 032502A)) received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9419. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to implement the Deep-sea Red Crab Fishery Management Plan" (RIN 0648-AP76) received on October 28, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9420. A communication from the Trail Attorney of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Reimbursement Prior to Recall" (RIN 2127-AI28) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9421. A communication from the Senior Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations, Galveston, TX" (MB 02-142, RM-10436) received on October 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9422. A communication from the Senior Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations, Hammond, LA" (MB Docket No. 02-131) received on October 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9423. A communication from the Senior Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations, Reliance, SD (MB Docket No. 02-101) received on October 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9424. A communication from the Senior Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations, Fort Wayne, IN" (MB Docket No. 01-302) received on October 7, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9425. A communication from the Senior Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Reporting of Information About Foreign Safety Recalls and Campaigns Related to Potential Defects" (RIN2127-AI26) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9426. a communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report of a rule entitled "Airworthiness Directives: Raytheon Aircraft Company Model 390 Airplanes" ((RIN2120-AA64) (2002-0436)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9427. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report of a rule entitled "Airworthiness Directives: Boeing,

Model 737-600, 700, 700C, 800 and 900 Series Airplanes Model 747 Series Airplanes; and Model 757 Series Airplanes" ((RIN2120-AA64) (2002-0437)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

EC-9428. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Air Tractor, Inc. Models AT-802, and AT 802A Airplanes" ((RIN 2120-AA64) (2002-0439)) received on October 21, 2002; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES RECEIVED DURING RECESS

Under the authority of the order of the Senate of October 17, 2002, the following reports of committees were submitted on November 4, 2002:

By Mr. INOUE, from the Committee on Indian Affairs, without amendment:

S. 343: A bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to the community, business, and economic development of Native American communities. (Rept. No. 107-324).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 2975: A bill to authorize the project for hurricane and storm damage reduction, Morganza, Louisiana, to the Gulf of Mexico, Mississippi River and Tributaries. (Rept. No. 107-325).

S. 2978: A bill to modify the project for flood control, Little Calumet River, Indiana. (Rept. No. 107-326).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, with an amendment:

S. 2983: A bill to authorize a project for navigation, Chickamauga Lock and Dam, Tennessee. (Rept. No. 107-327).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 2984: A bill to authorize a project for environmental restoration at Smith Island, Maryland. (Rept. No. 107-328).

S. 2999: A bill to authorize the project for environmental restoration, Pine Flat Dam, Fresno County, California. (Rept. No. 107-329).

By Mr. LIEBERMAN, from the Committee on Governmental Affairs:

Report to accompany S. 1651, a bill to establish the United States Consensus Council to provide for a consensus building process in addressing national public policy issues, and for other purposes. (Rept. No. 107-330).

Report to accompany S. 2644, a bill to amend chapter 35 of title 31, United States Code, to expand the types of Federal agencies that are required to prepare audited financial statements. (Rept. No. 107-331).

Report to accompany S. 3044, a bill to authorize the Court Services and Offender Supervision Agency of the District of Columbia to provide for the interstate supervision of offenders on parole, probation, and supervised release. (Rept. No. 107-332).

Report to accompany H.R. 4878, to provide for estimates and reports of improper payments by Federal agencies. (Rept. No. 107-333).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 2513, a bill to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence. (Rept. No. 107-334).



## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JEFFORDS, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1746: A bill to amend the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974 to strengthen security at sensitive nuclear facilities. (Rept. No. 107-335).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 2715: A bill to provide an additional extension of the period of availability of unemployment assistance under the Robert T. Stafford Disaster Relief, an Emergency Assistance Act in the case of victims of the terrorist attacks of September 11, 2001. (Rept. No. 107-336).

By Mr. KENNEDY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2969: A bill to provide for improvement of Federal education research, statistics, evaluation, information, and dissemination, and for other purposes. (Rept. No. 107-337).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, without amendment:

S. 2730: A bill to modify certain water resources projects for the Apalachicola, Chattahoochee, and Flint Rivers, Georgia, Florida and Alabama. (Rept. No. 107-338).

By Mr. JEFFORDS, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

S. 2332: A bill to designate the Federal building and United States courthouse to be constructed at 10 East Commerce Street in Youngstown, Ohio, as the "Nathaniel R. Jones Federal Building and United States Courthouse".

## NOMINATION DISCHARGED

Pursuant to a unanimous consent agreement of January 5, 2001, the Committee on Governmental Affairs was discharged of the following nomination:

## DEPARTMENT OF EDUCATION

John Portman Higgins, of Virginia, to be Inspector General, Department of Education.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SANTORUM (for himself and Mr. BROWNBACK):

S. Con. Res. 155. A concurrent resolution affirming the importance of a national day of prayer and fasting, and expressing the sense of Congress that November 27, 2002, should be designated as a national day of prayer and fasting; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 29

At the request of Mr. BOND, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 29, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 326

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 326, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services and to permanently increase payments for such services that are furnished in rural areas.

S. 830

At the request of Mr. CHAFEE, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 830, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 1248

At the request of Mr. KERRY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1248, a bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable, housing for low-income families, and for other purposes.

S. 1291

At the request of Mr. HATCH, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1291, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien college-bound students who are long term United States residents.

S. 2008

At the request of Mr. GREGG, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2008, a bill to prohibit certain abortion-related discrimination in governmental activities.

S. 2085

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to clarify the definition of homebound with respect to home health services under the medicare program.

S. 2268

At the request of Mr. MILLER, the names of the Senator from Arizona (Mr. KYL) and the Senator from Tennessee (Mr. THOMPSON) were added as cosponsors of S. 2268, a bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce.

S. 2489

At the request of Mrs. CLINTON, the name of the Senator from Louisiana

(Ms. LANDRIEU) was added as a cosponsor of S. 2489, a bill to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

S. 2573

At the request of Mr. REED, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2573, a bill to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and for other purposes.

S. 2714

At the request of Mrs. CLINTON, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2714, a bill to extend and expand the Temporary Extended Unemployment Compensation Act of 2002.

S. 2826

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 2826, a bill to improve the national instant criminal background check system, and for other purposes.

S. 2903

At the request of Mr. JOHNSON, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of S. 2903, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care.

S. 3018

At the request of Mr. BAUCUS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 3018, a bill to amend title XVIII of the Social Security Act to enhance beneficiary access to quality health care services under the medicare program, and for other purposes.

S. 3114

At the request of Mr. LEAHY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 3114, a bill to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

S. 3118

At the request of Mr. ENSIGN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 3118, a bill to strengthen enforcement of provisions of the Animal Welfare Act relating to animal fighting, and for other purposes.

S. RES. 339

At the request of Mrs. MURRAY, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. Res. 339, a resolution designating November 2002, as "National Runaway Prevention Month".

S. CON. RES. 94

At the request of Mr. WYDEN, the name of the Senator from Vermont



(Mr. JEFFORDS) was added as a cosponsor of S. Con. Res. 94, a concurrent resolution expressing the sense of Congress that public awareness and education about the importance of health care coverage is of the utmost priority and that a National Importance of Health Care Coverage Month should be established to promote that awareness and education.

S. CON. RES. 129

At the request of Mr. CRAPO, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Hawaii (Mr. INOUE), the Senator from Georgia (Mr. CLELAND), the Senator from Utah (Mr. HATCH), the Senator from Ohio (Mr. DEWINE), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Con. Res. 129, a concurrent resolution expressing the sense of Congress regarding the establishment of the month of November each year as "Chronic Obstructive Pulmonary Disease Awareness Month".

S. CON. RES. 138

At the request of Mr. REID, the names of the Senator from South Dakota (Mr. DASCHLE) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. Con. Res. 138, a concurrent resolution expressing the sense of Congress that the Secretary of Health And Human Services should conduct or support research on certain tests to screen for ovarian cancer, and Federal health care programs and group and individual health plans should cover the tests if demonstrated to be effective, and for other purposes.

#### SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 155—AFFIRMING THE IMPORTANCE OF A NATIONAL DAY OF PRAYER AND FASTING, AND EXPRESSING THE SENSE OF CONGRESS THAT NOVEMBER 27, 2002, SHOULD BE DESIGNATED AS A NATIONAL DAY OF PRAYER AND FASTING.

Mr. SANTORUM (for himself and Mr. BROWNBACK) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 155

Whereas the President has sought the support of the international community in responding to the threat of terrorism, violent extremist organizations, and states that permit or host organizations that are opposed to democratic ideals;

Whereas a united stance against terrorism and terrorist regimes will likely lead to an increased threat to the armed forces and law enforcement personnel of those states that oppose these regimes of terror and that take an active role in rooting out these enemy forces;

Whereas Congress has aided and supported a united response to acts of terrorism and violence inflicted upon the United States, our allies, and peaceful individuals all over the world;

Whereas President Abraham Lincoln, at the outbreak of the Civil War, proclaimed

that the last Thursday in September 1861 should be designated as a day of humility, prayer, and fasting for all people of the Nation;

Whereas it is appropriate and fitting to seek guidance, direction, and focus from God in times of conflict and in periods of turmoil;

Whereas it is through prayer, self-reflection, and fasting that we can better examine those elements of our lives that can benefit from God's wisdom and love;

Whereas prayer to God and the admission of human limitations and frailties begins the process of becoming both stronger and closer to God;

Whereas becoming closer to God helps provide direction, purpose, and conviction in those daily actions and decisions we must take;

Whereas our Nation, tested by civil war, military conflicts, and world wars, has always benefited from the grace and benevolence bestowed by God; and

Whereas dangers and threats to our Nation persist and in this time of peril, it is appropriate that the people of the United States, leaders and citizens alike, seek guidance, strength, and resolve through prayer and fasting: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—*

(1) November 27, 2002, should be designated as a day for humility, prayer, and fasting for all people of the United States; and

(2) all people of the United States should—

(A) observe this day as a day of prayer and fasting;

(B) seek guidance from God to achieve greater understanding of our own failings;

(C) learn how we can do better in our everyday activities; and

(D) gain resolve in how to confront those challenges which we must confront.

#### PRIVILEGE OF THE FLOOR

Mr. DASCHLE. Madam President, I ask unanimous consent that the privilege of the floor be granted to staff members of the late Senator PAUL WELLSTONE during today's session.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 5005

Mr. REID. Madam President, I ask unanimous consent that at 2:45 p.m. on Wednesday, November 13, the motion to proceed to the motion to reconsider be agreed to, the motion to reconsider be agreed to, and without further intervening action or debate the Senate proceed to vote on the motion to invoke cloture on the Gramm amendment, No. 4738, to H.R. 5005, the homeland security legislation.

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 1052, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097,

1098, 1099, 1100, 1101, 1103, 1104 through 1112, 1114, 1115, 1117 through 1121, 1123 through 1129; that the nominations be confirmed, the motions to reconsider be laid on the table, the President of the United States be immediately notified of the Senate's action, any statements be printed in the RECORD, and the Senate then resume legislative session, with the preceding all occurring without any intervening action or debate.

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

The nominations were considered and confirmed as follows:

#### DEPARTMENT OF DEFENSE

Charles S. Abell, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness.

#### DEPARTMENT OF JUSTICE

Carol Chine-Hua Lam, of California, to be United States Attorney for the Southern District of California for the term of four years.

Glenn T. Suddaby, of New York, to be United States Attorney for the Northern District of New York for the term of four years.

Johnny Mack Brown, of South Carolina, to be United States Marshal for the District of South Carolina for the term of four years.

John Francis Clark, of Virginia, to be United States Marshal for the Eastern District of Virginia for the term of four years.

Robert Maynard Grubbs, of Michigan, to be United States Marshal for the Eastern District of Michigan for the term of four years.

Joseph R. Guccione, of New York, to be United States Marshal for the Southern District of New York for the term of four years.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Alberto Faustino Trevino, of California, to be an Assistant Secretary of Housing and Urban Development.

Carolyn Y. Peoples, of Maryland, to be an Assistant Secretary of Housing and Urban Development.

#### SECURITIES INVESTOR PROTECTION CORPORATION

Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2002.

Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2005.

Deborah Doyle McWhinney, of California, to be a Director of the Securities Investor Protection corporation for a term expiring December 31, 2004.

#### NATIONAL CONSUMER COOPERATIVE BANK

Rafael Cuellar, of New Jersey, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

Michael Scott, of North Carolina, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

#### FEDERAL DEPOSIT INSURANCE CORPORATION

John M. Reich, of Virginia, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

#### DEPARTMENT OF STATE

John R. Dawson, of the District of Columbia, 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 Republic of Peru.

Gene B. Christy, of Texas, 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 Brunei Darussalam.

Charles Aaron Ray, of Texas, as Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Cambodia.

David L. Lyon, 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 Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nauru, Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Tonga, and Ambassador Extraordinary and Plenipotentiary of the United States of America to Tuvalu.

Linda Ellen Watt, of Florida, 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 Republic of Panama.

Richard Allan Roth, of Michigan, 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 Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Guinea-Bissau.

Antonio O. Garza, Jr., of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Mexico.

Joseph Huggins, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Botswana.

Grover Joseph Rees, of Louisiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of East Timor.

Robin Renee Sanders, 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 the Republic of Congo.

Francis X. Taylor, of Maryland, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service, vice David G. Carpenter.

Francis X. Taylor, of Maryland, to be an Assistant Secretary of State (Diplomatic Security).

#### INTERNATIONAL MONETARY FUND

Nancy P. Jacklin, of New York, to be United States Executive Director of the International Monetary Fund for a term of two years.

#### BROADCASTING BOARD OF GOVERNORS

Seth Cropsey, of the District of Columbia, to be Director of the International Broadcasting Bureau, Broadcasting Board of Governors. (New Position)

Steven J. Simmons, of Connecticut, to be Member of the Broadcasting Board of Governors for the remainder of the term expiring August 13, 2003.

Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2005. (Reappointment)

D. Jeffrey Hirschberg, of Wisconsin, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2004.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Wendy Jean Chamberlin, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

Diane M. Ruebling, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

C. William Swank, of Ohio, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2002.

Samuel E. Ebbesen, of the Virgin Islands, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2003.

Ned L. Siegel, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2003.

#### POSTAL RATE COMMISSION

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for the remainder of the term expiring October 14, 2004.

Ruth Y. Goldway, of California, to be a Commissioner of the Postal Rate Commission for the term expiring November 22, 2008. (Reappointment)

### LEGISLATIVE SESSION

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

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 107-18

Mr. REID. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 12, 2002, by the President of the United States: Inter-American Convention Against Terrorism, Treaty Document No. 107-18.

I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

#### *To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith, the Inter-American Convention Against Terrorism, adopted at the Thirty-Second Regular Session of the OAS General Assembly meeting in Bridgetown, Barbados, on June 3, 2002, and opened for signature on that date. At that time it was signed by 30 of the 33 members attending the meeting, including the United States. It has subsequently been signed by another two member states, leaving only two states that have not yet signed. In addition, I

transmit herewith, for the information of the Senate, the report of the Department of State.

The negotiation of the inter-American Convention Against Terrorism (the "Convention") was a direct response to the terrorist attacks on the United States on September 11, 2001. At that time, the OAS was meeting in Lima, Peru, to adopt a Democratic Charter uniting all 34 democracies in the hemisphere. The OAS member states expressed their strong commitment to assist the United States in preventing such incidents from occurring again anywhere in our hemisphere. Within 10 days, the foreign ministers of the OAS member states, meeting in Washington, D.C., endorsed the idea of drafting a regional convention against terrorism. Argentina, Peru, Chile, and Mexico played particularly important roles in the development and negotiation of the Convention.

The Convention will advance important United States Government interests and enhance hemispheric security by improving regional cooperation in the fight against terrorism. The forms of enhanced cooperation include exchanges of information, exchanges of experience and training, technical cooperation, and mutual legal assistance. The Convention is consistent with, and builds upon previous counterterrorism instruments and U.N. Security Council Resolution 1373, which mandates certain measures to combat terrorism.

The Convention provides for regional use of a variety of legal tools that have proven effective against terrorism and transnational organized crime in recent years. Since fighting terrorist financing has been identified as an essential part of the fight against terrorism, the Convention addresses crucial financial regulatory, as well as criminal law, aspects. Existing Federal authority is sufficient to discharge the obligations of the United States under this Convention, and therefore no implementing legislation will be required.

In particular, the Convention mandates the establishment of financial intelligence units for the collection, analysis, and dissemination of terrorist financing information and the establishment and enhancement of channels of communication between law enforcement authorities for secure and rapid exchange of information concerning all aspects of terrorist offenses; the exchange of information to improve border and customs control measures to detect and prevent movement of terrorists and terrorist-related materials; and technical cooperation and training programs.

The Convention also provides measures relating to the denial of refugee or asylum status. In addition, the Convention provides that terrorist acts may not be considered "political" offenses for which extradition or mutual legal assistance requests can be denied, and provides for other mechanisms to facilitate mutual legal assistance in criminal matters.

In sum, the Convention is in the interests of the United States and represents an important step in the fight against terrorism. I therefore recommend that the Senate give prompt and favorable consideration to the Convention, subject to the understandings that are described in the accompanying report of the Department of State, and give its advice and consent to ratification.

GEORGE W. BUSH.  
THE WHITE HOUSE, *November 12, 2002.*

#### APPOINTMENTS

Mr. REID. Madam President, I ask unanimous consent that the announcement at the desk of the appointments which were made over the recent adjournment of the Senate appear in the RECORD.

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

The appointments are as follows:

Pursuant to the provisions of Public Law 93-642, on behalf of the Vice President, the appointment of the Senator from Missouri

(Mrs. CARNAHAN) to the Board of Trustees of the Harry S Truman Scholarship Foundation.

Pursuant to the provisions of Public Law 99-498, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, the appointment of Clare Cotton of Massachusetts to the Advisory Committee on Student Financial Assistance.

#### ORDERS FOR TOMORROW, NOVEMBER 13, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m., Wednesday, November 13; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 12:30, with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees; that the Senate recess from

12:30 to 2:15 p.m. for the weekly party conferences; that at 2:15 p.m. there be a period of morning business until 2:45 p.m., with the time equally divided between the two leaders or their designees.

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

#### PROGRAM

Mr. REID. Madam President, at 2:45, as the Chair previously ordered, the majority leader will be recognized.

#### ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:52 p.m., adjourned until Wednesday, November 13, 2002, at 11 a.m.